18351 U.S. PTO
051205

NEW UTILITY PATENT APPLICATION TRANSMITTAL

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

Attorney Docket Number	23682-10344
First Named Inventor	Justin Marston
Title	ENFORCING COMPLIANCE POLICIES IN A MESSAGING SYSTEM
Express Mail Label No.	EV 380113188 US

113262 U.S. PTO
11/129212
051205

APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form
2. ☒ Applicant claims small entity status. See 37 CFR 1.27
3. ☒ Specification — *Total Pages* 40
   (preferred arrangement set forth below)
   - Descriptive Title of the Invention
   - Cross Reference(s) to Related Case(s)
   - Statement Regarding Fed sponsored R & D
   - Background of the Invention
   - Brief Summary of the Invention
   - Brief Description of the Drawing(s)
   - Detailed Description
   - Claim or Claims
   - Abstract of the Disclosure
4. ☒ Drawing(s) *(35 U.S.C. 113)* — *Total Sheets* 5
5. Oath or Declaration
   a. ☐ Declaration — *Total Pages*
      ☐ Executed (original or copy)
   b. ☐ Copy from a prior application (37 CFR 1.63(d))
      (for continuation/divisional with Box 18 completed)
      i. ☐ DELETION OF INVENTOR(S)
      Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
9. ☐ Power of Attorney or Authorization of Agent
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ Preliminary Amendment
12. ☐ Information Disclosure Statement & PTO/SB/08A
    ☐ Copies of IDS Citation(s)
13. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
14. ☒ Return Postcard
15. ☐ _____
16. ☐ _____
17. ☐ _____

ADDRESS TO:

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

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

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No:

Prior application information: *Examiner:* _____ *Group/Art Unit:* _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ *Customer Number* 00758

Name (Print/Type)	Brian M. Hoffman	*Registration No. (Attorney/Agent)*	39,713
Signature		*Date*	May 12, 2005

23682/10344/SF/5143096.1

051205

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

FEE TRANSMITTAL For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT PLEASE DEFER

Complete if Known	
Application Number	NOT YET KNOWN
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Examiner Name	UNASSIGNED
Art Unit	UNASSIGNED
Attorney Docket No.	23682-10344

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other (please identify):

☐ Deposit Account Deposit Account Number: 19-2555 Deposit Account Name: Fenwick & West LLP

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

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee	Small Entity Fee
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims		Extra Claims		Fee ($)		Fee Paid ($)	Multiple Dependent Claims Fee ($)	Multiple Dependent Claims Fee Paid ($)
30	- 20 or HP =	10	x	25	=	0	0	0

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

Total Claims		Extra Claims		Fee ($)		Fee Paid ($)
3	- 3 or HP =	0	x	100	=	0

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

3. APPLICATION SIZE FEE

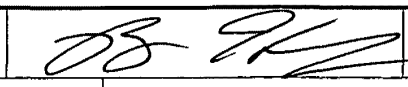
If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof		Fee ($)		Fee Paid ($)
45	- 100 =	0	/ 50 =	(round up to a whole number)	x		=	0

4. OTHER FEE(S) Fees Paid ($)

Non-English Specification, $130 fee (no small entity discount)
Assignment:
Other:

SUBMITTED BY

Signature		Registration No.: 39,713 (Attorney/Agent)	Telephone: (415) 875-2484
Name (Print/Type)	Brian M. Hoffman		Date: May 12, 2005

23682/10344/SF/5143092.1

CLAIMS

We Claim:

1. A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, each message comprising one or more message components; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the message components, the governance module further adapted to apply the rules described by the compliance policy to the message components.

2. The messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the message components can be classified, and a set of rules applicable to the population structure, jobcodes, and message components.

3. The messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all message components classified with the jobcode.

4. The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a message component, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the message component;

a target element describing a population structure entity that is a recipient of the message component; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

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5. The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communication with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

6. The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a message component or entity in the population structure is useable; and

retention rules describing whether a message component or entity in the population structure should be deleted from the messaging system.

7. The messaging server of claim 1, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages.

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8. A computer program product having a computer-readable medium having embodied thereon program code for use in an electronic messaging system, the program code comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, each message comprising one or more message components; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the message components, the governance module further adapted to apply the rules described by the compliance policy to the message components in the message database.

9. The computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the message components can be classified, and a set of rules applicable to the population structure, jobcodes, and message components.

10. The computer program product of claim 9, wherein a jobcode describes a set of jobcode rules applicable to all message components classified with the jobcode.

11. The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a message component, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the message component;

a target element describing a population structure entity that is a recipient of the message component; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

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12. The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communication with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

13. The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a message component or entity in the population structure is useable; and

retention rules describing whether a message component or entity in the population structure should be deleted from the messaging system.

14. The computer program product of claim 8, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages.

15. A computer-implemented method of managing messages in an electronic messaging system, comprising:

defining a compliance policy describing rules applicable to message components in the electronic messaging system;

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receiving a message component from a messaging client, the message component identified as a reference in a message container; and

applying the compliance policy to the message component received from the messaging client.

16. The computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging clients of the messaging system, a set of jobcodes with which the message components can be classified, and a set of rules applicable to the population structure, jobcodes, and message components.

17. The computer-implemented method of claim 16, wherein a jobcode describes a set of jobcode rules applicable to all message components classified with the jobcode.

18. The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team.

19. The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and

defining a set of rules applicable to the entities in the group.

20. The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a message component, the elements selected from the group consisting of:

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a source element describing a population structure entity that is a source of the message component;

a target element describing a population structure entity that is a recipient of the message component; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

21. The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure.

22. The computer-implemented method of claim 15, wherein defining the compliance policy comprises:

defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a message component.

23. The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communication with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

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24. The computer-implemented method of claim 15, wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt message components.

25. The computer-implemented method of claim 15, wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a message component in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action.

26. The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure;

defining group rules applicable to message components related to the group of entities; and

applying the group rules to a message component related to the group of entities.

27. The computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities.

28. The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a message component or entity in the population structure is useable; and

retention rules describing whether a message component or entity in the population structure should be deleted from the messaging system.

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29. The computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the message component; and

recording the attempted action in a compliance log.

30. The computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log.

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ENFORCING COMPLIANCE POLICIES IN A MESSAGING SYSTEM

ABSTRACT OF THE DISCLOSURE

A messaging system enforces compliance policies for the electronic messages. The messaging system treats a set of related messages, such as an email string between two or more people, as a message container (200) having relational references to one or more submessages (210, 212, 214). A messaging server (112) stores the messages and submessages as discrete message components within a message database (416). In addition, the messaging server (112) stores one or more compliance policies. A compliance policy describes the set of rules that apply to message components during their lifecycles and is defined in terms of a population structure, a set of rules, and a set of jobcodes. When an action occurs that involves a piece of content, the messaging system identifies the relevant compliance policy in the governance policy database (424) and applies any rules that are applicable given the population structure and jobcode.

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OCT 24 2005
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TRANSMITTAL FORM

(to be used for all correspondence during pendency of filed application)

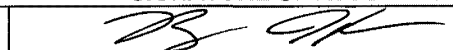
Application Number	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Philip Marston
Group Art Unit Number	2645
Examiner Name	Not Yet Known
Total Number of Pages in This Submission: 4*	Attorney Docket Number: 23682-10344

ENCLOSURES *(check all that apply)*

- ☐ Fee Transmittal Form (in duplicate)
  - ☐ Check Enclosed
- ☒ Return Receipt Postcard
- ☐ Response to Notice to File Missing Parts
- ☐ Assignment & Recordation Cover Sheet
- ☐ Declaration
- ☐ Power of Attorney
- ☐ Application Data Sheet
- ☒ Information Disclosure Statement & PTO/SB/08A
  - ☒ Copies of IDS Cited References
- ☐ Request for Corrected Filing Receipt
- ☐ Request for Correction of Recorded Assignment
- ☐ Amendment/Response: [ ] Page(s)
  - ☐ After Final
- ☐ Status Request
- ☐ Revocation and Substitute Power of Attorney
- ☐ Issue Fee Transmittal
- ☐ Letter to Chief Draftsperson
- ☐ Formal Drawing(s):
  [ ] Sheet(s) of Figure(s) [ ]
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group *(Appeal Notice, Brief, Reply Brief)*
- ☐ Certified Copy of Priority Document(s)
- ☐ After Allowance Communication to Group
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____
- ☐ _____

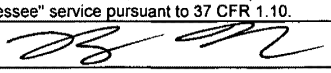
REMARKS: * No. of pages in this submission does not include pages of cited art

SIGNATURE OF ATTORNEY OR AGENT

Signature:			
Attorney/Reg. No.:	Brian M. Hoffman, Reg. No. 39,713	Dated:	10/19/05

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:			
Typed or Printed Name:	Brian M. Hoffman	Dated:	10/19/05
Express Mail Mailing Number *(optional)*:			

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Page 12 of 359

OIPE IAP06
OCT 24 2005
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Justin Philip Marston *et al.*
APPLICATION NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies In A Messaging System
EXAMINER:	Not Yet Known
GROUP ART UNIT:	2645
ATTY. DKT. NO.:	23682-10344

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: 10/19/05 By: _____

Brian M. Hoffman, Reg. No.: 39,713

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P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

☒ This application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirements under 37 CFR 1.98(a)(2)(i), copies of each U.S. Patent and each

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U.S. Patent Application Publication are not required to be submitted. Copies of any foreign patent documents and non-patent literature cited herein are enclosed.

☒ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
JUSTIN PHILIP MARSTON *ET AL.*

Dated: 10/19/05

By: _____

Brian M. Hoffman, Reg. No.: 39,713
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (415) 875-2484
Fax.: (650) 938-5200

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PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	1	of	1

Complete if Known	
Application No.	**11/129,212**
Filing Date	**May 12, 2005**
First Named Inventor	**Justin Philip Marston**
Art Unit	**2645**
Examiner Name	**Not Yet Known**
Attorney Docket Number	**23682-10344**

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document No. Number – Kind Code[2] (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-		
		US-		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]
	B1	EP 1085444 A2	03-21-2001	Microsoft Corporation	
	B2	EP 0739115 A2	10-23-1996	AT&T IPM CORP	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	Edwards, W.K., "The Design an Implementation of the Montage Multimedia Mail System," Communications for Distributed Applications and Systems, Chapel Hill, April 18-19, 1991; Proceedings of the Conference on Communications Software, New York, IEEE, US, Vol. Conf. 4, April 18, 1991, pp. 47-57.	
	C2	International Search Report and Written Opinion, PCT/GB2005/001845, August 24, 2005.	

Examiner Signature		Date Considered	

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

[1]Applicant's unique citation designation number (optional). [2]See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Justin Marston et al.
APPLICATION NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies in a Messaging System
EXAMINER:	Jason D. Cardone
GROUP ART UNIT:	2145
ATTY. DKT. NO.:	23682-10344

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
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ALEXANDRIA, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a

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final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR.§ 1.97(c); OR
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
  - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
  - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;

☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:

- ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
  - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
  - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

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Microsoft v. Sterling - IPR2025-00270
Page 17 of 359

☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR.§ 1.97(d); OR

☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.

☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____ , filed on _____ , and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

☒ Copies of any foreign patent documents and non-patent literature cited herein are enclosed.

☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
Justin Marston et al.

Dated: January 22, 2007

By: /Brian Hoffman/
Brian M. Hoffman, Reg. No.: 39,713
Fenwick & West LLP
Silicon Valley Center
801 California Street
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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				**Application No.**	11/129,212
				Filing Date	May 12, 2005
				First Named Inventor	Justin Marston
				Art Unit	2145
				Examiner Name	Jason D. Cardone
Sheet	1	of	1	Attorney Docket Number	23682-10344

U.S. PATENT DOCUMENTS				
		Document No.		
Examiner Initials*	Cite No.[1]	Number – Kind Code[2] (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document

FOREIGN PATENT DOCUMENTS					
		Foreign Patent Document			
Examiner Initials*	Cite No.[1]	Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	PCT International Preliminary Report on Patentability and Written Opinion, PCT/GB2005/001845, November 29, 2006, 7 pages.	

Examiner Signature		Date Considered	

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

[1]Applicant's unique citation designation number (optional). [2]See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.

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Microsoft v. Sterling - IPR2025-00270
Page 19 of 359

Electronic Acknowledgement Receipt	
EFS ID:	1454508
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	758
Filer:	Brian M. Hoffman
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	22-JAN-2007
Filing Date:	12-MAY-2005
Time Stamp:	17:52:05
Application Type:	Utility

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Filed	10344__Suppl__IDS.pdf	78141	no	3
Warnings:					

Information:					
This is not an USPTO supplied IDS fillable form					
2	Information Disclosure Statement (IDS) Filed	10344__PTO-8A_for_Suppl_ _IDS.pdf	109307	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	NPL Documents	10344_Ref_Report_WO.pdf	254936	no	7
Warnings:					
Information:					
			Total Files Size (in bytes):	442384	

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Justin Marston et al.
APPLICATION NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies in a Messaging System
EXAMINER:	Ajay M. Bhatia
GROUP ART UNIT:	2445
ATTY. DKT. NO.:	23682-10344

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR.§ 1.97(c); OR

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Microsoft v. Sterling - IPR2025-00270
Page 22 of 359

☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:

☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR

☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;

☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:

☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:

☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;

☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR.§ 1.97(d); OR

☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file

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Page 23 of 359

according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.

☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____ , filed on _____ , and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Respectfully submitted,
Justin Marston et al.

Dated: February 19, 2009

By: /Brian Hoffman/
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Microsoft v. Sterling - IPR2025-00270
Page 24 of 359

Substitute for form 1449A/PTO				*Complete if Known*	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				**Application No.**	11/129,212
				Filing Date	May 12, 2005
				First Named Inventor	Justin Marston
				Art Unit	2445
				Examiner Name	Ajay M. Bhatia
Sheet	1	of	1	Attorney Docket Number	23682-10344

U.S. PATENT DOCUMENTS				
		Document No.		
Examiner Initials*	Cite No.[1]	Number – Kind Code[2] (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-2007/0038942 A1	02-15-2007	Chen et al.
	A2	US-2004/0153515 A1	08-05-2004	Touboul et al.
	A3	US-2003/0055907 A1	03-20-2003	Stiers
	A4	US-2003/0009595 A1	01-09-2003	Collins
	A5	US-2002/0007453 A1	01-17-2002	Nemovicher
	A6	US-7,412,437 B2	08-12-2008	Moody et al.
	A7	US-6,789,107 B1	09-07-2004	Bates et al.
	A8	US-6,704,772 B1	03-09-2004	Ahmed et al.
	A9	US-6,134,598 A	10-17-2000	Raman
	A10	US-6,122,632 A	09-19-2000	Botts et al.

FOREIGN PATENT DOCUMENTS					
		Foreign Patent Document			
Examiner Initials*	Cite No.[1]	Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	MAMBO, M., et al., "Proxy Signatures for Delegating Signing Operation," Conference on Computer and Communications Security, Proceedings of the 3rd ACM conference on Computer and Communications Security, 1996, Pages 48-57.	
	C2	GUPTA, G., et al., "Digital Forensics Analysis of E-Mails: A Trusted E-Mail Protocol," International Journal of Digital Evidence, Spring 2004, Vol. 2, Is. 4, 11 Pages.	

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Microsoft v. Sterling - IPR2025-00270
Page 25 of 359

Electronic Acknowledgement Receipt

EFS ID:	4827809
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	00758
Filer:	Brian M. Hoffman/meera yang
Filer Authorized By:	Brian M. Hoffman
Attorney Docket Number:	23682-10344
Receipt Date:	20-FEB-2009
Filing Date:	12-MAY-2005
Time Stamp:	11:47:05
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		10344_US_SIDS.pdf	176906 387d97a13426f1797143576fcce9673677b1c03f	yes	4

	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Information Disclosure Statement Letter		1	3	
	Information Disclosure Statement (IDS) Filed (SB/08)		4	4	
Warnings:					
Information:					
2	NPL Documents	GUPTA.pdf	861637 b4759ad1e94a29430bb4a98ddcbfc0906925123a	no	11
Warnings:					
Information:					
3	NPL Documents	Mambo.pdf	878729 a420c3308b2d016096f0edab47feaf1367e9b2b1	no	10
Warnings:					
Information:					
		Total Files Size (in bytes):	1917272		

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

758 7590 06/30/2009

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER	
ALI, FARHAD	
ART UNIT	**PAPER NUMBER**
2446	

MAIL DATE	DELIVERY MODE
06/30/2009	PAPER

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

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

Office Action Summary	Application No.	Applicant(s)	
	11/129,212	MARSTON ET AL.	
	Examiner	Art Unit	
	FARHAD ALI	2446	

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *12 May 2005*.

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

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

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

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

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

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

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

Application Papers

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

10)☒ The drawing(s) filed on *12 May 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/24/2005, 02/02/2006, 01/22/2007, 01/22/2007, 02/20/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

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DETAILED ACTION

Status of Claims:

Claims 1-30 are pending in this Office Action.

Claim Rejections - 35 USC § 102

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

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Arnold et al. (US Pub 2004/0177271).

Arnold et al. teaches:

Claim 1

A computerized messaging server in an electronic messaging system **(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient")**, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, each message comprising one or more message

components; and a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the message components, the governance module further adapted to apply the rules described by the compliance policy to the message components **(Paragraph [0004] "The electronic screening tool is programmed to identify content that is potentially not authorized by the business or potentially harmful to the business, and is comprised of one or more of the following: a proxy service comprised of a message accessor, a message analyzer and an action manager that is more fully described below")**.

Claim 2

The messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system; a set of jobcodes with which the message components can be classified, and a set of rules applicable to the population structure, jobcodes, and message components **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 3

The messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all message components classified with the jobcode **(Paragraph**

[0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message").

Claim 4

The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a message component, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the message component; a target element describing a population structure entity that is a recipient of the message component; and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 5

The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communication with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 6

The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a message component or entity in the population structure is useable; and retention rules describing whether a message component or entity in the population structure should be deleted from the messaging system **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means")**.

Claim 7

The messaging server of claim 1, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages **(Paragraph [0023] "The management may also involve auditing or logging of communications between people and/or capturing or recording communications between people where copies of the communication are preserved in a database")**.

Claim 8

A computer program product having a computer-readable medium having embodied thereon program code for Use in an electronic messaging system**(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient")**, the program code comprising:

a messaging, module adapted to control a message database storing messages exchanged in the messaging system, each message comprising one or more message components; and a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the message components, the governance module further adapted to apply the rules described by the compliance policy to the message components in the message database **(Paragraph [0004] "The electronic screening tool is programmed to identify content that is potentially not authorized by the business or potentially harmful to the business, and is comprised of one or more of the following: a proxy service comprised of a message accessor, a message analyzer and an action manager that is more fully described below")**.

Claim 9

The computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the message components can be classified, and a set of rules

applicable to the population structure, jobcodes, and message components **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 10

The computer program product of claim 9, wherein a jobcode describes a set of jobcode rules applicable to all message components classified with the jobcode **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 11

The computer program product of claim 8, wherein the messaging system , is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a message component, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the message component; a target element describing a population structure entity that is a

recipient of the message component:, and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 12

The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communication with other population structure entities via the messaging system; readership rules describing which population structure entities can read messages from other population structure entities via the messaging system; action rules describing actions a population structure entity can perform on a message component in the messaging system; and search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to**

messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")..

Claim 13

The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a message component or entity in the population structure is useable; and retention rules describing whether a message component or entity in the population structure should be deleted from the messaging system **(Pargraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means")**.

Claim 14

The computer program product of claim 8, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages **(Paragraph [0023] "The management may also involve auditing or logging of communications between people and/or capturing or recording communications between people where copies of the communication are preserved in a database")**.

Claim 15

A computer-implemented method of managing messages in an electronic messaging system **(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient")**, comprising:

defining a compliance policy describing rules applicable to message components in the electronic messaging system; receiving a message component from a messaging client, the message component identified as a reference in a message container; and applying the compliance policy to the message component received from the messaging client **(Paragraph [0004] "The electronic screening tool is programmed to identify content that is potentially not authorized by the business or potentially harmful to the business, and is comprised of one or more of the following: a**

proxy service comprised of a message accessor, a message analyzer and an action manager that is more fully described below").

Claim 16

The computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging clients of the messaging system, a set of jobcodes with which the message components can be classified, and a set of rules applicable to the population structure, jobcodes, and message components **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 17

The computer-implemented method of claim 16, wherein a jobcode describes a set of jobcode rules applicable to all message components Classified with the jobcode **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 18

The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 19

The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and

defining a set of rules applicable to the entities in the group **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This**

user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 20

The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a message component, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the message component; a target element describing a population structure entity that is a recipient of the message component; and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 21

The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the

compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure **(Pargraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means")**.

Claim 22

The computer-implemented method of claim 15, wherein defining the compliance policy comprises: defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a message component **(Paragraph [0040] "The role of the message analyzer 600 is to determine whether the contents of a specific electronic message may violate one or more of the enterprise policies for allowable communications. The policies that govern allowable electronic messages may be governed by some rules related to legal requirements, security concerns, ethical aspirations or simply based on subject matter")**.

Claim 23

The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communication with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 24

The computer-implemented method of claim 15, wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt message components **(Paragraph [0040] "The role of the message analyzer 600 is to determine whether the contents of a specific electronic message may violate one or more of the enterprise policies for allowable communications. The policies that govern allowable electronic messages may be governed by some rules related to legal requirements, security concerns, ethical aspirations or simply based on subject matter")**.

Claim 25

The computer-implemented method of claim 15, wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a message component in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action **(Paragraph [0075] "The message metadata augmentation component 610 uses the information in the user/role knowledge base 612 to add the information to the MTA-neutral message representation. Both the message metadata augmentation component 610 and the user/role knowledge base 612 operate by applying pattern-matching rules and other processing techniques (e.g., neural nets, genetic algorithms, Bayesian Belief Network, etc.) to trigger the programmed behavior")**.

Claim 26

The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure; defining group rules applicable to message components related to the group of entities; and applying the group rules to a message component related to the group of entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

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Claim 27

The computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code,**

organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 28

The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a message component or entity in the population structure is useable; and retention rules describing whether a message component or entity in the population structure should be deleted from the messaging system **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means")**.

Claim 29

The computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the message component; and recording the attempted action in a compliance log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890")**.

Claim 30

The computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the**

unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890").

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. 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.

/Farhad Ali/
Examiner, Art Unit 2446

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446

Notice of References Cited	Application/Control No. 11/129,212	Applicant(s)/Patent Under Reexamination MARSTON ET AL.	
	Examiner FARHAD ALI	Art Unit 2446	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0177271	09-2004	Arnold et al.	713/201
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L5	4	"6704772".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:25
L6	3	"11129212"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:27
L7	11	message and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:29
L8	11	message and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:32
L9	2	messaging filter and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:33
L10	6959	709/206.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:55
L11	264	709/206.ccls. and message near filter	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:55
L12	1	709/206.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:55

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L13	144	709/206.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:56
L14	378	"709"/.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:56
L15	2	"709"/.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:56
L16	2342	(Marston or Hatch).in.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:57
L17	5	(Marston or Hatch).in. and 709/206.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:57
S1	2	"6301609".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/14 22:22
S2	2	11/129212	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/14 22:27
S4	711	compliance policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 15:59
S5	2	compliance policy and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 15:59

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S6	2	"7233954".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 16:06
S7	8	"1085444"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 16:08

6/18/2009 12:57:47 PM
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	1	of	1

Complete if Known	
Application No.	**11/129,212**
Filing Date	**May 12, 2005**
First Named Inventor	**Justin Philip Marston**
Art Unit	
Examiner Name	
Attorney Docket Number	**23682-10344**

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document No. Number – Kind Code[2] (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-		
		US-		

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Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]
	B1	EP 1085444 A2	03-21-2001	Microsoft Corporation	
	B2	EP 0739115 A2	10-23-1996	AT&T IPM CORP	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	Edwards, W.K., "The Design an Implementation of the Montage Multimedia Mail System," Communications for Distributed Applications and Systems, Chapel Hill, April 18-19, 1991; Proceedings of the Conference on Communications Software, New York, IEEE, US, Vol. Conf. 4, April 18, 1991, pp. 47-57.	
	C2	International Search Report and Written Opinion, PCT/GB2005/001845, August 24, 2005.	

Examiner Signature	/Farhad Ali/	Date Considered	06/18/2009

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

[1]Applicant's unique citation designation number (optional). [2]See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /F.A./

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known	
Application No.	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Art Unit	
Examiner Name	
Attorney Docket Number	23682-10344

Sheet 1 of 1

U.S. PATENT DOCUMENTS				
		Document No.		
Examiner Initials*	Cite No.[1]	Number – Kind Code[2] (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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	A2	US-2004/0153515 A1	08-05-2004	Touboul et al.
	A3	US-2003/0055907 A1	03-20-2003	Stiers
	A4	US-2003/0009595 A1	01-09-2003	Collins
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	A7	US-6,789,107 B1	09-07-2004	Bates et al.
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		Foreign Patent Document			
Examiner Initials*	Cite No.[1]	Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	MAMBO, M., et al., "Proxy Signatures for Delegating Signing Operation," Conference on Computer and Communications Security, Proceedings of the 3rd ACM conference on Computer and Communications Security, 1996, Pages 48-57.	
	C2	GUPTA, G., et al., "Digital Forensics Analysis of E-Mails: A Trusted E-Mail Protocol," International Journal of Digital Evidence, Spring 2004, Vol. 2, Is. 4, 11 Pages.	

/Farhad Ali/ 06/18/2009

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2446

SEARCHED			
Class	Subclass	Date	Examiner
709	206	6/18/2009	Farhad Ali

SEARCH NOTES		
Search Notes	Date	Examiner
Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	6/18/2009	Farhad Ali
Inventor Search	6/18/2009	Farhad Ali

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

/FARHAD ALI/ Examiner.Art Unit 2446	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2446

✓	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	06/18/2009								
	1	✓								
	2	✓								
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	5	✓								
	6	✓								
	7	✓								
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

	Complete if Known
Application No.	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Art Unit	
Examiner Name	
Sheet 1 of 3	Attorney Docket Number 23682-10344

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document No. Number – Kind Code[2] (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-5,938,732	08-17-1999	Lim et al.
	A2	US-6,003,030	12-14-1999	Kenner et al.
	A3	US-6,029,175	02-22-2000	Chow et al.
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	A10	US-6,581,090 B1	06-17-2003	Lindbo et al.
	A20	US-6,694,358 B1	02-17-2004	Swildens et al.

Examiner Signature	/Farhad Ali/	Date Considered	06/18/2009

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

[1]Applicant's unique citation designation number (optional). [2]See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /F.A./

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known	
Application No.	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Art Unit	
Examiner Name	
Attorney Docket Number	23682-10344

Sheet 2 of 3

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]
	B1	EP 1085444 A3	04-29-2003	Microsoft Corporation	
	B2	WO 03/036492 A1	05-01-2001	Idetic, Inc.	
	B3	WO 03/073711 A2	09-04-2003	RPOST International Limited	
	B4	WO 04/012415 A1	02-05-2004	Security and Standards Limited	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	BRUSSEE, ROGIER et al, "Content Distribution Networks", Telematica Institute, June 1, 2001, pp. V-IX and 1-88.	
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Examiner Signature	/Farhad Ali/	Date Considered	06/18/2009

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /F.A./

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

	Complete if Known
Application No.	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Art Unit	
Examiner Name	
Sheet 3 of 3	Attorney Docket Number 23682-10344

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
		IEEE Communications Magazine Vol. 36, No. 1, Jan. 1998, pp. 104-109.	

Examiner Signature	/Farhad Ali/	Date Considered	06/18/2009

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /F.A./

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

	Complete if Known
Application No.	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Art Unit	
Examiner Name	
Attorney Docket Number	23682-10344

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document No. Number – Kind Code[2] (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	PCT International Preliminary Report on Patentability and Written Opinion, PCT/GB2005/001845, November 29, 2006, 7 pages.	

Examiner Signature	/Farhad Ali/	Date Considered	06/18/2009

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Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1]Applicant's unique citation designation number (optional). [2]See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.

23682/10344/DOCS/1690431.1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /F.A./

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Justin Marston et al.
APPLICATION NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies in a Messaging System
EXAMINER:	Farhad Ali
GROUP ART UNIT:	2446
ATTY. DKT. NO.:	23682-10344

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a

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final action under 37 CFR §1.113; or (2) an action that otherwise closes prosecution in the application, and:

- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR.§ 1.97(c); OR
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
  - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
  - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;

☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:

- ☐ Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
  - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
  - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

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- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR.§ 1.97(d); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.

☐ Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. _____ , filed on _____ , and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

☒ Copies of any foreign patent documents and non-patent literature cited herein are enclosed.

☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
Justin Marston et al.

Dated: January 22, 2007

By: /Brian Hoffman/
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IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Justin Marston et al.
SERIAL NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies in a Messaging System
EXAMINER:	Farhad Ali
GROUP ART UNIT:	2446
ATTY. DKT. NO.:	23682-10344

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the **Pacific Time Zone** of the United States on the local date shown below.

Dated: September 30, 2009 By: /Christopher King/
Christopher P. King, Reg. No. 60,985

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT A AND RESPONSE UNDER 37 CFR § 1.111

Sir:

This amendment for the patent application identified above is in response to the Non-Final Office Action dated June 30, 2009, which set a shortened statutory period for response that expires on September 30, 2009.

IN THE CLAIMS:

Claims 1-6, 8-9, 11-13, 15-16, 22-24, 25-26, and 28 are amended herein.

Claims 10, 14, 17, and 20 are cancelled.

Claims 31-34 are added.

All pending claims are produced below. In addition, the status of each is also indicated below and appropriately noted as "Original", "Currently Amended", "Canceled", "New", "Withdrawn", "Previously Presented", and "Not Entered" as requested by the Office.

1. (Currently Amended) A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, ~~each message comprising one or more message components,~~ at least one of the messages having a plurality of submessages comprising one or more of replies to and forwards of other submessages of the message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the submessages ~~message components~~, the governance module further adapted to apply the rules described by the compliance policy to one or more of the submessages ~~message components~~.

2. (Currently Amended) The messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages ~~message components~~ can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages ~~message components~~.

3. (Currently Amended) The messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all submessages ~~message components~~ classified with the jobcode.

4. (Currently Amended) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage ~~message component~~, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage ~~message component~~;

a target element describing a population structure entity that is a recipient of the submessage ~~message component~~; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

5. (Currently Amended) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can ~~communication~~ communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system[[;]].

~~action rules describing actions a population structure entity can perform on a message component in the messaging system; and~~

~~search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.~~

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6. (Currently Amended) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a submessage ~~message component~~ or entity in the population structure is useable; and

retention rules describing a time period after which ~~whether~~ a submessage ~~message component~~ or entity in the population structure should be deleted from the messaging system.

7. (Original) The messaging server of claim 1, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages.

8. (Currently Amended) A computer program product having a computer-readable medium having embodied thereon program code for use in an electronic messaging system, the program code comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, ~~each message comprising one or more message components~~ at least one of the messages having a plurality of submessages comprising one or more of replies to and forwards of other submessages of the message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the submessages ~~message components~~, the governance module further adapted to apply the rules described by the compliance policy to one or more of the submessages ~~message components~~ in the message database.

9. (Currently Amended) The computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages ~~message components~~ can be classified, and a set

of rules applicable to the population structure, jobcodes, and submessages ~~message components~~.

10. (Canceled)

11. (Currently Amended) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage ~~message component~~, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage ~~message component~~;

a target element describing a population structure entity that is a recipient of the submessage ~~message component~~; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

12. (Currently Amended) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can ~~communication~~ communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

13. (Currently Amended) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a submessage ~~message component~~ or entity in the population structure is useable; and

retention rules describing whether a submessage ~~message component~~ or entity in the population structure should be deleted from the messaging system.

14. (Canceled)

15. (Currently Amended) A computer-implemented method of managing messages in an electronic messaging system, comprising:

defining a compliance policy describing rules applicable to submessages of messages ~~message components~~ in the electronic messaging system;

receiving a submessage ~~message component~~ from a messaging client, the submessage ~~message component~~ identified as a reference in a message container having a plurality of references to submessages, the submessage being one of a reply to and a forward of a submessage referenced by the plurality of references; and

applying the compliance policy to the submessage ~~message component~~ received from the messaging client.

16. (Currently Amended) The computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging clients of the messaging system, a set of jobcodes with which the submessages ~~message components~~ can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages ~~message components~~.

17. (Canceled)

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18. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team.

19. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and

defining a set of rules applicable to the entities in the group.

20. (Canceled)

21. (Original) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure.

22. (Currently Amended) The computer-implemented method of claim 15, wherein defining the compliance policy comprises:

defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a ~~message component~~ submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the submessage.

23. (Currently Amended) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate ~~communication~~ with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a submessage ~~message component~~ in the messaging system; and

search rules describing which population structure entities can view which submessages ~~message components~~ when searching the submessages ~~messaging components~~ stored by the messaging system.

24. (Currently Amended) The computer-imlemented method of claim 15, wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt submessages ~~message components~~.

25. (Currently Amended) The computer-implemented method of claim 15, wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a submessage ~~message component~~ in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action.

26. (Currently Amended) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure;

defining group rules applicable to submessages ~~message components~~ related to the group of entities; and

applying the group rules to a submessage ~~message component~~ related to the group of entities.

27. (Original) The computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities.

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28. (Currently Amended) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a submessage ~~message component~~ or entity in the population structure is useable; and

retention rules describing whether a submessage ~~message component~~ or entity in the population structure should be deleted from the messaging system.

29. (Original) The computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the submessage ~~message component~~; and

recording the attempted action in a compliance log.

30. (Original) The computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log.

31. (New) The messaging server of claim 1, wherein the governance policy database further stores compliance policies active at prior times, and wherein the submessages of the stored messages are associated with a compliance policy that was active at a time that content of the submessages was created.

32. (New) The messaging server of claim 2, wherein the messaging module is further adapted to receive an indication of a jobcode and of a submessage from an end-user, and is further adapted to associate the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user.

33. (New) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the

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compliance policy include search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system.

34. (New) The messaging server of claim 31, wherein at least one of the messages stored in the message database has a first submessage associated with a first compliance policy and a second submessage associated with a second compliance policy different from the first compliance policy, and wherein the governance module applies the rules described by the first compliance policy to the first submessage and applies the rules described by the second compliance policy to the second submessage.

REMARKS

Claims 1-30 were pending and presented for examination. In an Office Action dated June 30, 2009, claims 1-30 were rejected.

Claims 1-6, 8-9, 11-13, 15-16, 22-24, 25-26, and 28 are amended, claims 10, 14, 17, and 20 are cancelled, and new claims 31-34 are added in this Amendment and Response.

Response to Rejections Under 35 USC § 102

Claims 1-30 were rejected under 35 USC § 102(e) as allegedly being anticipated by Arnold et al., U.S. Patent Publication No. 2004/0177271.

Preliminarily, note that in an anticipation rejection under §102, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), cited in MPEP §2131. In order for an element to be inherently described, it must be clear that the element is necessarily present in the thing described in the reference. *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999) (citations omitted). The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993).

Independent claim 1 recites a computerized messaging server in an electronic messaging system, comprising:

> a messaging module adapted to control a message database storing messages exchanged in the messaging system, at least one of the messages

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having a plurality of submessages comprising one or more of replies to and forwards of other submessages of the message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the submessages, the governance module further adapted to apply the rules described by the compliance policy to one or more of the submessages.

Thus, claim 1 recites that at least one message has a plurality of **submessage** components comprising one or more of **replies to and forwards of** other submessages of the message. Further, claim 1 recites that a governance module is adapted to apply rules described by a compliance policy to one or more of the submessages**.** For example, FIG. 3 illustrates, and paragraph 0029 describes, sample messages having submessages A, B, and C resulting from composing, replying, and forwarding actions taken by users 310, 312, and 314. The rules when applied by the governance policy may result in different outcomes for the individual submessages to which they are applied. In the example of FIG. 3, for instance, readership rules of the governance policy might specify that user 314 can read submessage components from user 310 but not user 312, in which case user 314 could read submessage components A and C (which were created as part of the original email, and of a forwarded message, by user 310), but not message component B (which was created as part of a reply from user 312).

Arnold does not disclose the claimed application of rules to **submessages** comprising one or more of replies to and forwards to other submessages. Arnold discloses a method and system for identifying content that is potentially harmful or non-authorized, applying an electronic screening tool to an electronic message prior to transmitting it. (Arnold, Abstract). Arnold's messages do not have submessages comprising replies to and forwards of other submessages of the message, to which governance rules are applied. Rather, Arnold only discloses operating on a message as a whole. Thus, Arnold cannot anticipate independent claim 1.

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Independent claim 8 recites a message database storing messages, at least one of the messages having a plurality of submessages comprising one or more of replies and forwards to other submessages of the message. Claim 8 further recites a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the **submessages**, the governance module further adapted to apply the rules described by the compliance policy to one or more of the submessages in the message database. Independent claim 15 recites receiving a submessage from a messaging client, the submessage identified as a reference in a message container having a plurality of references to submessages, the submessage being one of a reply to and a forward of a submessage referenced by the plurality of references, and applying the compliance policy to the **submessage** received from the messaging client. Independent claims 8 and 15 are not anticipated by Arnold for at least the same reasons discussed above with respect to claim 1.

The remaining claims depend from independent claims 1, 8, or 15, and recite additional patentably distinguishable features and limitations. Thus, these claims are not anticipated by Arnold for at least the same reasons discussed above with respect to claim 1.

As one specific example, dependent claim 6 recites validity and retention rules describing a time period for which, or after which, a submessage or entity in a population structure is usable or should be deleted, respectively. Cited paragraph 0004 of Arnold merely states that deletion of an unsent message is one option provided to a user in response to a message being deemed unauthorized or harmful, but fails to disclose anything related to the claimed validity or retention **time periods**.

As another example, dependent claim 22 as amended recites that defining the compliance policy comprises defining a set of DRM actions that are allowed or denied on a

submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the submessage. Dependent claim 24 recites that the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt submessages. Regarding claims 22 and 24, the Examiner cites paragraph 0040 of Arnold, which merely makes the exceedingly vague statement that policies governing electronic messages may be related to legal requirements, security concerns, or ethical aspirations, which in no way describes the claimed specifics, either expressly or inherently, as required for a rejection under § 102.

As a further example, dependent claim 25 recites that the rules described by the compliance policy include action rules **describing actions an entity can perform on a submessage** in the messaging system, and wherein the action rules describe **a number of times within a given time period that the entity can perform a specified action**. Cited paragraph 0075 of Arnold merely describes adding information to a user/role knowledge base and in turn adding this information to an MTA-neutral message representation. This in no way even discloses rules describing actions that an entity can perform on a submessage, much less more specifically disclosing **a number of times** that the action can be performed.

As yet another example, claim 2 recites that the compliance policy describes a set of "jobcodes" with which submessages can be classified. As noted by paragraph 0063 of the specification, for example, jobcodes allow submessages to be associated with a business deal such as a merger, with a patient at a hospital, or with particular clients of a law firm. Newly-added claim 32, which depends from claim 2, further recites receiving an indication of a jobcode and of a submessage from an end-user, and associating the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user. In

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contrast, Arnold paragraph 0069, cited by the Examiner with respect to claim 2, at best discloses that a knowledge base may include information on an employee's "job code." Employees in Arnold would not specify such job codes themselves; rather, such job codes would at best be entered by an entity such as a Human Resources department. Consequently, the Arnold system plainly does not associate the employee job code with a submessage responsive to receipt of an indication of the job code from the employee.

As a final example, dependent claim 33, formerly within claim 5, is not anticipated by Arnold. Cited paragraph 0064 of Arnold, which mentions applying different levels of scrutiny to messages sent by different users or classes of users, has no applicability to the search rules of claim 33.

Conclusion

In sum, claims 1-9, 11-13, 15-16, 18-19, and 21-34 are not anticipated by Arnold.

The Examiner is invited to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

Date: September 30, 2009 By: /Christopher King/

Christopher P. King, Reg. No. 60,985
FENWICK & WEST LLP
801 California Street
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Electronic Acknowledgement Receipt	
EFS ID:	6177907
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	00758
Filer:	Christopher-Charles P. King
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	30-SEP-2009
Filing Date:	12-MAY-2005
Time Stamp:	16:12:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		10344_AmendmentA.pdf	118831 718707b81b28042407c2d683a47693696fb dac08	yes	15

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	10
	Applicant Arguments/Remarks Made in an Amendment	11	15
Warnings:			
Information:			
	Total Files Size (in bytes):	118831	

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

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

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

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

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/129,212	Filing Date 05/12/2005	☐ To be Mailed

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	09/30/2009	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 30	Minus	** 30	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

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

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

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

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

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

Legal Instrument Examiner:
/phyllis canty/

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.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: Brian M. Hoffman
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference 11745 PCT	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US 06/24859	International filing date *(day/month/year)* 26 June 2006 (26.06.2006)
Applicant Bluespace Group LTD	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

   For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90*bis*.1 and 90*bis*.3, respectively, before the completion of the technical preparations for international publication.

   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

   In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

   See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/220 (January 2004) *(See notes on accompanying sheet)*

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: Brian M. Hoffman
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing *(day/month/year)*	26 APR 2007
Applicant's or agent's file reference: 11745 PCT	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No.: PCT/US 06/24859	International filing date *(day/month/year)*: 26 June 2006 (26.06.2006)
Applicant: Bluespace Group LTD	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

   For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

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   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

   In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

   See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/220 (January 2004) *(See notes on accompanying sheet)*

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 11745 PCT	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US 06/24859	International filing date *(day/month/year)* 26 June 2006 (26.06.2006)	(Earliest) Priority Date *(day/month/year)* 24 June 2005 (24.06.2005)
Applicant Bluespace Group LTD		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 9 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      ☒ the international application in the language in which it was filed
      ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (see Box No. II)

3. ☐ **Unity of invention is lacking** (see Box No. III)

4. With regard to the **title**,
   ☒ the text is approved as submitted by the applicant
   ☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,
   ☒ the text is approved as submitted by the applicant
   ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 1
      ☒ as suggested by the applicant
      ☐ as selected by this Authority, because the applicant failed to suggest a figure
      ☐ as selected by this Authority, because this figure better characterizes the invention
   b. ☐ none of the figures is to be published with the abstract

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INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 06/24859

A. CLASSIFICATION OF SUBJECT MATTER
IPC(8) - G06F 15/16 (2007.01)
USPC - 709/206
According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC(8) - G06F 15/16 (2007.01)
USPC - 709/206

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
USPC: 709/204, 206, 232, 249

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Electronic data base: USPTO WEST (PGPB, USPT, EPAB, JPAB); DIALOG PRO
Search Terms Used: e-mail or lectronic message, categorizing or assigning context or content, identifying or monitoring e-mails, retaining or storing or database or server emails, business or organization or enterprise, time or period etc.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2002/0136279 A1 (Al-Kazily et al.) 26 September 2002 (26.09.2002) (abstract, figs. 1-3, and para [0010]-[0015], [0042]-[0046], [0067]-[0075])	1-23
A	US 2004/0133645 A1 (Massanelli et al.) 08 July 2004 (08.07.2004)	1-23
A	US 2003/0191806 A1 (Osterberg, JR. et al.) 09 October 2003 (09.10.2003)	1-23
A	US 2002/0122543 A1 (Rowen) 05 September 2002 (05.09.2002)	1-23

☐ Further documents are listed in the continuation of Box C. ☐

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
23 February 2007 (23.02.2007)	26 APR 2007
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US, Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/210 (second sheet) (April 2005)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: Brian M. Hoffman
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	26 APR 2007
Applicant's or agent's file reference 11745 PCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US 06/24859	26 June 2006 (26.06.2006)	24 June 2005 (24.06.2005)

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - G06F 15/16 (2007.01)
USPC - 709/206

Applicant Bluespace Group LTD

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

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

2. **FURTHER ACTION**

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

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

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

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US	Date of completion of this opinion	Authorized officer:
Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	23 February 2007 (23.02.2007)	Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US 06/24859

Box No. I Basis of this opinion

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

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

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

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

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

4. Additional comments:

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Microsoft v. Sterling - IPR2025-00270
Page 90 of 359

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US 06/24859

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

1. Statement

Novelty (N)	Claims	None	YES
	Claims	1-23	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-23	NO
Industrial applicability (IA)	Claims	1-23	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1-23 lack novelty under PCT Article 33(2) as being anticipated by US 2002/0136279 A1 to Al-Kazily et al. (hereinafter 'Al-Kazily'). Al-Kazily teaches a system/method/computer program product for providing an electronic messaging comprising:

1) message module	(para [0039])
2) context module	(para [0045])
3) definition module	(para [0044])
4) association module	(para [0043])
5) rights module	(para [0073])
6) properties module	(para [0045])
7) operations module	(para [0070])

As to claims 1, 9, and 17, Al-Kazily teaches a system/method/computer program product for providing an electronic messaging comprising: a message module adapted to control a message database storing messages exchanged in the messaging system each message comprising one or more message components having content, and a context module adapted to control a context database storing a knowledge taxonomy having context categories and contexts associating content of the message components with the context categories. (abstract, figs. 1-3, and para [0010]-[0015], [0042]-[0046], [0067]-[0075]).

As to claims 2, 10, and 18, Al-Kazily teaches structuring context categories representing activities performed by the enterprise (para [0039]-[0045]).

As to claims 3-4, 11-12, and 19, Al-Kazily teaches monitoring messages exchange by the messaging system and creating contexts associating content of the messages with context categories (para [0042]-[0045]).

As to claims 5, 13, and 20, Al-Kazily specifying actions an end-user is allowed to perform with respect to a context category (para [0072]-[0074]).

As to claims 6-8, 14-16, and 21-22, Al-Kazily teaches specifying retention/validity period for a context category during which an association of content to the context category can be made, and performing operations in the messaging system (para [0070]-[0075]).

As to claim 23, Al-Kazily teaches allowing the user to create a context associating content of a message component with a context category, and/or view contexts associated with the context category (para [0070]-[[0075]).

Claims 1-23 have industrial applicability as defined by PCT Article 33(4) because the subject matter can be made or used in industry.

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Microsoft v. Sterling - IPR2025-00270
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INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2004/004609

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04L12/58 G06F17/60 H04L29/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 H04L G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal, WPI Data, PAJ, INSPEC, COMPENDEX

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/036492 A (IDETIC, INC; STIERS, TODD) 1 May 2003 (2003-05-01) abstract page 2, line 20 - page 3, line 10 page 4, line 10 - page 6, line 22 figure 1	1-35
A	EP 1 085 444 A (MICROSOFT CORP) 21 March 2001 (2001-03-21) abstract figure 5 paragraph '0012! paragraph '0015! - paragraph '0016! paragraph '0041! paragraph '0043! paragraph '0045!	1-35

-/--

[X] Further documents are listed in the continuation of box C.

[X] Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
15 February 2005	22/02/2005

Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Poppe, F

Form PCT/ISA/210 (second sheet) (January 2004)

INTERNATIONAL SEARCH REPORT

Int. onal Application No
PCT/GB2004/004609

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EDWARDS W K: "The design and implementation of the Montage multimedia mail system" COMMUNICATIONS FOR DISTRIBUTED APPLICATIONS AND SYSTEMS. CHAPEL HILL, APR. 18 - 19, 1991, PROCEEDINGS OF THE CONFERENCE ON COMMUNICATIONS SOFTWARE. (TRICOMM), NEW YORK, IEEE, US, vol. CONF. 4, 18 April 1991 (1991-04-18), pages 47-57, XP010039767 ISBN: 0-87942-649-7 abstract page 51, right-hand column, line 48 - page 52, left-hand column, line 2 -----	1-35

Form PCT/ISA/210 (continuation of second sheet) (January 2004)

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270

INTERNATIONAL SEARCH REPORT

formation on patent family members

Int ɔnal Application No
PCT/GB2004/004609

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
WO 03036492	A	01-05-2003	WO	03036492 A1	01-05-2003
			US	2003055907 A1	20-03-2003
EP 1085444	A	21-03-2001	US	6704772 B1	09-03-2004
			EP	1085444 A2	21-03-2001
			US	2004148359 A1	29-07-2004

Form PCT/ISA/210 (patent family annex) (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 18 FEB 2005
PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/GB2004/004609	01.11.2004	31.10.2003

International Patent Classification (IPC) or both national classification and IPC
H04L12/58, G06F17/60, H04L29/06

Applicant
BLUESPACE GROUP LIMITED

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

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

2. **FURTHER ACTION**

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

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

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

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:

European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Poppe, F

Telephone No. +31 70 340-4378

Form (PCT/ISA/237) (Cover Sheet) (January 2004)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB2004/004609

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

   ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material:

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material:

   ☐ in written format

   ☐ in computer readable form

   c. time of filing/furnishing:

   ☐ contained in the international application as filed.

   ☐ filed together with the international application in computer readable form.

   ☐ furnished subsequently to this Authority for the purposes of search.

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

4. Additional comments:

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Microsoft v. Sterling - IPR2025-00270
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Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	4,11,15,22,26,33
	No:	Claims	1-3,5-10,12-14,16-21,23-25,27-32,34,35
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-35
Industrial applicability (IA)	Yes:	Claims	1-35
	No:	Claims	

2. Citations and explanations

see separate sheet

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Microsoft v. Sterling - IPR2025-00270
Page 97 of 359

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: WO 03/036492 A
D2: EP 1 085 444 A

1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claims 1, 9, 14, 20, 25 and 31** is not new in the sense of **Article 33(2) PCT**.

1.1. Document D1 discloses (the references in parentheses applying to this document):

a computer-implemented method of delivering electronic messages, comprising:

- providing a messaging client with information identifying electronic messages available to the messaging client (p. 2, l. 20-26; p. 4, l. 10-16: "The end user receives the non-attachment portions of an email message (...).");
- caching copies of the electronic messages close to the messaging client (p. 5, l. 28-32: "The proxy server 100 stores end users' email messages in its cache 104."); and
- responsive to a request from the messaging client for the identified electronic messages, providing the cached copies of the electronic messages to the messaging client (p. 2, l. 20-26; p. 6, l. 19-22).

The subject-matter of claim 1 is therefore not new.

1.2. Furthermore document D1 discloses (the references in parentheses applying to this document):

a computer system adapted to be used in a messaging system (fig. 1), comprising:

- a cache management module adapted to manage a cache (fig. 1: "e-mail cache"), the cache storing messages exchanged by the messaging system (p. 5, l. 28-32); and

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 98 of 359

- an interface module adapted to interface with a messaging client (fig. 1: "e-mail client 202") and a messaging server (fig. 1: "source e-mail box 400"), the interface module adapted to receive messages from the server (p. 5, l. 16-22; p. 6, l. 1-6) and provide messages to the client (p. 6, l. 19-22), wherein messages received from the server are stored in the cache (p. 5, l. 28-32) and messages provided to the client are provided from the cache (p. 6, l. 19-22).

The subject-matter of claim 9 is therefore not new.

1.3. The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent computer program product claim 20, which therefore is also considered not new.

1.4. Furthermore document D1 discloses (the references in parentheses applying to this document):

a messaging server in a relational messaging system, comprising:

- a messaging module adapted to control a message database (p. 6, l. 1-6; fig. 1: "source e-mail box 400") storing messages exchanged in the relational messaging system, each message comprising one or more submessages (p. 6, l. 7-11: "MIME attachments");
- a security module adapted to control a security database storing security information for the submessages in the message database (implicit in p. 5, l. 10-15); and
- an interface module adapted to interact with a messaging client and a proxy server, the interface module adapted to provide the security information to the messaging client (p. 6, l. 12-16) and the submessages to the proxy server (p. 6, l. 1-6),

wherein the proxy server is adapted to cache the submessages (p. 5, l. 28-32) and, wherein the messaging client is adapted to retrieve the cached submessages from the proxy server and access the submessages using the security information (p. 6, l. 12-22).

The subject-matter of claim 14 is therefore not new.

1.5. The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent computer program product claim 25, which therefore is also considered not new.

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Microsoft v. Sterling - IPR2025-00270
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1.6. Furthermore document D1 discloses (the references in parentheses applying to this document):

a relational messaging system adapted to exchange messages with a messaging client, comprising:

- a messaging server adapted to store messages exchanged in the relational messaging system (p. 6, l. 1-6; fig. 1: "source e-mail box 400"), each message comprising a container having links to one or more submessages and further adapted to provide the container to the messaging client (p. 2, l. 20-26; p. 6, l. 7-16); and
- a proxy server adapted to cache submessages received from the messaging server (p. 5, l. 28-32) and further adapted to provide the cached submessages to the messaging client (p. 2, l. 20-26; p. 6, l. 7-16).

The subject-matter of claim 31 is therefore not new.

2. Dependent claims 2-8, 10-13, 15-19, 21-24, 26-30 and 32-35 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1 and D2 and the corresponding passages cited in the search report.

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Microsoft v. Sterling - IPR2025-00270
Page 100 of 359

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2004/000805

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04L12/58 G06F17/60

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 H04L G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal, WPI Data, PAJ, INSPEC, COMPENDEX

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 1 085 444 A (MICROSOFT CORP) 21 March 2001 (2001-03-21) abstract figure 5 paragraph '0012! paragraph '0015! - paragraph '0016! paragraph '0043! paragraph '0045! --- -/--	1-23

[X] Further documents are listed in the continuation of box C.

[X] Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
26 May 2004	04/06/2004

Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Poppe, F

Form PCT/ISA/210 (second sheet) (January 2004)

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 101 of 359

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2004/000805

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EDWARDS W K: "The design and implementation of the Montage multimedia mail system" COMMUNICATIONS FOR DISTRIBUTED APPLICATIONS AND SYSTEMS. CHAPEL HILL, APR. 18 - 19, 1991, PROCEEDINGS OF THE CONFERENCE ON COMMUNICATIONS SOFTWARE. (TRICOMM), NEW YORK, IEEE, US, vol. CONF. 4, 18 April 1991 (1991-04-18), pages 47-57, XP010039767 ISBN: 0-87942-649-7 abstract page 51, right-hand column, line 48 -page 52, left-hand column, line 2 -----	1,2,7,8, 10,11, 16,17, 19,22,23

Form PCT/ISA/210 (continuation of second sheet) (January 2004)

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 102 of 359

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/GB2004/000805

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
EP 1085444 A	21-03-2001	US 6704772 B1	09-03-2004
		EP 1085444 A2	21-03-2001

Form PCT/ISA/210 (patent family annex) (January 2004)

PATENT COOPERATION TREATY

REC'D 03 JUN 2004
WIPO PCT

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/GB2004/000805	27.02.2004	28.02.2003

International Patent Classification (IPC) or both national classification and IPC
H04L12/58, G06F17/60

Applicant
BLUESPACE GROUP LTD

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

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

2. **FURTHER ACTION**

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

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

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

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:

European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Poppe, F

Telephone No. +31 70 340-4378

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 104 of 359

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

   ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material:

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material:

   ☐ in written format

   ☐ in computer readable form

   c. time of filing/furnishing:

   ☐ contained in the international application as filed.

   ☐ filed together with the international application in computer readable form.

   ☐ furnished subsequently to this Authority for the purposes of search.

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

4. Additional comments:

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 105 of 359

Box No. II Priority

1. ☒ The following document has not been furnished:

   ☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

   ☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

   Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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

1. Statement

Novelty (N)	Yes:	Claims	
	No:	Claims	1-23
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-23
Industrial applicability (IA)	Yes:	Claims	1-23
	No:	Claims	

2. Citations and explanations

see separate sheet

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 106 of 359

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The examination is being carried out on the **following application documents**:

Description, pages:

1-38 as originally filed

Claims, No.:

1-23 as originally filed

Drawings, No.:

1-5 as originally filed

Reference is made to the following documents:
D1: EP-A-1085444
D2: W. K. Edwards, "The Design and Implementation of the MONTAGE Multimedia Mail System", in Proc. of TRICOMM 1991, pp. 47-57

1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of **claims 1, 10 and 19** is not new in the sense of **Article 33(2) PCT**.

1.1. The document D1 discloses (the references in parentheses applying to this document):

> a messaging system for providing messaging to end-users, the system comprising a data store module (113) arranged to store messages sent among the end-users, wherein each message includes one or more submessages (initial message 10, reply 412; par. 45 states that these can be presented to a recipient in one display, that is, as one message) and wherein the data store module is arranged to store the

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 107 of 359

messages and submessages in a relational manner (par. 15; fig. 5: storage of replies in association with the initial message).

The subject-matter of claim 1 is therefore not new.

1.2. Furthermore it is noted that the subject-matter of claim 1 is also not new over the disclosure of D2 (p. 51, right-hand col., l. 48 - p. 52, left-hand col., l. 2).

1.3. The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent computer program product claim 10 and computer-implemented method claim 19, which therefore are also considered not new.

2. Dependent claims 2-9, 11-18 and 20-23 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, the reasons being as follows.

2.1. Referring to claims 2 and 11, a contents module adapted to store submessages of the messages sent among the end-users, wherein a message sent by a sender to a recipient includes one or more references to submessages in the content module is known from D1 (par. 15; fig. 5).

2.2. Referring to claims 3 and 12, certain ones of the submessages being created by different end-users at different times is known from D1 (reply 412 to initial message 10 is clearly created at a different time than initial message 10, and by a different end-user).

2.3. Referring to claims 4 and 13, storing only a single version of each message and/or submessage is known from D1 (implicit in the hierarchical tree model and the use of message IDs for referencing shown in fig. 5; see also par. 45).

2.4. Referring to claims 5, 6, 14, 15, 20 and 21, storing an attribute of the messages and/or submessages in the data store module, where this attribute is a length of time that a message and/or a submessage is valid is known from D1 (implicit in par. 43, which specifies the application of a rule based on this attribute).

2.5. Referring to claims 7, 8, 16, 17, 22 and 23, holding data describing relationships

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Microsoft v. Sterling - IPR2025-00270
Page 108 of 359

among the messages and submessages, this data describing submessages within a message is known from D1 (fig. 5). Moreover this is also known from D2 (p. 51, right-hand col., l. 48 - p. 52, left-hand col., l. 2: the table of contents can be seen as data describing submessages (chapters) within a message).

2.6. Referring to claims 9 and 18, having a client interface module for interfacing with client applications utilized by the end-users to access the messaging system is known from D1 (par. 45: displaying the messages implies the presence of a client interface module).

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Microsoft v. Sterling - IPR2025-00270
Page 109 of 359

INTERNATIONAL SEARCH REPORT

Inter ıal Application No
PCT/GB2005/001868

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04L12/58 H04L29/06

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 H04L G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, INSPEC, COMPENDEX

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/073711 A (RPOST INTERNATIONAL LIMITED) 4 September 2003 (2003-09-04) abstract page 12, line 3 - page 15, line 20 page 33, line 23 - page 35, line 4 page 44, line 2 - page 45, line 7 page 42, line 11 - page 43, line 28 figure 1 figure 2A figure 6 figure 7A figure 7B ----- -/--	1-21

[X] Further documents are listed in the continuation of box C.

[X] Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
8 August 2005	19/08/2005

Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Poppe, F

Form PCT/ISA/210 (second sheet) (January 2004)

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 110 of 359

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2004/012415 A (SECURITY AND STANDARDS LIMITED; POPE, NICHOLAS, HENRY; ROSS, JOHN, GOR) 5 February 2004 (2004-02-05) abstract page 6, line 10 - page 10, line 14 figure 1 figure 2a figure 2b	1,9,17
A	EP 1 085 444 A (MICROSOFT CORP) 21 March 2001 (2001-03-21) abstract figure 5 paragraph '0012! paragraph '0015! - paragraph '0016! paragraph '0041! paragraph '0043! paragraph '0045!	1-21
A	WO 03/036492 A (IDETIC, INC; STIERS, TODD) 1 May 2003 (2003-05-01) abstract page 2, line 20 - page 3, line 10 page 4, line 10 - page 6, line 22 figure 1	1-21
A	EDWARDS W K: "The design and implementation of the Montage multimedia mail system" COMMUNICATIONS FOR DISTRIBUTED APPLICATIONS AND SYSTEMS. CHAPEL HILL, APR. 18 - 19, 1991, PROCEEDINGS OF THE CONFERENCE ON COMMUNICATIONS SOFTWARE. (TRICOMM), NEW YORK, IEEE, US, vol. CONF. 4, 18 April 1991 (1991-04-18), pages 47-57, XP010039767 ISBN: 0-87942-649-7 abstract page 51, right-hand column, line 48 - page 52, left-hand column, line 2	1-21

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 111 of 359

INTERNATIONAL SEARCH REPORT

Information on patent family members

Inter[illegible]al Application No
PCT/GB2005/001868

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
WO 03073711	A	04-09-2003	US	2002144154 A1	03-10-2002
			AU	2003224616 A1	09-09-2003
			CA	2476176 A1	04-09-2003
			EP	1476995 A2	17-11-2004
			JP	2005518763 T	23-06-2005
			WO	03073711 A2	04-09-2003
WO 2004012415	A	05-02-2004	AU	2003248959 A1	16-02-2004
			WO	2004012415 A1	05-02-2004
			GB	2391438 A	04-02-2004
			EP	1387551 A1	04-02-2004
EP 1085444	A	21-03-2001	US	6704772 B1	09-03-2004
			EP	1085444 A2	21-03-2001
			US	2004148359 A1	29-07-2004
WO 03036492	A	01-05-2003	WO	03036492 A1	01-05-2003
			US	2003055907 A1	20-03-2003

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 112 of 359

PATENT COOPERATION TREATY

FRED

REC'D 16 AUG 2005
WIPO PCT

PCT 17/11

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/GB2005/001868	12.05.2005	

International Patent Classification (IPC) or both national classification and IPC
H04L12/58, H04L29/06

Applicant
BLUESPACE GROUP LTD

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

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

2. **FURTHER ACTION**

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

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

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

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:

European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
Fax: +31 70 340 - 3016

Authorized Officer

Poppe, F

Telephone No. +31 70 340-4378

Form (PCT/ISA/237) (Cover Sheet) (January 2004)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB2005/001868

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

   ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material:

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material:

   ☐ in written format

   ☐ in computer readable form

   c. time of filing/furnishing:

   ☐ contained in the international application as filed.

   ☐ filed together with the international application in computer readable form.

   ☐ furnished subsequently to this Authority for the purposes of search.

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

4. Additional comments:

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 114 of 359

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

1. Statement

Novelty (N)	Yes:	Claims	7,8,15,16
	No:	Claims	1-6,9-14,17-21
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-21
Industrial applicability (IA)	Yes:	Claims	1-21
	No:	Claims	

2. Citations and explanations

see separate sheet

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
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Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: WO 03/073711 A
D2: WO 2004/012415 A
D3: EP 1 085 444 A
D4: WO 03/036492 A

1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1, 9 and 17 is not new in the sense of Article 33(2) PCT.

1.1. Document D1 discloses (referring in general to p. 33, l. 23 - p. 35, l. 4 and fig. 2A):

a computerized messaging server ("Rost Server 14") in an electronic messaging system, comprising:

- a messaging module adapted to control a message database storing messages exchanged in the messaging system ("the system creates a copy of the original message to be stored for later processing", step 203), each message comprising one or more message components ("file attachments");
- an interface module adapted to receive a message component from a messaging client ("the sender's message is transferred to the RPost server", step 202); and
- an audit module adapted to interact with an audit information database storing audit information describing usage of the messaging system ("the system creates a record in a database", step 204), and further adapted to generate tamper-detection data for the message component received from the messaging client and store the generated tamper-detection data in the audit information database ("the system generates and stores a message digest for the message body", step 206; "the system generates and stores a message digest for each attachment included in the message", step 207).

The subject-matter of claim 1 is therefore not new.

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
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1.2. The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claim 9, which therefore is also considered not new.

1.3. Furthermore document D1 discloses (referring in general to p. 44, l. 2 - p. 45, l. 7 and fig. 7A):

> a computer-implemented method of authenticating messages in an electronic messaging system, comprising:
> - receiving a message component identified as a relational reference in a message container (step 700);
> - receiving tamper-detection data for the message component ("hash value recorded in the body of the receipt"); and
> - authenticating the message component using the tamper-detection data ("generate a hash of the attached file and compare it to the hash value recorded in the body of the receipt", step 708-709).

The subject-matter of claim 17 is therefore not new.

1.4. For the sake of completeness it is noted that the subject-matter of claims 1, 9 and 17 also does not involve an inventive step over the disclosure of D2 (p. 6, l. 23 - p. 7, l. 15; fig. 1).

2. Dependent claims 2-8, 10-16 and 18-21 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1, D2, D3 and D4 and the corresponding passages cited in the search report.

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 117 of 359

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: Brian M. Hoffman
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

Fenwick & West LLP
FEB 19 2008
RECEIVED

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 12381 PCT	Date of mailing *(day/month/year)* **FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US 07/60587	International filing date *(day/month/year)* 16 January 2007 (16.01.2007)
Applicant Bluespace Software Corp.	

23682-

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

   For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90*bis*.1 and 90*bis*.3, respectively, before the completion of the technical preparations for international publication.

   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

   In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

   See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/220 (January 2004)

(See notes on accompanying sheet)

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To: Brian M. Hoffman
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

	Date of mailing *(day/month/year)* 14 FEB 2008
Applicant's or agent's file reference 12381 PCT	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US 07/60587	International filing date *(day/month/year)* 16 January 2007 (16.01.2007)
Applicant Bluespace Software Corp.	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

   For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90*bis*.1 and 90*bis*.3, respectively, before the completion of the technical preparations for international publication.

   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

   In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

   See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/220 (January 2004) *(See notes on accompanying sheet)*

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 12381 PCT	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US 07/60587	International filing date *(day/month/year)* 16 January 2007 (16.01.2007)	(Earliest) Priority Date *(day/month/year)* 13 January 2006 (13.01.2006)
Applicant Bluespace Software Corp.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

   a. With regard to the **language**, the international search was carried out on the basis of:

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

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

   b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).

   c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (see Box No. II).

3. ☐ **Unity of invention is lacking** (see Box No. III).

4. With regard to the **title**,

   ☒ the text is approved as submitted by the applicant.

   ☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

   ☒ the text is approved as submitted by the applicant.

   ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

   a. the figure of the **drawings** to be published with the abstract is Figure No. 2

   ☐ as suggested by the applicant.

   ☒ as selected by this Authority, because the applicant failed to suggest a figure.

   ☐ as selected by this Authority, because this figure better characterizes the invention.

   b. ☐ none of the figures is to be published with the abstract.

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 120 of 359

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 07/60587

A. CLASSIFICATION OF SUBJECT MATTER
IPC(8) - G06F 7/00 (2007.01)
USPC - 707/5
According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
707/5

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
USPC: 707/1, 2, 3

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
PubWEST (PGPB,USPT,USOC,EPAB,JPAB), Google Scholar - terms: relev$, similar$, profile, preference, manag$, user$, electronic, mail, email, content

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2004/0078447 A1 (MALIK et al.) 22 April 2004 (22.04.2004), para [0035], [0045], [0013], [0014], [0040]-[0046], [0072-0074], [0076], [0079] and [0080].	1-22
A	US 6,134,582 A (KENNEDY) 17 October 2000 (17.10.2000), col 5-12.	1-22
A	US 2005/0038863 A1 (ONYON et al.) 17 February 2005 (17.02.2005), para [0020]-[0040].	1-22

☐ Further documents are listed in the continuation of Box C. ☐

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
26 September 2007 (26.09.2007)	14 FEB 2008
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US, Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/210 (second sheet) (April 2007)

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To: Brian M. Hoffman
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	14 FEB 2008

Applicant's or agent's file reference	FOR FURTHER ACTION
12381 PCT	See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US 07/60587	16 January 2007 (16.01.2007)	13 January 2006 (13.01.2006)

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - G06F 7/00 (2007.01)
USPC - 707/5

Applicant Bluespace Software Corp.

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

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

2. **FURTHER ACTION**

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

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

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

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US	Date of completion of this opinion	Authorized officer:
Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	26 September 2007 (26.09.2007)	Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/237 (cover sheet) (April 2007)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US 07/60587

Box No. I Basis of this opinion

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

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

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

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

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

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

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

5. Additional comments:

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

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

1. Statement

Novelty (N)	Claims	None	YES
	Claims	1-22	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-22	NO
Industrial applicability (IA)	Claims	1-22	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1-22 lack novelty under PCT Article 33(2) as being anticipated by US 2004/0078447 A1 to Malik et al. (hereinafter 'Malik').

As per claims 1 and 11, Malik discloses a system or a computer program product having a computer-readable medium having computer program instructions encoded thereon (see fig 1, 2A and 2B), comprising: a monitoring module configured to track actions by a plurality of users associated with an application for managing electronic content (see para [0035] and [0045]), a relevance analysis module coupled to the monitoring module and configured to determine a relevance to a user of a piece of electronic content sent from a sender to the user (user(s) profile, see abastract and para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]), the relevance being determined dependent on: a measure of a relevance of the piece of electronic content as determined dependent on one or more actions of the user on the piece of electronic content (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]), and a measure of a relevance of the piece of electronic content as determined dependent on one or more actions of at least one other of the plurality of users that is a recipient of the piece of electronic content (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claim 17, Malik discloses a method, comprising: tracking actions by a plurality of users associated with an application for managing electronic content (see para [0035] and [0045]), determining a relevance to a user of a piece of electronic content sent from a sender to the user (user(s) profile, see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]), the relevance being determined dependent on: a measure of a relevance of the piece of electronic content as determined dependent on one or more actions of the user on the piece of electronic content (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]), and a measure of a relevance of the piece of electronic content as determined dependent on one or more actions of at least one other of the plurality of users that is a recipient of the piece of electronic content (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claims 2, 12 and 18, Malik further discloses the system of claim 1, wherein the relevance is further determined dependent on a measure of local importance describing an importance of the sender to the user (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claims 3, 13 and 19, Malik further discloses the system of claim 1, wherein the relevance is further determined dependent on a measure of global importance describing an importance of the sender within an organization with which the plurality of users are associated (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claims 4, 14 and 20, Malik further discloses the system of claim 1, wherein the relevance analysis module is further configured to identify at least one other of the plurality of users that is a recipient of the piece of electronic content and is cognate to the user and wherein the relevance analysis module is further configured to determine the relevance to the user of the piece of electronic content dependent upon one or more actions of the at least one cognate recipient with respect to the piece of electronic content (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claims 5, 15 and 21, Malik further discloses the system of claim 1, wherein the relevance analysis module is further configured to determine the relevance to the user of the piece of electronic content responsive to contents of the piece of electronic content (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claims 6, 16 and 22, Malik further discloses the system of claim 1, wherein the relevance analysis module is further configured to determine the relevance to the user of the piece of electronic content responsive to one or more measures from the set consisting of: a local importance describing an importance of the sender to the user (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]), a global importance describing an importance of the sender within an organization with which the plurality of users are associated (see para [0010]), a content relevance determined responsive to contents of the piece of electronic content (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]) and one or more actions with respect to the piece of electronic content of one or more of the plurality of users determined to be cognate to the user (see para [0010]).

---------- Continued in Supplemental Box ---------

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WRITTEN OPINION OF THE
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Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of:
Box No. V (Citations and explanations):

As per claim 7, Malik further discloses the system of claim 1, further comprising: a content presentation module configured to present the piece of electronic content to the user in accordance with the determined relevance and to present to the user a value describing the determined relevance (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claim 8, Malik further discloses the system of claim 1, further comprising: a search module configured to search the electronic content in accordance with the determined relevance (see para [0013], [0014], [0040]-[0046], [0072-0074] and [0079]).

As per claim 9, Malik further discloses the system of claim 1, wherein the piece of electronic content comprises an electronic mail object in a relational mail system (see para [0072], [0074], [0076], [0079] and [0080]).

As per claim 10, Malik further discloses the system of claim 1, wherein the electronic content comprises at least one of an email, a document, an instant message, and an SMS message (at least one of an email, see para [0072], [0074], [0076], [0079] and [0080]).

Claims 1-22 have industrial applicability as defined by PCT Article 33(4) because the subject matter claimed can be made or used in industry.

Microsoft - Exhibit 1002
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

758 7590 01/19/2010

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EXAMINER	
ALI, FARHAD	
ART UNIT	**PAPER NUMBER**
2446	

MAIL DATE	DELIVERY MODE
01/19/2010	PAPER

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

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

Office Action Summary	Application No.	Applicant(s)	
	11/129,212	MARSTON ET AL.	
	Examiner	Art Unit	
	FARHAD ALI	2446	

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *30 September 2009*.

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

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

Disposition of Claims

4)☒ Claim(s) *1-9,11-13,15,16,18,19 and 21-34* is/are pending in the application.

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

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-13,15,16,18,19 and 21-34* is/are rejected.

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

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

Application Papers

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

10)☒ The drawing(s) filed on *12 May 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/14/2009*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims:

Claims 1-9, 11-13, 15-16, 18-19, and 21-34 are pending in this Office Action.

Claims 1-6, 8-9, 11-13, 15-16, 22-26, and 28 are amended.

Claims 31-34 are new.

Claims 10, 14, 17, and 20 are cancelled.

Claim Rejections - 35 USC § 103

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

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

2. Claims 1-5, 7-9, 11-12, 15-16, 18-19, 21, 23, 26-27, and 29-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold et al. (US Pub 2004/0177271) hereinafter Arnold in view of Albaugh et al. (US Pub 2004/0039753) hereinafter Albaugh.

Claim 1

Arnold teaches a computerized messaging server in an electronic messaging system **(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient")**, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system; and a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the messages, the governance module further adapted to apply the rules described by the compliance policy to one or more of the messages **(Paragraph [0004] "The electronic screening tool is programmed to identify content that is potentially not authorized by the business or potentially harmful to the business, and is comprised of one or more of the following: a proxy service comprised of a message accessor, a message analyzer and an action manager that is more fully described below")**.

Arnold fails to specifically disclose at least one of the messages having a plurality of submessages comprising one or more of replies to and forwards of other submessages of the message.

Albaugh teaches in paragraph [0017-0018] that "The scheme which is employed in the present example is to first generate a unique primary key for the initial message, and store the record for the original message at the primary key. As the message is propagated to the services, the primary key is passed to the service. This permits the services to access the message to the primary key and generate a derivative primary key for any derivative message which the services produce. In the exemplary embodiment described herein, the service provider offers a splitter service that can break an incoming message (that is actually a package of messages) into the various independent messages, and a translation service that can translate messages from one

document format to another" and "In one example, an incoming message contains 3 sub-messages and each of the sub-messages needs to be translated before delivery" in order "that it relates all of the derived messages to the initial messages so that when someone wants to trace what happened to message they sent--the information can be readily recalled" and "it is understood that the present invention has many uses from general event logging applications to distinguishing sequential activity processing threads by derivative primary keys" (Paragraph [0026]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of Arnold to include "sub-messages" as taught by Albaugh in order that"it relates all of the derived messages to the initial messages so that when someone wants to trace what happened to message they sent--the information can be readily recalled" and "it is understood that the present invention has many uses from general event logging applications to distinguishing sequential activity processing threads by derivative primary keys" (Paragraph [0026]).

Claim 2

The modified Arnold teaches the messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system; a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code,**

telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 3

The modified Arnold teaches the messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all submessages classified with the jobcode **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 4

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage; a target element describing a population structure entity that is a recipient of the submessage; and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 5

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").**

Claim 7

The modified Arnold teaches the messaging server of claim 1, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages **(Paragraph [0023] "The management may also involve auditing or logging of communications between people and/or capturing or recording communications between people where copies of the communication are preserved in a database")**.

Claim 8

Claim 8 is rejected for the same reasoning as claim 1 as they are analogous in scope.

Claim 9

The modified Arnold teaches the computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 11

The modified Arnold teaches the computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage; a target element describing a population structure entity that is a recipient of the submessage:, and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 12

The modified Arnold teaches the computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communicate rules describing which population structure entities can communication with other population structure entities via the messaging system; readership rules describing which population structure entities can read messages from other population structure entities via the messaging system; action rules describing actions a population structure entity can perform on a message component in the

messaging system; and search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 15

Arnold teaches a computer-implemented method of managing messages in an electronic messaging system **(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient")**, comprising:

defining a compliance policy describing rules applicable to messages in the electronic messaging system; receiving messages from a messaging client, the messages identified as a reference in a message container; and applying the compliance policy to the messages received from the messaging client **(Paragraph [0004] "The electronic screening tool is programmed to identify content that is**

potentially not authorized by the business or potentially harmful to the business, and is comprised of one or more of the following: a proxy service comprised of a message accessor, a message analyzer and an action manager that is more fully described below").

Arnold fails to specifically disclose wherein the messages are submessages of messages having a plurality of references to submessages, the submessage being one of a reply to and a forward of a submessage referenced by the plurality of references.

Albaugh teaches in paragraph [0017-0018] that "The scheme which is employed in the present example is to first generate a unique primary key for the initial message, and store the record for the original message at the primary key. As the message is propagated to the services, the primary key is passed to the service. This permits the services to access the message to the primary key and generate a derivative primary key for any derivative message which the services produce. In the exemplary embodiment described herein, the service provider offers a splitter service that can break an incoming message (that is actually a package of messages) into the various independent messages, and a translation service that can translate messages from one document format to another" and "In one example, an incoming message contains 3 sub-messages and each of the sub-messages needs to be translated before delivery" in order "that it relates all of the derived messages to the initial messages so that when someone wants to trace what happened to message they sent--the information can be readily recalled" and "it is understood that the present invention has many uses from

general event logging applications to distinguishing sequential activity processing threads by derivative primary keys" (Paragraph [0026]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of Arnold to include “sub-messages” as taught by Albaugh in order that“it relates all of the derived messages to the initial messages so that when someone wants to trace what happened to message they sent--the information can be readily recalled” and “it is understood that the present invention has many uses from general event logging applications to distinguishing sequential activity processing threads by derivative primary keys" (Paragraph [0026]).

Claim 16

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging clients of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] “This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file”)**.

Claim 18

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 19

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and

defining a set of rules applicable to the entities in the group **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk**

assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 21

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure **(Pargraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means")**.

Claim 23

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a submessage in the messaging system; and

search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 26

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure; defining group rules applicable to submessages related to the group of entities; and applying the group rules to a submessage related to the group of entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 27

The modified Arnold teaches the computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an**

employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 29

The modified Arnold teaches the computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the submessage; and recording the attempted action in a compliance log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890")**.

Claim 30

The modified Arnold teaches the computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890")**.

Claim 31

The modified Arnold teaches the messaging server of claim 1, wherein the governance policy database further stores compliance policies active at prior times, and wherein the submessages of the stored messages are associated with a compliance policy that was active at a time that content of the submessages was created **(Paragraph [0023] "The management may also involve auditing or logging of communications between people and/or capturing or recording communications between people where copies of the communication are preserved in a database"**

and Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 32

The modified Arnold teaches the messaging server of claim 2, wherein the messaging module is further adapted to receive an indication of a jobcode and of a submessage from an end-user, and is further adapted to associate the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 33

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 34

The modified Arnold teaches the messaging server of claim 31, wherein at least one of the messages stored in the message database has a first submessage associated with a first compliance policy and a second submessage associated with a second compliance policy different from the first compliance policy, and wherein the governance module applies the rules described by the first compliance policy to the first submessage and applies the rules described by the second compliance policy to the second submessage **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances**

may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").

3. Claims 6, 13, 22, 24, 25, and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold in view of Albaugh, and further in view of Nassiri (US Pub 2006/0265464).

Claim 6

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk**

assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").

The modified Arnold fails to specifically disclose validity rules describing a time period for which a submessage or entity in the population structure is useable; and retention rules describing a time period after which a submessage or entity in the population structure should be deleted from the messaging system.

Nassiri teaches in paragraph [0015] that "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include electronic message duration as taught by

Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Claim 13

Claim 13 is rejected for the same reasoning as claim 6.

Claim 22

The modified Arnold teaches the computer-implemented method of claim 15.

The modified Arnold fails to specifically disclose wherein defining the compliance policy comprises: defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the submessage.

Nassiri teaches in paragraph [0015] that "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device

confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include electronic message duration as taught by Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Claim 24

The modified Arnold teaches the computer-implemented method of claim 15.

The modified Arnold fails to specifically disclose wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt submessages.

Nassiri teaches in paragraph [0015] that "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-

user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include verification requirement as taught by Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Claim 25

The modified Arnold teaches the computer-implemented method of claim 15.

The modified Arnold fails to specifically disclose wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a submessage in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action.

Nassiri teaches in paragraph [0074] that "With respect to FIG. 3A, the digital rights management attribute of print authorization is depicted using the software

download. The Client selects print authorization 51 as the desired electronic message attribute 60, and the parameters of how the electronic message may be printed by selecting at least one of the group of: limit 61, allow 62, or disallow 63" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include a limit as taught by Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Claim 28

Claim 28 is rejected for the same reasoning as claim 6.

Response to Arguments

4. Applicant's arguments filed on 09/30/2009 in regards to claim 2 and 32 have been fully considered but they are not persuasive.

In regards to claim 2 and 32, the applicant has argued that Arnold does not teach wherein the messaging module is further adapted to receive an indication of a jobcode and of a submessage from an end-user, and is further

adapted to associate the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user.

The examiner disagrees. Arnold teaches in Paragraph [0072] “Referring back to the example in Table 2, the MTA-neutral message 705 will be augmented in this step by applying knowledge found in the user/role knowledge base 612 to the information known about the message being analyzed. The message metadata augmentation component 610 and the user/role knowledge base 612 has been programmed to look for information about the sender and intended recipients of messages in various databases of employees, customers, consultants, etc. In the example, it is assumed that an entry, for John Smith with an email address of john.smith@tradingcompany.com has been found in the employee database 614. The message metadata augmentation component 610 and the user/role knowledge base 612 have been programmed to get the job code and description for any employee match it finds and add it to the MTA-neutral message representation. John Smith's job code is FP07 ". The examiner asserts that “The message metadata augmentation component 610 and the user/role knowledge base 612 have been programmed to get the job code and description for any employee match it finds” teaches receiving an indication of a jobcode since the employees name which is taught to be in the message can be used to indicate the job code, which is added to the message representation.

5. Applicant's arguments with respect to claims 6, 13, 22, 24, 25, and 28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. 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 FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. 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.

/Farhad Ali/
Examiner, Art Unit 2446

/Benjamin R Bruckart/

Primary Examiner, Art Unit 2446

Notice of References Cited	Application/Control No. 11/129,212	Applicant(s)/Patent Under Reexamination MARSTON ET AL.	
	Examiner FARHAD ALI	Art Unit 2446	Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0039753	02-2004	Albaugh et al.	707/104.1
*	B	US-2006/0265464	11-2006	Nassiri, Nicholas N.	709/206
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2446

✓	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	06/18/2009	01/13/2010							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
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	11	✓	✓							
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	30	✓	✓							
	31		✓							
	32		✓							
	33		✓							
	34		✓							

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2446

SEARCHED			
Class	Subclass	Date	Examiner
709	206	6/18/2009	Farhad Ali
709	206	1/13/2010	Farhad Ali

SEARCH NOTES		
Search Notes	Date	Examiner
Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	6/18/2009	Farhad Ali
Inventor Search	6/18/2009	Farhad Ali
Updated text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	1/13/2010	Farhad Ali
Updated Inventor Search	1/13/2010	Farhad Ali

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

/FARHAD ALI/ Examiner.Art Unit 2446	

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

	Complete if Known
Application No.	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Art Unit	2446
Examiner Name	Farhad Ali
Attorney Docket Number	23682-10344

Sheet 1 of 2

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Examiner Signature	/Farhad Ali/	Date Considered	01/13/2010

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				**Application No.**	11/129,212
				Filing Date	May 12, 2005
				First Named Inventor	Justin Marston
				Art Unit	2446
				Examiner Name	Farhad Ali
Sheet	2	of	2	Attorney Docket Number	23682-10344

U.S. PATENT DOCUMENTS				
		Document No.		
Examiner Initials*	Cite No.[1]	Number – Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
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Examiner Initials*	Cite No.[1]	Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]
	B1	EP 0739115 A2	10-23-1996	AT&T IPM CORP	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]
	C1	International Search Report and Written Opinion, PCT/US06/24859, April 26, 2007, 7 pages.	
	C2	International Search Report and Written Opinion, PCT/GB2004/004609, February 22, 2005, 9 pages.	
	C3	International Search Report and Written Opinion, PCT/GB2004/000805, June 4, 2004, 9 pages.	
	C4	International Search Report and Written Opinion, PCT/GB2005/001868, August 19, 2005, 7 pages.	
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Examiner Signature	/Farhad Ali/	Date Considered	01/13/2010

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	2821	DRM and encrypt$3 and message	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 15:06
L3	327	DRM and encrypt$3 and message and "709"/.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 15:07
L4	220	DRM and encrypt$3 and (email or e-mail or electonic mail) and "709"/.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 15:10
L7	1	"09982145"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 15:55
L9	2	"6301609".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L10	2	11/129212	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L11	775	compliance policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L12	2	compliance policy and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26

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L13	2	"7233954".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L14	8	"1085444"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L15	4	"6704772".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L16	3	"11129212"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L17	12	message and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L18	12	message and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L19	3	messaging filter and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L20	7964	709/206.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L21	308	709/206.ccls. and message near filter	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L22	2	709/206.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26

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L23	172	709/206.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L24	425	"709"/.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L25	3	"709"/.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L26	2375	(Marston or Hatch).in.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L27	5	(Marston or Hatch).in. and 709/206.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L28	2	"20040260710"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L29	206	submessage	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L30	85	submessage and policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L31	44	submessage and policy and (email or e-mail or electronic mail)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L32	22	sub-message and policy and (email or e-mail or electronic mail)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26

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L33	2	"20040078447"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L34	2	"20020136279"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L35	92	email near3 thread and polic$3	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:26
L36	26	(Marston or Hatch).in. and messaging	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2010/01/13 18:27

EAST Search History (Interference)

<This search history is empty>

1/13/2010 6:28:31 PM
C:\Documents and Settings\fali\My Documents\EAST\Workspaces\app 11129212.wsp

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

758 7590 03/09/2010

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER	
ALI, FARHAD	
ART UNIT	**PAPER NUMBER**
2446	

MAIL DATE	DELIVERY MODE
03/09/2010	PAPER

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

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

Interview Summary	Application No.	Applicant(s)	
	11/129,212	MARSTON ET AL.	
	Examiner	Art Unit	
	FARHAD ALI	2446	

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

(1) *FARHAD ALI*.

(2) *BENJAMIN BRUCKART*.

(3)*CHRISTOPHER KING (# 60,985)*.

(4)_____.

Date of Interview: *05 March 2010*.

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

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

Claim(s) discussed: *15*.

Identification of prior art discussed: *Arnold and Albaugh*.

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

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Applicant discussed a brief overview of the invention as well as proposed claim ammendments in regards to clarifying a first and second submessage, and that a rule can be applied to one submessage but not to a different submessage. The proposed ammendments appear to overcome the previous rejection. Examiner further suggested adding details about the policies and rules as well as elaborating upon the submessages*.

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

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Farhad Ali/ Examiner, Art Unit 2446	

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Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

———

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (12-08)
Approved for use through 01/31/2009. 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	11/129,212	Filing Date	2005-05-12	Docket Number (if applicable)	23682-10344	Art Unit	2446
First Named Inventor	Justin Marston			Examiner Name	Farhad Ali		

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

SUBMISSION REQUIRED UNDER 37 CFR 1.114

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

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

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

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 192555

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

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PTO/SB/30EFS (12-08)
Approved for use through 01/31/2009. 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	/Christopher King/	Date (YYYY-MM-DD)	2010-03-18
Name	Christopher-Charles P. King	Registration Number	60985

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 record s.

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

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

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

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

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

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

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

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

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IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Justin Marston et al.
SERIAL NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies in a Messaging System
EXAMINER:	Farhad Ali
GROUP ART UNIT:	2446
ATTY. DKT. NO.:	23682-10344

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the **Pacific Time Zone** of the United States on the local date shown below.

Dated: March 18, 2010 By: /Christopher King/
Christopher P. King, Reg. No. 60,985

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT B AND RESPONSE

Sir:

This amendment for the patent application identified above is in response to the Final Office Action dated January 19, 2010, which set a shortened statutory period for response that expires on April 19, 2010.

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IN THE CLAIMS

Claims 1, 8, 15, and 31 are amended herein.

Claim 28 is canceled.

Claim 35 is added.

All pending claims are produced below. In addition, the status of each is also indicated below and appropriately noted as "Original", "Currently Amended", "Canceled", "New", "Withdrawn", "Previously Presented", and "Not Entered" as requested by the Office.

1. (Currently Amended) A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, at least one of the messages having a plurality of submessages ~~comprising~~, at least one of the submessages being one of a reply to and a forward of ~~one or more of replies to and forwards of~~ other submessages of the message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the submessages, the governance module further adapted to ~~apply the~~ determine rules described by the compliance policy that are applicable to ones of the plurality of submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of ~~to one or more of the~~ submessages.

2. (Previously Presented) The messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages.

3. (Previously Presented) The messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all submessages classified with the jobcode.

4. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage;

a target element describing a population structure entity that is a recipient of the submessage; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

5. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

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communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system.

6. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a submessage or entity in the population structure is useable; and

retention rules describing a time period after which a submessage or entity in the population structure should be deleted from the messaging system.

7. (Original) The messaging server of claim 1, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages.

8. (Currently Amended) A computer program product having a computer-readable medium having embodied thereon program code for use in an electronic messaging system, the program code comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, at least one of the messages having a plurality of submessages ~~comprising~~, at least one of the submessages

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being one of a reply to and a forward of ~~one or more of replies to and forwards of~~ other submessages of the message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the submessages, the governance module further adapted to ~~apply the~~ determine rules described by the compliance policy that are applicable to ones of the plurality of submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of ~~to one or more of the~~ submessages.

9. (Previously Presented) The computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages.

10. (Canceled)

11. (Previously Presented) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage , the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage;

a target element describing a population structure entity that is a recipient of the submessage; and

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a rank describing a ranking of the rule relative to other rules in the compliance policy.

12. (Previously Presented) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

13. (Previously Presented) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a submessage or entity in the population structure is useable; and

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retention rules describing whether a submessage or entity in the population structure should be deleted from the messaging system.

14. (Canceled)

15. (Currently Amended) A computer-implemented method of managing messages in an electronic messaging system, comprising:

defining a compliance policy describing rules applicable to submessages of messages in the electronic messaging system;

receiving a ~~submessage~~ message container from a messaging client, the message container referencing a plurality of submessages including a first submessage and a second submessage, ~~identified as a reference in a message container having a plurality of references to submessages,~~ at least one of the submessages ~~submessage~~ being one of a reply to and a forward of [[a]] another submessage of the plurality of submessages ~~referenced by the plurality of references~~;

determining that a first rule of the compliance policy applies to the first submessage;

determining that the first rule of the compliance policy does not apply to the second submessage; and

applying the first rule of the compliance policy to the first submessage ~~received from the messaging client~~.

16. (Previously Presented) The computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging

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clients of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages .

17. (Canceled)

18. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team.

19. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and

defining a set of rules applicable to the entities in the group.

20. (Canceled)

21. (Original) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure.

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22. (Previously Presented) The computer-implemented method of claim 15, wherein defining the compliance policy comprises:

defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the submessage.

23. (Previously Presented) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a submessage in the messaging system; and

search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system.

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24. (Previously Presented) The computer-implemented method of claim 15, wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt submessages.

25. (Previously Presented) The computer-implemented method of claim 15, wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a submessage in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action.

26. (Previously Presented) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure;

defining group rules applicable to submessages related to the group of entities; and

applying the group rules to a submessage related to the group of entities.

27. (Original) The computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities.

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28. (Canceled)

29. (Original) The computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the submessage; and

recording the attempted action in a compliance log.

30. (Original) The computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log.

31. (Currently Amended) The messaging server of claim 1, wherein the governance policy database further stores at least one prior compliance ~~policies~~ policy active at a time prior ~~times~~ to a time at which the compliance policy was active, and wherein the submessages of the stored messages are associated with a compliance policy that was active at a time that content of the submessages was created.

32. (Previously Presented) The messaging server of claim 2, wherein the messaging module is further adapted to receive an indication of a jobcode and of a submessage from an end-user, and is further adapted to associate the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user.

33. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the

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rules described by the compliance policy include search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system.

34. (Previously Presented) The messaging server of claim 31, wherein at least one of the messages stored in the message database has a first submessage associated with a first compliance policy and a second submessage associated with a second compliance policy different from the first compliance policy, and wherein the governance module applies the rules described by the first compliance policy to the first submessage and applies the rules described by the second compliance policy to the second submessage.

35. (New) The method of claim 15, further comprising:

determining that the first rule of the compliance policy applies to the first submessage based at least in part on at least one of a source element and a target element of the first rule; and

determining that the first rule of the compliance policy does not apply to the second submessage based at least in part on at least one of the source element and the target element of the first rule;

wherein the source element of the first rule describes a population structure entity that is a source of a submessage with respect to which the first rule is evaluated, and the target element describes a population structure entity that is a recipient of the submessage with respect to which the first rule is evaluated.

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REMARKS

Claims 1-9, 11-13, 15-16, 18-19, and 21-34 were pending and presented for examination. In an Office Action dated January 19, 2010, claims 1-9, 11-13, 15-16, 18-19, and 21-34 were rejected.

Claims 1, 8, 15, and 31 are amended in this Amendment and Response. Further, claim 28 is canceled, and claim 35 is added.

Examiner Interview

Applicants' representative, Christopher King, conducted a telephonic interview with Examiners Ali and Bruckart on March 4, 2010, during which the rejection of claim 15 was discussed, along with possible amendments thereto. Examiner Ali stated that the proposed amendment to claim 15 discussed during the interview appeared to overcome the rejection.

Response to Rejections Under 35 USC § 103

Claims 1-5, 7-9, 11-12, 15-16, 18-19, 21, 23, 26-27, and 29-34 stand rejected under 35 USC § 103(a) as being unpatentable over Arnold, U.S. Patent Publication No. 2004/0177271, in view of Albaugh, U.S. Patent Publication No. 2004/0039753. Additionally, claims 6, 13, 22, 24, 25, and 28 stand rejected under 35 USC § 103(a) as being unpatentable over Arnold in view of Albaugh and further in view of Nassiri, U.S. Patent Publication No. 2006/0265464. These rejections are now addressed together.

Independent claim 15, as amended, recites a computer-implemented method of managing messages in an electronic messaging system, comprising:

defining a compliance policy describing rules applicable to submessages of messages in the electronic messaging system;
receiving a message container from a messaging client, the message container referencing a plurality of submessages including a first submessage and a second submessage, at least one of the submessages being one of a reply to and a forward of another submessage of the plurality of submessages;
determining that a first rule of the compliance policy applies to the first submessage;
determining that the first rule of the compliance policy does not apply to the second submessage; and
applying the first rule of the compliance policy to the first submessage.

Thus, claim 15 recites that a message container is received from a messaging client, the message container referencing a plurality of submessages including a first submessage and a second submessage. Further, a first rule of a compliance policy is determined to apply to the first submessage but not to the second submessage, and the rule is applied to the first submessage. Thus, submessages need not all be processed in a uniform manner, but instead can be treated differently by the compliance policy.

As previously discussed during the examiner interview of March 4th, the applied references fail to disclose or suggest such features. As noted by the Examiner on page 3 of the Office Action, Arnold fails to disclose that messages have submessages. Thus, the Examiner relies on Albaugh. Albaugh discloses generating a unique primary key to identify an original message which is received for processing by a service, and producing derivative key codes corresponding to derivative messages produced by the service. (Albaugh, Abstract).

More specifically, the Examiner cites Albaugh paragraphs 0017 and 0018, which refer to a "splitter service" that "can break an incoming message (that is actually a package of messages) into the various independent messages." As an explanatory example of the splitter service, Albaugh paragraph 0002 mentions a client sending a single parts ordering message,

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which may in fact be a package of individual messages, to a service node, which generates a plurality of messages from the single parts ordering message. Albaugh paragraph 0018 additionally mentions an example of a message containing 3 sub-messages, **each** of which needs to be translated before delivery. Albaugh at best discloses breaking a single message package into the various constituent independent messages within it and taking some sort of action—e.g., translation—on **all** of the messages. Even assuming for the sake of argument that always taking this fixed action could reasonably be deemed a "compliance policy," Albaugh would still fail to show, for a first and second submessage of a message, "determining that a first rule of the compliance policy **applies** to the first submessage" and "determining that the first rule of the compliance policy **does not** apply to the second submessage." Rather, any actions in Albaugh are applied uniformly to all submessages.

Nor does Nassiri remedy the deficiencies of Arnold and Albaugh. Nassiri concerns flagging an outgoing electronic message with attributes that control various aspects of electronic message processing and delivery using digital rights management (DRM) and is cited as allegedly disclosing features such as specifying message duration or message printing authorization. Nassiri says absolutely nothing about processing **submessages** of messages or about determining that a rule of a compliance policy applies to a first submessage and does not apply to a second submessage.

Thus, claim 15 is patentably distinguishable over Arnold, Albaugh, and Nassiri, whether they are taken singly or in combination. Similarly, claims 1 and 8 recite, in part, that a governance module "determine[s] rules described by the compliance policy that are applicable to ones of the plurality of submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of submessages," and are patentably

distinguishable from Arnold, Albaugh, and Nassiri for at least the same reasons discussed above with respect to claim 15.

The remaining claims depend, directly or indirectly, from claim 1, 8, or 15 and recite additional patentably distinguishable features and limitations. These claims are patentably distinguishable over the applied references for at least the same reason as their respective parent claims.

As one example, claim 31 as amended recites that "the governance policy database further stores at least one prior compliance policy active at a time prior to a time at which the compliance policy was active," and "the submessages of the stored messages are associated with a compliance policy that was active at a time that content of the submessages was created." Thus, a submessage created at one time could have a first compliance policy, and a submessage created at a later time could have a second, different compliance policy that became active after the earlier submessage was created. The Examiner cites Arnold paragraphs 0023, 0067, and 0069, which respectively state that communication logging may involve logging / recording of communications and storing them in a database, that a risk assessment score for a message can include the role of a sender or receiver (e.g., a stockbroker) in the message contents, and that information on an employee can be found by matching the employee's email address to a record of a master employee file. These cited paragraphs thus disclose logging and information lookup, but fail to disclose storing at least one prior compliance policy active at a time prior to a time at which the compliance policy was active, or that submessages are associated with a compliance policy that was active at a time that content of the submessages was created, as claimed.

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Conclusion

In sum, claims 1-9, 11-13, 15-16, 18-19, 21-27, and 29-35 are patentable over Arnold, Albaugh, and Nassiri.

The Examiner is invited to contact Applicants' representative at the number provided below if he believes it will help expedite furtherance of this application.

Respectfully Submitted,

Date: March 17, 2010 By: /Christopher King/

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Page 186 of 359

Electronic Patent Application Fee Transmittal	
Application Number:	11129212
Filing Date:	12-May-2005
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Filer:	Christopher-Charles P. King
Attorney Docket Number:	23682-10344
Filed as Small Entity	

Utility under 35 USC 111(a) Filing Fees

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Request for continued examination	2801	1	405	405
		Total in USD ($)		**405**

Electronic Acknowledgement Receipt	
EFS ID:	7240215
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	00758
Filer:	Christopher-Charles P. King
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	18-MAR-2010
Filing Date:	12-MAY-2005
Time Stamp:	17:41:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$405
RAM confirmation Number	4028
Deposit Account	192555
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees) Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees) Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	10344_RCE.pdf	697433 18a21e41d4e030cba93920aba563bf41679bdf2d	no	3
Warnings:					
Information:					
2		10344_Amendment_B.pdf	103729 80e2770e517f9dd33dc04bcbe624d0dfe171375f	yes	17

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment After Final	1	1
Claims	2	12
Applicant Arguments/Remarks Made in an Amendment	13	17

Warnings:					
Information:					
3	Fee Worksheet (PTO-875)	fee-info.pdf	29816 7e65e69c99dcf4bd5b209d5abb19e23901496dd6	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	830978		

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

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

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

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

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/129,212	Filing Date 05/12/2005	☐ To be Mailed

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	03/18/2010	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 30	Minus	** 30	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

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

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

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

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

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

Legal Instrument Examiner:
/EVELYN G. NIMMONS/

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

758 7590 07/13/2010

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER	
ALI, FARHAD	
ART UNIT	**PAPER NUMBER**
2446	

NOTIFICATION DATE	DELIVERY MODE
07/13/2010	ELECTRONIC

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

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

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

PTOC@Fenwick.com

Office Action Summary	Application No.	Applicant(s)	
	11/129,212	MARSTON ET AL.	
	Examiner	Art Unit	
	FARHAD ALI	2446	

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *18 March 2010*.

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

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

Disposition of Claims

4)☒ Claim(s) *1-9,11-13,15,16,18,19,21-27 and 29-35* is/are pending in the application.

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

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-13,15,16,18,19,21-27 and 29-35* is/are rejected.

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

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

Application Papers

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

10)☒ The drawing(s) filed on *12 May 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/19/2010*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims:

Claims 1-9, 11-13, 15-16, 18-19, 21-27 and 29-35 are pending in this Office Action.

Claims 1, 8, 15 and 31 are amended.

Claim 35 is new.

Claim 28 is cancelled.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/18/2010 has been entered.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 8-9 and 11-13 rejected under 35 U.S.C. 101 as being drawn to non-statutory subject matter. The program product is embodied on a computer readable medium. Said medium is interpreted to include non-statutory subject matter such as carrier waves, signals, and communication media because carrier waves, signals, and

communication media store data within the wave, signal or media. While the specification lists examples (paragraph [0041]) of physical media, those are considered to be just non-limiting examples. The examiner encourages applicant to amend the claims and specification with explicit arguments that the medium is 'non-transitory' or 'non-transmissible'.

Claim Rejections - 35 USC § 103

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

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

4. Claims 1-5, 7-9, 11-12, 15-16, 18-19, 21, 23, 26-27, and 29-35 rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold (US Pub 2004/0177271) in view of Kelly (US 6,138,168).

Claim 1

Arnold teaches a computerized messaging server in an electronic messaging system **(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient")**, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system; and a governance module adapted to control a

governance policy database storing a compliance policy describing rules applicable to the messages, the governance module further adapted to determine rules described by the compliance policy **(Paragraph [0004] "The electronic screening tool is programmed to identify content that is potentially not authorized by the business or potentially harmful to the business, and is comprised of one or more of the following: a proxy service comprised of a message accessor, a message analyzer and an action manager that is more fully described below")**.

Arnold fails to specifically disclose at least one of the messages having a plurality of submessages, at least one of the submessages being one of a reply to and forward of other submessages of the message, and the rules described by the compliance policy that are applicable to ones of the plurality of submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of submessages.

Kelly teaches in column 3 lines 19-32, "There is thus provided a system having facilities for selection of particular code components or modules within an application program prior to the application program processing an incoming message, this selection or `tailoring` of the application program being dependent on the `type` of the message. Message `type` in this context may refer to any predefined characteristics which are identifiable and usable as criteria for determining which application program components to select (e.g. the message `type` may refer to whether the message is a request, a reply or an informational message, or whether the message is a delete instruction or an update instruction). The phrase `message type` will be used hereafter

to refer generally to any characteristics which are static for a particular message" and column 4 lines 8-24, "Thus, the application infrastructure preferably supports rules for selecting appropriate application program components which include criteria other than message type. If message `type` refers to characteristics which are static and inherently part of the message, then the other characteristics which may be examined to determine what operations to perform can be described as dynamic characteristics. These can include characteristics such as whether a message is late or on time, whether messages have arrived out of sequence, and what state the application is in. For example, a rule may trigger a component to be selected (i.e. invoking the procedure which is defined by that application program component) only when a preset time period has expired or only when the last one of an awaited set of reply messages is received" in order that "It is preferred for the procedures which are defined by the modular application programs to be invoked only when certain rules are satisfied, and to achieve this the application infrastructure has means for comparing certain characteristics of an incoming message (and/or characteristics of the system at the time the message arrives) with rules for message processing" (column 4 lines 1-7).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of Arnold to include rules for selecting application program components as taught by Kelly in order that "It is preferred for the procedures which are defined by the modular application programs to be invoked only when certain rules are satisfied, and to achieve this the application infrastructure has means for comparing certain

characteristics of an incoming message (and/or characteristics of the system at the time the message arrives) with rules for message processing" (column 4 lines 1-7).

Claim 2

The modified Arnold teaches the messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system; a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 3

The modified Arnold teaches the messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all submessages classified with the jobcode **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 4

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage; a target element describing a population structure entity that is a recipient of the submessage; and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 5

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that**

messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").

Claim 7

The modified Arnold teaches the messaging server of claim 1, wherein a message in the message database comprises:

a message container containing relational references to one or more submessages **(Paragraph [0023] "The management may also involve auditing or logging of communications between people and/or capturing or recording communications between people where copies of the communication are preserved in a database")**.

Claim 8

Claim 8 is rejected for the same reasoning as claim 1 as it is analogous in scope.

Claim 9

The modified Arnold teaches the computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging

system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 11

The modified Arnold teaches the computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage; a target element describing a population structure entity that is a recipient of the submessage:, and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 12

The modified Arnold teaches the computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communicate rules describing which population structure entities can communication with other population structure entities via the messaging system; readership rules describing which population structure entities can read messages from other population structure entities via the messaging system; action rules describing actions a population structure entity can perform on a message component in the messaging system; and search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 15

Claim 15 is rejected for the same reasoning as claim 1 and 7 as it is analogous in scope.

Claim 16

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging clients of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 18

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or**

recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 19

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and defining a set of rules applicable to the entities in the group **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 21

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure **(Pargraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means")**.

Claim 23

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system; action rules describing actions a population structure entity can perform on a submessage in the messaging system; and search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 26

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure; defining group rules applicable to submessages related to the group of entities; and applying the group rules to a submessage related to the group of entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718**

are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 27

The modified Arnold teaches the computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 29

The modified Arnold teaches the computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the submessage; and recording the attempted action in a compliance log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890")**.

Claim 30

The modified Arnold teaches the computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was**

previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890").

Claim 31

The modified Arnold teaches the messaging server of claim 1, wherein the governance policy database further stores at least one prior compliance policy active at a time prior to a time at which the compliance policy was active, and wherein the submessages of the stored messages are associated with a compliance policy that was active at a time that content of the submessages was created **(See claim 1 rejection [Kelly] column 4 lines 1-7 "It is preferred for the procedures which are defined by the modular application programs to be invoked only when certain rules are satisfied, and to achieve this the application infrastructure has means for comparing certain characteristics of an incoming message (and/or characteristics of the system at the time the message arrives) with rules for message processing" and Arnold Paragraph [0023] "The management may also involve auditing or logging of communications between people and/or capturing or recording communications between people where copies of the communication are preserved in a database" and paragraph [0024] It is expected that the communications management policies implemented by the present invention will**

change over time, and the kinds of communications that are or are not allowed will similarly change over time. Likewise, the type and degree of scrutiny placed on particular messages and/or particular users may vary over time. To accommodate the changing landscape of the activity that an effective electronic messaging filter encounters, the overall design of this invention provides a solution that is configurable, expandable, and designed for high throughput").

Claim 32

The modified Arnold teaches the messaging server of claim 2, wherein the messaging module is further adapted to receive an indication of a jobcode and of a submessage from an end-user, and is further adapted to associate the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 33

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include search rules describing which

population structure entities can view which submessages when searching the submessages stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 34

The modified Arnold teaches the messaging server of claim 31, wherein at least one of the messages stored in the message database has a first submessage associated with a first compliance policy and a second submessage associated with a second compliance policy different from the first compliance policy, and wherein the governance module applies the rules described by the first compliance policy to the first submessage and applies the rules described by the second compliance policy to the second submessage **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages**

sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").

Claim 35

The modified Arnold teaches the method of claim 15, further comprising:

determining that the first rule of the compliance policy applies to the first submessage based at least in part on at least one of a source element and a target element of the first rule **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message. For example: does the sender or the intended recipient(s) represent a stockbroker, a designated insider, a director level, etc. Regardless of the parties' identities that are participating in the contents of the unsent message, information such as this may drive some decisions about what action should be taken on an unsent message")**; and

determining that the first rule of the compliance policy does not apply to the second submessage based at least in part on at least one of the source element and the target element of the first rule **(See claim 1 rejection [Kelly] column 4 lines 8-24, "Thus, the application infrastructure preferably supports rules for selecting appropriate application program components which include criteria other than message type. If message `type` refers to characteristics which are static and**

inherently part of the message, then the other characteristics which may be examined to determine what operations to perform can be described as dynamic characteristics. These can include characteristics such as whether a message is late or on time, whether messages have arrived out of sequence, and what state the application is in. For example, a rule may trigger a component to be selected (i.e. invoking the procedure which is defined by that application program component) only when a preset time period has expired or only when the last one of an awaited set of reply messages is received");

wherein the source element of the first rule describes a population structure entity that is a source of a submessage with respect to which the first rule is evaluated, and the target element describes a population structure entity that is a recipient of the submessage with respect to which the first rule is evaluated **(Paragraph [0071] "Furthermore, the user/role knowledge base 612 may include information from databases and enterprise data sources that may pertain to the relationship between the message sender and recipients. For example, an enterprise's telephone billing/tracking/usage system may be queried to determine the duration and extent of recent telephone communication in a defined time period. Similarly, any auditing of email or instant messaging (whether performed inside the system 1000 or externally) may be queried to determine the duration and extent of email and/or instant messaging communications between the parties in a defined time period (e.g., the previous 30 days). The purpose for gathering this information and augmenting it in the current message's representation is that the upcoming**

risk assessment may judge/score the message contents differently depending on whether or not a pattern of communications has occurred or is emerging").

5. Claims 6, 13, 22, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold in view of Kelly, and further in view of Nassiri (US Pub 2006/0265464).

Claim 6

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").**

The modified Arnold fails to specifically disclose validity rules describing a time period for which a submessage or entity in the population structure is useable; and

retention rules describing a time period after which a submessage or entity in the population structure should be deleted from the messaging system.

Nassiri teaches in paragraph [0015] that "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include electronic message duration as taught by Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Claim 13

Claim 13 is rejected for the same reasoning as claim 6.

Claim 22

The modified Arnold teaches the computer-implemented method of claim 15.

The modified Arnold fails to specifically disclose wherein defining the compliance policy comprises: defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the submessage.

Nassiri teaches in paragraph [0015] that "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights

management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include electronic message duration as taught by Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Claim 24

The modified Arnold teaches the computer-implemented method of claim 15.

The modified Arnold fails to specifically disclose wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt submessages.

Nassiri teaches in paragraph [0015] that "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device

confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include verification requirement as taught by Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Claim 25

The modified Arnold teaches the computer-implemented method of claim 15.

The modified Arnold fails to specifically disclose wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a submessage in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action.

Nassiri teaches in paragraph [0074] that "With respect to FIG. 3A, the digital rights management attribute of print authorization is depicted using the software download. The Client selects print authorization 51 as the desired electronic message attribute 60, and the parameters of how the electronic message may be printed by selecting at least one of the group of: limit 61, allow 62, or disallow 63" in order that "the

originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include a limit as taught by Nassiri in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

Response to Arguments

6. Applicant's arguments with respect to claims 1-9, 11-13, 15-16, 18-19, 21-27 and 29-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 7:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. 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.

/Farhad Ali/
Examiner, Art Unit 2446

/Benjamin R Bruckart/
Primary Examiner, Art Unit 2446

Notice of References Cited	Application/Control No. 11/129,212	Applicant(s)/Patent Under Reexamination MARSTON ET AL.	
	Examiner FARHAD ALI	Art Unit 2446	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,138,168	10-2000	Kelly et al.	719/310
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2446

✓	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	06/18/2009	01/13/2010	07/01/2010						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
	6	✓	✓	✓						
	7	✓	✓	✓						
	8	✓	✓	✓						
	9	✓	✓	✓						
	10	✓	-	-						
	11	✓	✓	✓						
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	29	✓	✓	✓						
	30	✓	✓	✓						
	31		✓	✓						
	32		✓	✓						
	33		✓	✓						
	34		✓	✓						
	35			✓						

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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2446

SEARCHED			
Class	Subclass	Date	Examiner
709	206	6/18/2009	Farhad Ali
709	206	1/13/2010	Farhad Ali
709	206	7/1/2010	FA

SEARCH NOTES		
Search Notes	Date	Examiner
Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	6/18/2009	Farhad Ali
Inventor Search	6/18/2009	Farhad Ali
Updated text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	1/13/2010	Farhad Ali
Updated Inventor Search	1/13/2010	Farhad Ali
Updated text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	7/1/2010	FA
Updated Inventor Search	7/1/2010	FA

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

/FARHAD ALI/ Examiner.Art Unit 2446	

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L5	4	"6704772".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:25
L6	3	"11129212"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:27
L7	11	message and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:29
L8	11	message and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:32
L9	2	messaging filter and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 11:33
L10	6959	709/206.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:55
L11	264	709/206.ccls. and message near filter	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:55
L12	1	709/206.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:55

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L13	144	709/206.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:56
L14	378	"709"/.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:56
L15	2	"709"/.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/18 12:56
S1	2	"6301609".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/14 22:22
S2	2	11/129212	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/14 22:27
S4	711	compliance policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 15:59
S5	2	compliance policy and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 15:59
S6	2	"7233954".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 16:06
S7	8	"1085444"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2009/06/16 16:08

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	1	of	1		

Complete if Known	
Application No.	11/129,212
Filing Date	May 12, 2005
First Named Inventor	Justin Marston
Art Unit	2446
Examiner Name	Farhad Ali
Attorney Docket Number	23682-10344

U.S. PATENT DOCUMENTS				
		Document No.		
Examiner Initials*	Cite No.[1]	Number – Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	A1	US-2005/0054334 A1	03-10-2005	Brown et al.
	A2	US-6,035,327	03-07-2000	Buckley et al.

FOREIGN PATENT DOCUMENTS					
		Foreign Patent Document			
Examiner Initials*	Cite No.[1]	Country Code[3] – Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T[6]

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[6]

Examiner Signature	/Farhad Ali/	Date Considered	07/01/2010

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

[1]Applicant's unique citation designation number (optional). [2]See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3]Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4]For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5]Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6]Applicant is to place a check mark here if English language Translation is attached.

23682/10344/DOCS/2183890.1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /F.A./

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Justin Marston et al.
SERIAL NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies in a Messaging System
EXAMINER:	Farhad Ali
GROUP ART UNIT:	2446
ATTY. DKT. NO.:	23682-10344

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the **Pacific Time Zone** of the United States on the local date shown below.

Dated: November 15, 2010 By: /Christopher King/
Christopher P. King, Reg. No. 60,985

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT C AND RESPONSE

Sir:

This amendment for the patent application identified above is in response to the non-final Office Action dated July 13, 2010, which set a shortened statutory period for response that expired on October 13, 2010. Applicants herewith submit a fee for a one-month extension of time.

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IN THE CLAIMS

Claims 1, 8, 15, and 35 are amended herein.

Claim 7 is canceled.

Claim 36 is added.

All pending claims are produced below. In addition, the status of each is also indicated below and appropriately noted as "Original", "Currently Amended", "Canceled", "New", "Withdrawn", "Previously Presented", and "Not Entered" as requested by the Office.

1. (Currently Amended) A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, at least one of the messages comprising a message container containing relational references pointing to ~~having~~ a plurality of submessages stored externally to the message container, at least one of the submessages being one of a reply to and a forward of other submessages of the message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of the plurality of submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of submessages.

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2. (Previously Presented) The messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages.

3. (Previously Presented) The messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all submessages classified with the jobcode.

4. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage;

a target element describing a population structure entity that is a recipient of the submessage; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

5. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

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communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system.

6. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a submessage or entity in the population structure is useable; and

retention rules describing a time period after which a submessage or entity in the population structure should be deleted from the messaging system.

7. (Canceled)

8. (Currently Amended) A computer program product having a non-transitory computer-readable medium having embodied thereon program code for use in an electronic messaging system, the program code comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system, at least one of the messages comprising a message container containing relational references pointing to ~~having~~ a plurality of submessages stored externally to the message

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container, at least one of the submessages being one of a reply to and a forward of other submessages of the message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of the plurality of submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of submessages.

9. (Previously Presented) The computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages.

10. (Canceled)

11. (Previously Presented) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage;

a target element describing a population structure entity that is a recipient of the submessage; and

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a rank describing a ranking of the rule relative to other rules in the compliance policy.

12. (Previously Presented) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

13. (Previously Presented) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a submessage or entity in the population structure is useable; and

retention rules describing whether a submessage or entity in the population structure should be deleted from the messaging system.

14. (Canceled)

15. (Currently Amended) A computer-implemented method of managing messages in an electronic messaging system, comprising:

defining a compliance policy describing rules applicable to submessages of messages in the electronic messaging system;

receiving a message container from a messaging client, the message container containing relational references pointing to ~~referencing~~ a plurality of submessages stored externally to the message container, the plurality of submessages including a first submessage and a second submessage, at least one of the submessages being one of a reply to and a forward of another submessage of the plurality of submessages; and

selectively applying rules of the compliance policy to the submessages.

~~determining that a first rule of the compliance policy applies to the first submessage;~~

~~determining that the first rule of the compliance policy does not apply to the second submessage; and~~

~~applying the first rule of the compliance policy to the first submessage.~~

16. (Previously Presented) The computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging

clients of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages .

17. (Canceled)

18. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team.

19. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and

defining a set of rules applicable to the entities in the group.

20. (Canceled)

21. (Original) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure.

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22. (Previously Presented) The computer-implemented method of claim 15, wherein defining the compliance policy comprises:

defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the submessage.

23. (Previously Presented) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a submessage in the messaging system; and

search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system.

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24. (Previously Presented) The computer-implemented method of claim 15, wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt submessages.

25. (Previously Presented) The computer-implemented method of claim 15, wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a submessage in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action.

26. (Previously Presented) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure;

defining group rules applicable to submessages related to the group of entities; and

applying the group rules to a submessage related to the group of entities.

27. (Original) The computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities.

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28. (Canceled)

29. (Original) The computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the submessage; and

recording the attempted action in a compliance log.

30. (Original) The computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log.

31. (Previously Presented) The messaging server of claim 1, wherein the governance policy database further stores at least one prior compliance policy active at a time prior to a time at which the compliance policy was active, and wherein the submessages of the stored messages are associated with a compliance policy that was active at a time that content of the submessages was created.

32. (Previously Presented) The messaging server of claim 2, wherein the messaging module is further adapted to receive an indication of a jobcode and of a submessage from an end-user, and is further adapted to associate the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user.

33. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the

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rules described by the compliance policy include search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system.

34. (Previously Presented) The messaging server of claim 31, wherein at least one of the messages stored in the message database has a first submessage associated with a first compliance policy and a second submessage associated with a second compliance policy different from the first compliance policy, and wherein the governance module applies the rules described by the first compliance policy to the first submessage and applies the rules described by the second compliance policy to the second submessage.

35. (Currently Amended) The method of claim 15, further comprising:

determining that a [[the]] first rule of the compliance policy applies to the first submessage based at least in part on at least one of a source element and a target element of the first rule; and

determining that the first rule of the compliance policy does not apply to the second submessage based at least in part on at least one of the source element and the target element of the first rule;

wherein the source element of the first rule describes a population structure entity that is a source of a submessage with respect to which the first rule is evaluated, and the target element describes a population structure entity that is a recipient of the submessage with respect to which the first rule is evaluated.

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36. (New) The computer-implemented method of claim 15, wherein content of the first submessage was created at a first time and content of the second submessage was created at a second time later than the first time, the compliance policy active at the second time and associated with the second submessage, the method further comprising:

storing a prior compliance policy active at the first time and associated with the first submessage; and

responsive to an occurrence of an action associated with the message container:

responsive to determining that the prior compliance policy is associated with the first submessage, applying the prior compliance policy to the first submessage, and

responsive to determining that the compliance policy is associated with the second submessage, applying the compliance policy to the second submessage.

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REMARKS

Claims 1-9, 11-13, 15-16, 18-19, 21-27 and 29-35 were pending and presented for examination. In an Office Action dated July 13, 2010, claims 1-9, 11-13, 15-16, 18-19, 21-27 and 29-35 were rejected.

Claims 1, 8, 15, and 35 are amended in this Amendment and Response. Further, claim 7 is canceled, and claim 36 is added.

Examiner Interview

Applicants' representative, Christopher King, conducted a telephonic interview with Examiners Farhad Ali and Kenny Lin on November 12, 2010, during which the rejections of claims 1, 7, and 31 were discussed, along with possible amendments to those claims. Although no express agreement was reached, the Examiners expressed their opinions that the amendments to claims 7 and 31 proposed by Applicants' representative during the interview—and now incorporated into independent claims 1, 8, and 15, and into claim 36, respectively—would require a new art search.

Response to Rejections Under 35 USC § 101

Claims 8-9 and 11-13 stand rejected under 35 USC § 101 as being drawn to non-statutory subject matter. In order to expedite prosecution, Applicants have amended claim 8, from which claims 9 and 11-13 depend, to recite that the computer-readable medium on which program code is embodied is "non-transitory." Thus, the rejection of claims 8-9 and 11-13 has been obviated.

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Response to Rejections Under 35 USC § 103

Claims 1-5, 7-9, 11-12, 15-16, 18-19, 21, 23, 26-27, and 29-35 stand rejected under 35 USC § 103(a) as being unpatentable over Arnold, U.S. Patent Publication No. 2004/0177271, in view of Kelly, U.S. Patent No. 6,138,168. Additionally, claims 6, 13, 22, 24, and 25 stand rejected under 35 USC § 103(a) as being unpatentable over Arnold in view of Kelly and further in view of Nassiri, U.S. Patent Publication No. 2006/0265464. These rejections are now discussed together.

Independent Claim 15

Independent claim 15 has been amended to recite limitations of former dependent claim 7, as modified according to the discussion of the interview of November 12th. Specifically, claim 15 recites a computer-implemented method of managing messages in an electronic messaging system, comprising:

> defining a compliance policy describing rules applicable to submessages of messages in the electronic messaging system;
> receiving a **message container** from a messaging client, the message container **containing relational references pointing to a plurality of submessages stored externally to the message container**, the plurality of submessages including a first submessage and a second submessage, at least one of the submessages being one of a reply to and a forward of another submessage of the plurality of submessages;
> selectively applying rules of the compliance policy to the plurality of submessages.

Thus, a message container is received from a messaging client, where the message container contains relational references pointing a plurality of submessages stored externally to the message container. Thus, as noted by paragraph 0026 of the specification as filed, the message container itself does not contain content, but rather points to submessages, the content of which is stored elsewhere, such as on the messaging server 112, or in local caches

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118, as depicted in FIG. 1 of instant application. The different submessages of the message container may then be treated differently by a compliance policy, with the rules of the compliance policy being selectively applied to the submesages. For example, claim 15 recites that a first rule of a compliance policy is determined to apply to a first submessage of the message container, but does not apply to a second submessage.

The applied references fail to disclose or suggest such features. The Examiner cites Arnold, which very generally discloses a method and system for identifying content that is potentially harmful or non-authorized, including applying an electronic screening tool to an electronic message prior to transmitting it. (Arnold, Abstract). In particular, the Examiner cites paragraph 0023 of Arnold, which merely states that message management may involve auditing or logging of communications between people, where copies of the communications are preserved in a database. This fails to show that the message container received from the messaging client contains relational references ***pointing to*** a plurality of submessages stored ***externally*** to the message container, much less selectively applying rules of the compliance policy to the submessages. Rather, Arnold paragraph 0023 merely shows that separate copies of messages may be logged, but not (for example) that a message container itself contains relational references pointing to the separate copies.

During the interview of November 12th, the Examiner additionally referenced paragraphs 0034 and 0041 of Arnold. Arnold paragraph 0034 merely mentions that a message may be converted from its original representation to a neutral format such as XML, but this does not show the relational references pointing to a plurality of submessages stored externally to the message container, as claimed. Likewise, Arnold paragraph 0041 states additional information can be learned about the roles of the sender and/or receiver within the

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email system, but again fails to show relational references pointing to a plurality of submessages stored externally.

Nor do Kelly or Nassiri remedy the deficiencies of Arnold. Kelly discloses a table-driven approach to processing messages sent between application programs of a distributed system, such as requests, replies, information messages, delete, or update instructions. (Kelly Abstract, 3:24-32). Nassiri discloses sending an electronic message to a recipient, where the original message specifies attributes related to digital rights management (DRM). Neither reference discloses or suggests receiving a message container from a messaging client, where the message container contains relational references pointing to a plurality of messages stored externally to the message container, much less selectively applying rules of the compliance policy to the submessages.

Thus, one of ordinary skill in the art would not have found claim 15 to be obvious in view of the applied references. Independent claims 1 and 8 recite features similar to those of claim 15 as amended, and are thus likewise not obvious. The remaining claims depend, directly or indirectly, from claims 1, 8, or 15, and recite additionally patentably distinguishable features and limitations. Thus, the dependent claims are not obvious in view of the applied reference for at least the same reasons discussed above with respect to claim 15.

Dependent Claim 36

Additionally, claim 36 has been added to clarify the discussion of claim 31 during the interview of November 12th. Accordingly, claim 36 recites:

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> The computer-implemented method of claim 15, wherein content of the first submessage was created at a first time and content of the second submessage was created at a second time later than the first time, the compliance policy active at the second time and associated with the second submessage, the method further comprising:
> storing a prior compliance policy active at the first time and associated with the first submessage; and
> responsive to an occurrence of an action associated with the message container:
> **responsive to determining that the prior compliance policy is associated with the first submessage, applying the prior compliance policy to the first submessage**, and
> **responsive to determining that the compliance policy is associated with the second submessage, applying the compliance policy to the second submessage**.

Thus, a compliance policy and a prior compliance policy are stored, the prior compliance policy active at a first time at which content of a first submessage was created and associated with the first submessage, and the (later) compliance policy active at a second, later time at which content of the second submessage was created and associated with the second submessage. Additionally, claim 36 recites "responsive to determining that the prior compliance policy is associated with the first submessage, applying the prior compliance policy to the first submessage" and "responsive to determining that the compliance policy is associated with the second submessage, applying the compliance policy to the second submessage." Thus, the content of the first submessage of the message container was created at a time prior to the second submessage and is associated with the prior compliance policy, and hence the prior compliance policy is applied to it. In contrast, the second submessage (of the same message container, such as an email) was created later in time and is associated with the (later) compliance policy, and hence the later compliance policy is applied to it, rather than the prior compliance policy. This allows storing a plurality of compliance policies active at different times, and applying, to each submessage of the message container,

the compliance policy that was active at the time that the submessage content was created, as described in paragraph 0042 of the specification as filed.

Claim 36, like claim 31, addresses the concept of prior compliance policies, and thus the citations related to claim 31 are potentially also relevant to claim 36. Regarding claim 31, the Examiner cited Kelly 4:1-7 and Arnold paragraphs 0023-0024. Kelly 4:1-7 merely states that rules can be applied to a message when it arrives, and the Arnold paragraphs merely state that management policies can change over time. However, these cited portions of Kelly and Arnold in no way disclose or suggest that their respective systems store both a compliance policy and a prior compliance policy, that a first submessage of a message container is associated with the prior policy and a second submessage of the same message container with the (later) policy, and that the prior compliance policy is applied to the first submessage and the (later) compliance policy to the second submessage responsive to an occurrence of an action associated with the message container.

Conclusion

In sum, claims 1-6, 8-9, 11-13, 15-16, 18-19, 21-27, and 29-36 are patentable over Arnold, Kelly, and Nassiri, whether taken singly or in the suggested combination.

The Examiner is invited to contact Applicants' representative at the number provided below if he believes it will help expedite furtherance of this application.

Respectfully Submitted,

Date: November 15, 2010 By: /Christopher King/

Christopher P. King, Reg. No. 60,985

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Electronic Acknowledgement Receipt

EFS ID:	8841976
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	00758
Filer:	Christopher-Charles P. King
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	15-NOV-2010
Filing Date:	12-MAY-2005
Time Stamp:	19:36:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		10344_Amendment.pdf	130398 6102eace687fdb01602fb3cfb124a54fe4ce235c	yes	20

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	13
	Applicant Arguments/Remarks Made in an Amendment	14	20
Warnings:			
Information:			
	Total Files Size (in bytes):	130398	

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:	11129212
Filing Date:	12-May-2005
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Filer:	Christopher-Charles P. King/Linda Carlson
Attorney Docket Number:	23682-10344

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with $0 paid	2251	1	65	65

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**65**

Electronic Acknowledgement Receipt	
EFS ID:	8842046
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	00758
Filer:	Christopher-Charles P. King
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	15-NOV-2010
Filing Date:	12-MAY-2005
Time Stamp:	19:41:38
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$65
RAM confirmation Number	6463
Deposit Account	192555
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)

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

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

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (PTO-875)	fee-info.pdf	29875 67e4f31dd07c1ad62cc7367a5107cdcbde5e1534	no	2

Warnings:

Information:

Total Files Size (in bytes):	29875

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

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

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

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

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 11/129,212	Filing Date 05/12/2005	☐ To be Mailed

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT	**11/15/2010**	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 30	Minus	** 30	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

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

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

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

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

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

Legal Instrument Examiner:
/MOLIKI I. MAY/

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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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

758 7590 11/18/2010

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER	
ALI, FARHAD	
ART UNIT	**PAPER NUMBER**
2478	

NOTIFICATION DATE	DELIVERY MODE
11/18/2010	ELECTRONIC

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

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

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

PTOC@Fenwick.com

Interview Summary	Application No.	Applicant(s)	
	11/129,212	MARSTON ET AL.	
	Examiner	Art Unit	
	FARHAD ALI	2478	

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

(1) *FARHAD ALI*. (3)*KENNY LIN*.

(2) *CHRISTOPHER KING (#60,985)*. (4)_____.

Date of Interview: *12 November 2010*.

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

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

Claim(s) discussed: *1,7 and 31*.

Identification of prior art discussed: *Arnold and Kelly*.

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

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *The applicant discussed possible ammendments to direct the invention towards e-mail to help distinguish from the Kelly reference. The applicant also discussed the rejection of claim 7 and proposed incorporating limitations from the specification to elaborate upon the container and the relational references pointing to content external to the container, to which the examiner said would require further consideration and search. In regards to claim 31, the applicant discussed the citations and the examiner explained how the claim language is read upon by the comination of Arnold and Kelly and suggested elaborating in the claims to clarify that the pior compliance policy was not the active complaince policy at that time*.

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

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Kenny S Lin/ Primary Examiner, Art Unit 2478	

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
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Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

———

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

FENWICK & WEST LLP

Silicon Valley Center
801 California Street
Mountain View, CA 94041
FAX:(650) 938-5200

FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: October 26, 2010

TO:

NAME:	FAX NO.:	PHONE NO.:
Examiner Farhad Ali	+1 (571) 270-2920	(571) 270-1920

FROM: Christopher King **PHONE:** (650) 335-7633

RE: Interview agenda for application 11/129,212

NUMBER OF PAGES WITH COVER PAGE: 3	cking@fenwick.com

MESSAGE:

Hi Examiner Ali,

Attached is an agenda for the interview.

I'm likely going to be out of the office during some portion of November 3rd-November 9th, so if it's possible to schedule the interview then, that would be ideal. If not, perhaps November 10th? Again, I'm on the west coast, so your 1 PM or later is preferred, if possible.

Thanks very much,

~Chris

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR ITS DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, OR IF THEY ARE NOT CLEAR, PLEASE CALL COPY & FAX SERVICES AT (650) 335-7309 AS SOON AS POSSIBLE.

Christopher P. King
Associate, Patent Group
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
Direct: 650.335.7633
Fax: 650.938.5200
Email: cking@fenwick.com<mailto:cking@fenwick.com>

Interview Agenda for Application 11/129,212 (Atty Docket #10344)

When: To be determined. (Preferably prior to Wednesday, November 3rd.)

Discussion topics

(1) Discussion of the new Kelly reference. For example, Kelly pertains to processing of messages between application portions and handling error conditions within a distributed application infrastructure.

(2) Possible amendments to claim 1 to clarify distinctions arising from the different context and purpose of Kelly.

(3) Rejection of claim 7: The citation does not show a message container containing relational references to submessages; rather, Arnold [0023] states only that copies of communications are preserved in a database.

(4) Rejection of claim 31: The cited portions merely state that rules can be invoked on messages (Kelly 4:1-7), that recorded communications can be stored in a database (Arnold 0023), and that policies may change (Arnold 0024). This does not disclose or suggest the claimed storing of at least one prior compliance policy active at a time prior to a time at which the compliance policy was active, or that submessages are associated with a compliance policy that was active at a time that content of the submessages was created.

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 261 of 359

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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

758 7590 02/16/2011

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER	
ALI, FARHAD	
ART UNIT	**PAPER NUMBER**
2478	

NOTIFICATION DATE	DELIVERY MODE
02/16/2011	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):

PTOC@Fenwick.com

Office Action Summary	Application No.	Applicant(s)	
	11/129,212	MARSTON ET AL.	
	Examiner	Art Unit	
	FARHAD ALI	2478	

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *15 November 2010*.

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

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

Disposition of Claims

4)☒ Claim(s) *1-6,8,9,11-13,15,16,18,19,21-27 and 29-36* is/are pending in the application.

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

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8,9,11-13,15,16,18,19,21-27 and 29-36* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 263 of 359

DETAILED ACTION

Status of Claims:

Claims 1-6, 8-9, 11-13, 15-16, 18-19, 21-27 and 29-36 are pending.

Claims 1, 8, 15 and 35 are amended.

Claim 36 is new.

Claim 7 is cancelled.

Claim Rejections - 35 USC § 103

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

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

2. Claims 1-6, 8-9, 11-13, 15-16, 18-19, 21-27, 29-30 and 32-35 rejected under 35 U.S.C. 103(a) as being unpatentable over Arnold (US Pub 2004/0177271) in view of Clark (US 6,725,228) and further in view of Nassiri (US Pub 2006/0265464).

Claim 1

Arnold teaches a computerized messaging server in an electronic messaging system **(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient")**, comprising:

a messaging module adapted to control a message database storing messages exchanged in the messaging system; and a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the messages, the governance module further adapted to determine rules described by the compliance policy **(Paragraph [0004] "The electronic screening tool is programmed to identify content that is potentially not authorized by the business or potentially harmful to the business, and is comprised of one or more of the following: a proxy service comprised of a message accessor, a message analyzer and an action manager that is more fully described below")**.

Arnold fails to specifically disclose at least one of the messages comprising a message container containing relational references pointing to a plurality of submessages stored externally to the message container, at least one of the submessages being one of a reply to and a forward of other submessages of the message.

Clark teaches in column 14 lines 4-13, "A description of the tables and fields used in base layer 72 follows. Folder table 56 preferably implements a hierarchical folder-tree structure. A folder is an abstract organizational entity. Each folder 38 can contain one or more shortcuts to messages in message store 23. Preferably, each folder 38 can contain other folders" and in column 10 lines 4-10, "As illustrated in FIG. 3, the invention may be applied to automatically associate an electronic message with each of a large number of folders. The association may be made on the basis of any one or more criteria such as date, message status, correspondents, attachments and

keywords. An advantage of the invention is that such associations may be made simultaneously on the basis of a wide range of criteria" (a conventional reply or forward would be associated together under the basis of having a common correspondent) in order that "The foregoing description provides a basic framework for the construction of systems and methods which permit shortcuts corresponding to messages to be created and associated together in folders. A single message may have associated with it a great many shortcuts. The shortcuts can be associated into folders in such a manner that a user has many different ways to view a set of messages. In preferred embodiments of the invention shortcuts for messages are generated automatically. This can be viewed conceptually as a higher level function provided by second layer 74 (FIG. 7)" (Column 30 line 62 – Column 31 line 4).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the invention of Arnold to include a container containing relational references pointing to a plurality of submessages stored externally to the message container wherein at least one submessage being one of a reply to and a forward of other submessages as taught by Clark in order that "The foregoing description provides a basic framework for the construction of systems and methods which permit shortcuts corresponding to messages to be created and associated together in folders. A single message may have associated with it a great many shortcuts. The shortcuts can be associated into folders in such a manner that a user has many different ways to view a set of messages. In preferred embodiments of the invention shortcuts for messages are

generated automatically. This can be viewed conceptually as a higher level function provided by second layer 74 (FIG. 7)" (Column 30 line 62 – Column 31 line 4).

The modified Arnold fails to specifically disclose the rules described by the compliance policy that are applicable to ones of the plurality of submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of submessages.

Nassiri teaches in paragraph [0015] that "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options" (Paragraph [0015]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include rules described by the compliance policy

which are applicable to different ones of the plurality of submessages as taught by Nassiri in order that “the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options” (Paragraph [0015]).

Claim 2

The modified Arnold teaches the messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system; a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] “This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file”)**.

Claim 3

The modified Arnold teaches the messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all submessages classified with the jobcode **(Paragraph [0067] “For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message”)**.

Claim 4

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of: a source element describing a population structure entity that is a source of the submessage; a target element describing a population structure entity that is a recipient of the submessage; and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 5

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system

(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").

Claim 6

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**, from the set consisting of: validity rules describing a time period for which a submessage or entity in the population structure is useable; and retention rules

describing a time period after which a submessage or entity in the population structure should be deleted from the messaging system **(See claim 1 rejection and [Nassiri] paragraph [0015] "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options")**.

Claim 8

Claim 8 is rejected for the same reasoning as claim 1 as it is analogous in scope.

Claim 9

The modified Arnold teaches the computer program product of claim 8, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 11

The modified Arnold teaches the computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the submessage; a target element describing a population structure entity that is a recipient of the submessage:, and a rank describing a ranking of the rule relative to other rules in the compliance policy **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message")**.

Claim 12

The modified Arnold teaches the computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communicate rules describing which population structure entities can communication with other population structure entities via the messaging system; readership rules describing which population structure entities can read messages from other population structure entities via the messaging system; action rules describing actions a population structure entity can perform on a message component in the messaging system; and search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system **(See claim 8 rejection and Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 13

Claim 13 is rejected for the same reasoning as claim 6 as it is analogous in scope.

Claim 15

Claim 15 is rejected for the same reasoning as claim 1 and 7 as it is analogous in scope.

Claim 16

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a population structure of end-users using messaging clients of the messaging system, a set of jobcodes with which the submessages can be classified, and a set of rules applicable to the population structure, jobcodes, and submessages **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 18

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 19

The modified Arnold teaches the computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and defining a set of rules applicable to the entities in the group **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are**

concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 21

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means")**.

Claim 22

The modified Arnold teaches the computer-implemented method of claim 15, wherein defining the compliance policy comprises: defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the submessage **(See claim 15 rejection and [Nassiri] paragraph [0015], "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options").**

Claim 23

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; readership rules describing which population structure entities can read messages from other population structure entities via the messaging system; action rules describing actions a population structure entity can perform on a submessage in the messaging system; and search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 24

The modified Arnold teaches the computer-implemented method of claim 15, wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt submessages **(See claim 15 rejection and [Nassiri] paragraph [0015], "the originator of an electronic message may elect to govern at least one of the following attributes of an outgoing electronic message: electronic message duration (how long the electronic message will be displayed to the intended recipient), or electronic message printing authorization (whether the intended recipient has permission to print a hard copy of the electronic message or a portion thereof), or end-user verification requirement (whether the end-user needs to be identified prior to the electronic message being displayed), or verification(whether the end-user must verify a numeric code to verify that the end-user has opened the message). Additionally, the method of the present inventive device confirms the time and date that an electronic mail was delivered to the intended recipient and the time and date that an electronic mail was read by the intended recipient" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options")**.

Claim 25

The modified Arnold teaches the computer-implemented method of claim 15, wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a submessage in the messaging system, and wherein

the action rules describe a number of times within a given time period that the entity can perform a specified action **(see claim 15 rejection and [Nassiri] paragraph [0074], "With respect to FIG. 3A, the digital rights management attribute of print authorization is depicted using the software download. The Client selects print authorization 51 as the desired electronic message attribute 60, and the parameters of how the electronic message may be printed by selecting at least one of the group of: limit 61, allow 62, or disallow 63" in order that "the originator of an electronic message utilizes a digital rights management (DRM) system to control various aspects of electronic message processing and electronic message delivery options").**

Claim 26

The modified Arnold teaches the computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure; defining group rules applicable to submessages related to the group of entities; and applying the group rules to a submessage related to the group of entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code,**

organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file").

Claim 27

The modified Arnold teaches the computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message" and Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 29

The modified Arnold teaches the computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the submessage; and recording the attempted action in a compliance log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent**

electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890").

Claim 30

The modified Arnold teaches the computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log **(Paragraph [0004] "if the output of the electronic screening tool indicates that the unsent electronic message contains content that is potentially not authorized by the business or potentially harmful to the business. The sender is provided with at least one of the following options: (i) delete the unsent electronic message and/or scrape the unsent electronic message from the server if the unsent electronic message was previously stored on the server, (ii) revise the unsent electronic message, or (iii) send the unsent electronic message to a supervisor or designated company official for approval. The unsent electronic message may be comprised of any**

message transmitted by electronic means" and paragraph [0048] "The message may be logged in a message audit trail 890").

Claim 32

The modified Arnold teaches the messaging server of claim 2, wherein the messaging module is further adapted to receive an indication of a jobcode and of a submessage from an end-user, and is further adapted to associate the jobcode with the submessage responsive to receipt of the indication of the jobcode from the end-user **(Paragraph [0069] "This user/role knowledge base 612 may include information on an employee's job title, job code, organization/department name, organization code, telephone number, instant messaging username(s). These may be found by matching the employee's email address to the matching record in an employee master file")**.

Claim 33

The modified Arnold teaches the messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include search rules describing which population structure entities can view which submessages when searching the submessages stored by the messaging system **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of**

sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants").

Claim 34

The modified Arnold teaches the messaging server of claim 31, wherein at least one of the messages stored in the message database has a first submessage associated with a first compliance policy and a second submessage associated with a second compliance policy different from the first compliance policy, and wherein the governance module applies the rules described by the first compliance policy to the first submessage and applies the rules described by the second compliance policy to the second submessage **(Paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

Claim 35

The modified Arnold teaches the method of claim 15, further comprising:

determining that a first rule of the compliance policy applies to the first submessage based at least in part on at least one of a source element and a target element of the first rule **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message. For example: does the sender or the intended recipient(s) represent a stockbroker, a designated insider, a director level, etc. Regardless of the parties' identities that are participating in the contents of the unsent message, information such as this may drive some decisions about what action should be taken on an unsent message")**; and

determining that the first rule of the compliance policy does not apply to the second submessage based at least in part on at least one of the source element and the target element of the first rule **(Paragraph [0067] "For example, many of the heuristics that are needed to determine a risk assessment score 718 are concerned with the role a sender or recipient is representing in the contents of the unsent message. For example: does the sender or the intended recipient(s) represent a stockbroker, a designated insider, a director level, etc. Regardless of the parties' identities that are participating in the contents of the unsent message, information such as this may drive some decisions about what action should be taken on an unsent message")**;

wherein the source element of the first rule describes a population structure entity that is a source of a submessage with respect to which the first rule is evaluated, and the target element describes a population structure entity that is a recipient of the submessage with respect to which the first rule is evaluated **(Paragraph [0071] "Furthermore, the user/role knowledge base 612 may include information from databases and enterprise data sources that may pertain to the relationship between the message sender and recipients. For example, an enterprise's telephone billing/tracking/usage system may be queried to determine the duration and extent of recent telephone communication in a defined time period. Similarly, any auditing of email or instant messaging (whether performed inside the system 1000 or externally) may be queried to determine the duration and extent of email and/or instant messaging communications between the parties in a defined time period (e.g., the previous 30 days). The purpose for gathering this information and augmenting it in the current message's representation is that the upcoming risk assessment may judge/score the message contents differently depending on whether or not a pattern of communications has occurred or is emerging")**.

3. Claims 31 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Arnold, and further in view of Speare (US 2005/0216745).

Claim 31

The modified Arnold teaches the messaging server of claim 1.

The modified Arnold does not specifically disclose wherein the governance policy database further stores at least one prior compliance policy active at a time prior to a time at which the compliance policy was active, and wherein the submessages of the stored messages are associated with a compliance policy that was active at a time that content of the submessages was created.

Speare teaches in paragraph [0033], “The present invention provides for the dynamic application of rights management to a message by allowing an administrator to associate certain rights management policies with certain senders and/or recipients of messages” and paragraph [0036] “Alternative embodiments contemplated by the present invention also provide for methods for dynamically applying a rights management policy to a message by allowing an administrator to associate certain rights management policies with certain attributes of the message” in order that “In such an embodiment the administrator may associate certain right management policies based on such attributes of the message as the content, the sending and receiving parties, and the date of the message” (paragraph [0036]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include dynamically applying policies based upon the date of the created content as taught by Speare in order that “In such an embodiment the administrator may associate certain right management policies based on such attributes of the message as the content, the sending and receiving parties, and the date of the message” (paragraph [0036]).

Claim 36

The modified Arnold teaches the computer-implemented method of claim 15, wherein content of the first submessage was created at a first time and content of the second submessage was created at a second time later than the first time, the compliance policy active at the second time and associated with the second submessage, the method further comprising:

responsive to an occurrence of an action associated with the message container: responsive to determining that the compliance policy is associated with the second submessage, applying the compliance policy to the second submessage **(Paragraph [0004] "An electronic screening tool is applied to the unsent electronic message prior to transmission of the unsent electronic message from a server, associated with the business, to the recipient" and paragraph [0064] "Not every enterprise will want to analyze messages according to the same criteria. Within an enterprise, circumstances may require that messages sent from one type of sender (or even a specific sender) is treated differently. The system 1000 accommodates this by allowing configuration settings and rules to apply different levels of scrutiny to messages sent by different users or different classes of users. Also, particular domain-specific risk assessment modules 640, 650, 660, 665 may be turned on and off as business policy warrants")**.

The modified Arnold does not specifically disclose storing a prior compliance policy active at the first time and associated with the first submessage; and responsive

to determining that the prior compliance policy is associated with the first submessage, applying the prior compliance policy to the first submessage.

Speare teaches in paragraph [0033], “The present invention provides for the dynamic application of rights management to a message by allowing an administrator to associate certain rights management policies with certain senders and/or recipients of messages” and paragraph [0036] “Alternative embodiments contemplated by the present invention also provide for methods for dynamically applying a rights management policy to a message by allowing an administrator to associate certain rights management policies with certain attributes of the message” in order that “In such an embodiment the administrator may associate certain right management policies based on such attributes of the message as the content, the sending and receiving parties, and the date of the message” (paragraph [0036]).

It would have been obvious to one of ordinary skill in the art at the time to create the invention of the modified Arnold to include dynamically applying policies based upon the date of the created content as taught by Speare in order that “In such an embodiment the administrator may associate certain right management policies based on such attributes of the message as the content, the sending and receiving parties, and the date of the message” (paragraph [0036]).

Response to Arguments

4. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

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

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 9:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. 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.

/Farhad Ali/
Examiner, Art Unit 2478

/Kenny S Lin/
Primary Examiner, Art Unit 2478

Notice of References Cited	Application/Control No. 11/129,212	Applicant(s)/Patent Under Reexamination MARSTON ET AL.	
	Examiner FARHAD ALI	Art Unit 2478	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,725,228	04-2004	Clark et al.	1/1
*	B	US-2005/0216745	09-2005	Speare et al.	713/182
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2478

SEARCHED			
Class	Subclass	Date	Examiner
709	206	6/18/2009	Farhad Ali
709	206	1/13/2010	Farhad Ali
709	206	7/1/2010	FA
709	206	2/9/2011	FA

SEARCH NOTES		
Search Notes	Date	Examiner
Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	6/18/2009	Farhad Ali
Inventor Search	6/18/2009	Farhad Ali
Updated text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	1/13/2010	Farhad Ali
Updated Inventor Search	1/13/2010	Farhad Ali
Updated text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	7/1/2010	FA
Updated Inventor Search	7/1/2010	FA
Updated Text and Inventor Search	2/9/2011	FA

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

/FARHAD ALI/ Examiner.Art Unit 2478	

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✓	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	06/18/2009	01/13/2010	07/01/2010	02/09/2011					
	1	✓	✓	✓	✓					
	2	✓	✓	✓	✓					
	3	✓	✓	✓	✓					
	4	✓	✓	✓	✓					
	5	✓	✓	✓	✓					
	6	✓	✓	✓	✓					
	7	✓	✓	✓	-					
	8	✓	✓	✓	✓					
	9	✓	✓	✓	✓					
	10	✓	-	-	-					
	11	✓	✓	✓	✓					
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	29	✓	✓	✓	✓					
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Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (12-08)
Approved for use through 01/31/2009. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	11/129,212	Filing Date	2005-05-12	Docket Number (if applicable)	23682-10344	Art Unit	2446
First Named Inventor	Justin Marston			Examiner Name	Farhad Ali		

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

SUBMISSION REQUIRED UNDER 37 CFR 1.114

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

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

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

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 192555

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

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PTO/SB/30EFS (12-08)
Approved for use through 01/31/2009. 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	/Christopher King/	Date (YYYY-MM-DD)	2011-06-16
Name	Christopher-Charles P. King	Registration Number	60985

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 record s.

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

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

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

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

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

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

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

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

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IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	Justin Marston et al.
SERIAL NO.:	11/129,212
FILING DATE:	May 12, 2005
TITLE:	Enforcing Compliance Policies in a Messaging System
EXAMINER:	Farhad Ali
GROUP ART UNIT:	2446
ATTY. DKT. NO.:	23682-10344

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.8(a)(i)(C) from the **Pacific Time Zone** of the United States on the local date shown below.

Dated: June 16, 2011 By: /Christopher King/
Christopher P. King, Reg. No. 60,985

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT D AND RESPONSE

Sir:

This amendment for the patent application identified above is in response to the Final Office Action dated February 16, 2011, which set a shortened statutory period for response that expired on May 16, 2010. Applicants herewith submit a fee for a one-month extension of time.

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IN THE CLAIMS

All pending claims are produced below. In addition, the status of each is also indicated below and appropriately noted as "Original", "Currently Amended", "Canceled", "New", "Withdrawn", "Previously Presented", and "Not Entered" as requested by the Office.

1. (Currently Amended) A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control a message database storing messages sent among users of ~~exchanged in~~ the messaging system, at least one of the sent messages stored in the message database comprising a message container containing relational references pointing to a plurality of sent submessages stored externally to the message container in the message database, at least one of the sent submessages being one of a reply to and a forward of other sent submessages of the sent message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the sent submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of the plurality of sent submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of sent submessages.

2. (Currently Amended) The messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system, a

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set of jobcodes with which the sent submessages can be classified, and a set of rules applicable to the population structure, jobcodes, sent and submessages.

3. (Currently Amended) The messaging server of claim 2, wherein a jobcode describes a set of jobcode rules applicable to all sent submessages classified with the jobcode.

4. (Currently Amended) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether a rule is applicable to a sent submessage, the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the sent submessage;

a target element describing a population structure entity that is a recipient of the sent submessage; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

5. (Previously Presented) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system.

6. (Currently Amended) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a sent submessage or entity in the population structure is useable; and

retention rules describing a time period after which a sent submessage or entity in the population structure should be deleted from the messaging system.

7. (Canceled)

8. (Currently Amended) A computer program product having a non-transitory computer-readable medium having embodied thereon program code for use in an electronic messaging system, the program code comprising:

a messaging module adapted to control a message database storing messages sent among users of ~~exchanged in~~ the messaging system to at least one other end user of the messaging system, at least one of the sent messages comprising a message container containing relational references pointing to a plurality of sent submessages stored in the message database externally to the message container, at least one of the sent submessages being one of a reply to and a forward of other sent submessages of the sent message; and

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a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the sent submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of the plurality of sent submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of sent submessages.

9-11. (Canceled)

12. (Previously Presented) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

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13. (Currently Amended) The computer program product of claim 8, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a sent submessage or entity in the population structure is useable; and

retention rules describing whether a sent submessage or entity in the population structure should be deleted from the messaging system.

14. (Canceled)

15. (Currently Amended) A computer-implemented method of managing messages in an electronic messaging system, comprising:

defining a compliance policy describing rules applicable to sent submessages of sent messages in the electronic messaging system;

receiving a message sent by one end user of the messaging system to at least one other end user of the messaging system, the sent message comprising a message container ~~from a messaging client, the message container~~ containing relational references pointing to a plurality of sent submessages stored in a message database externally to the message container, the plurality of sent submessages including a first sent submessage and a second sent submessage, at least one of the sent submessages being one of a reply to and a forward of another sent submessage of the plurality of sent submessages; and

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selectively applying rules of the compliance policy to the sent submessages.

16. (Canceled)

17. (Canceled)

18. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a population structure, further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team.

19. (Original) The computer-implemented method of claim 15, wherein the compliance policy describes a set of entities in a hierarchical population structure, further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in the hierarchical population structure; and

defining a set of rules applicable to the entities in the group.

20. (Canceled)

21. (Original) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure.

22. (Currently Amended) The computer-implemented method of claim 15, wherein defining the compliance policy comprises:

defining a set of rules describing digital rights management (DRM) actions that are allowed or denied on a sent submessage, the actions including one or more of printing, saving, taking offline, copying, and replying to, the sent submessage.

23. (Currently Amended) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure and wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read sent messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a sent submessage in the messaging system; and

search rules describing which population structure entities can view which sent submessages when searching the sent submessages stored by the messaging system.

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24. (Currently Amended) The computer-implemented method of claim 15, wherein the rules described by the compliance policy include encryption rules describing whether and/or how to encrypt sent submessages.

25. (Currently Amended) The computer-implemented method of claim 15, wherein the rules described by the compliance policy include action rules describing actions an entity can perform on a sent submessage in the messaging system, and wherein the action rules describe a number of times within a given time period that the entity can perform a specified action.

26. (Currently Amended) The computer-implemented method of claim 15, wherein the messaging system is utilized by a set of entities in a population structure, further comprising:

defining a group of entities in the population structure;

defining group rules applicable to sent submessages related to the group of entities; and

applying the group rules to a sent submessage related to the group of entities.

27. (Original) The computer-implemented method of claim 26, wherein the defined group includes geographically-related population structure entities.

28. (Canceled)

29. (Currently Amended) The computer-implemented method of claim 15, wherein applying the compliance policy to the message component comprises:

determining whether the compliance policy prohibits an attempted action on the sent submessage; and

recording the attempted action in a compliance log.

30. (Original) The computer-implemented method of claim 15, further comprising:

logging interactions with the messaging client in an audit log.

31. (Currently Amended) The messaging server of claim 1, wherein the governance policy database further stores at least one prior compliance policy active at a time prior to a time at which the compliance policy was active, and wherein the sent submessages of the stored messages are associated with a compliance policy that was active at a time that content of the sent submessages was created.

32. (Currently Amended) The messaging server of claim 2, wherein the messaging module is further adapted to receive an indication of a jobcode and of a sent submessage from an end-user, and is further adapted to associate the jobcode with the sent submessage responsive to receipt of the indication of the jobcode from the end-user.

33. (Currently Amended) The messaging server of claim 1, wherein the messaging system is utilized by a set of entities in a population structure and wherein the

rules described by the compliance policy include search rules describing which population structure entities can view which sent submessages when searching the sent submessages stored by the messaging system.

34. (Currently Amended) The messaging server of claim 31, wherein at least one of the messages stored in the message database has a first sent submessage associated with a first compliance policy and a second sent submessage associated with a second compliance policy different from the first compliance policy, and wherein the governance module applies the rules described by the first compliance policy to the first sent submessage and applies the rules described by the second compliance policy to the second sent submessage.

35. (Currently Amended) The method of claim 15, further comprising:

determining that a first rule of the compliance policy applies to the first sent submessage based at least in part on at least one of a source element and a target element of the first rule; and

determining that the first rule of the compliance policy does not apply to the second sent submessage based at least in part on at least one of the source element and the target element of the first rule;

wherein the source element of the first rule describes a population structure entity that is a source of a sent submessage with respect to which the first rule is evaluated, and the target element describes a population structure entity that is a recipient of the sent submessage with respect to which the first rule is evaluated.

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36. (Currently Amended) The computer-implemented method of claim 15, wherein content of the first sent submessage was created at a first time and content of the second sent submessage was created at a second time later than the first time, the compliance policy active at the second time and associated with the second sent submessage, the method further comprising:

storing a prior compliance policy active at the first time and associated with the first sent submessage; and

responsive to an occurrence of an action associated with the message container:

responsive to determining that the prior compliance policy is associated with the first sent submessage, applying the prior compliance policy to the first sent submessage, and

responsive to determining that the compliance policy is associated with the second sent submessage, applying the compliance policy to the second sent submessage.

37. (New) A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control an email database storing emails sent among users of the messaging system, wherein:

at least one of the sent emails comprises an email container containing relational references pointing to a plurality of sent submessages stored in the email database externally to the email container, at least one of the sent submessages being one of a reply to and a forward of other sent submessages of the message, and

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each of the sent submessages is stored exactly once within the email database, and

upon receipt of a reply to a first email having a first email container containing a first sent submessage, the reply is added to the message container as an additional sent submessage but the first sent submessage is not duplicated within the email database; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the sent submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of the plurality of sent submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of sent submessages.

38. (New) The computerized messaging server of claim 38, wherein the email container additionally contains a reference to embedded graphics.

39. (New) The computerized messaging server of claim 38, wherein the email container additionally contains a reference to a questionnaire.

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REMARKS

Claims 1-6, 8-9, 11-13, 15-16, 18-19, 21-27 and 29-36 were pending and presented for examination. In an Office Action dated July 13, 2010, these claims were rejected.

Claims 1-4, 6, 8, 13, 15, 22-26, 29, and 31-36 are amended in this Amendment and Response. Further, claims 9, 11, and 16 are canceled, and claims 37, 38, and 39 are added.

Response to Rejections Under 35 USC § 103

Claims 1-6, 8-9, 11-13, 15-16, 18-19, 21-27, and 32-35 stand rejected under 35 USC § 103(a) as being unpatentable over Arnold, U.S. Patent Publication No. 2004/0177271, in view of Clark, U.S. Patent No. 6,725,228 and further in view of Nassiri, U.S. Patent Publication No. 2006/0265464. Additionally, claims 31 and 36 stand rejected under 35 USC § 103(a) as being unpatentable over Arnold in view of Speare, U.S. Patent Publication No. 2005/0216745. These rejections are now addressed together.

Independent claim 1 recites, in part:

> a messaging module adapted to control a message database storing messages sent among users of the messaging system, at least one of the sent messages stored in the message database comprising a **message container containing relational references pointing to a plurality of sent submessages stored externally to the message container in the message database**, at least one of the sent submessages being one of a reply to and a forward of other sent submessages of the sent message …

Neither Arnold nor Nassiri discloses or suggests the claimed message container. For example, Arnold very generally shows a method and system for identifying content that is potentially harmful or non-authorized. Arnold shows logging separate copies of messages, but not a message container containing relational references pointing to a plurality of sent submessages. Nassiri discloses sending an electronic message to a recipient, where the

original message specifies attributes related to digital rights management (DRM), but in no way discloses or suggests the claimed message container.

Thus, the Examiner instead cites Clark. Clark discloses a system that uses lightweight message shortcuts to display a given message in multiple folders simultaneously. (Clark, Abstract). Specifically, the Examiner cites Clark column 14, lines 4-13, column 10, lines 4-10, and column 30, line 62 to column 31, line 4, which state that a folder is an organizational entity that can contain one or more shortcuts to messages, and that many shortcuts can be created to a given message and associated with different folders. However, neither the Clark messages themselves, nor the Clark folders, disclose or suggest the claimed message containers.

First, the Clark **messages** do not show the claimed message containers since they do not "contain[] relational references pointing to a plurality of sent submessages stored externally to the message container." Rather, the only parts of the Clark system that point to messages are Clark's message shortcuts, which are not contained within the messages, but rather are associated with folders.

Second, Clark's **folders** also fail to show the claimed message containers. Claim 1 explicitly recites that the message container is comprised by one of the messages, the messages being sent among users of the messaging system and stored in a message database. In contrast, the Clark folders are merely abstract organizational entities (Clark column 14, lines 7-11) that are used for organizing individual messages; they are not themselves part of messages that are sent among users of the messaging system.

Nor does Speare remedy the deficiencies of Arnold, Nassiri, and Clark. Speare generally discloses the application of rights managing policies to messages and is cited with

respect to claims 31 and 36 for the concept multiple compliance policies. Speare in no way discloses or suggests messages comprising the claimed message containers.

Thus, one of ordinary skill in the art would not have found claim 1 to be obvious in view of the applied references. Independent claims 8 and 15 recite features similar to those of claim 1, and are thus likewise not obvious. The remaining claims depend, directly or indirectly, from claims 1, 8, 15, or 37 and recite additionally patentably distinguishable features and limitations. Thus, the dependent claims are not obvious in view of the applied reference for at least the same reasons discussed above with respect to claim 1.

Conclusion

In sum, claims 1-6, 8-9, 12-13, 15-16, 18-19, 21-27 and 29-39 are patentable over Arnold, Clark, Nassiri, and Speare, whether taken singly or in the suggested combination.

The Examiner is invited to contact Applicants' representative at the number provided below if he believes it will help expedite furtherance of this application.

Respectfully Submitted,

Date: June 16, 2011

By: /Christopher King/

Christopher P. King, Reg. No. 60,985
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Electronic Patent Application Fee Transmittal

Application Number:	11129212
Filing Date:	12-May-2005
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Filer:	Christopher-Charles P. King
Attorney Docket Number:	23682-10344

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Independent claims in excess of 3	2201	1	110	110
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 $0 paid	2251	1	65	65
Miscellaneous:				
Request for continued examination	2801	1	405	405
		Total in USD ($)		**580**

Electronic Acknowledgement Receipt	
EFS ID:	10325723
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	00758
Filer:	Christopher-Charles P. King
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	16-JUN-2011
Filing Date:	12-MAY-2005
Time Stamp:	23:01:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$580
RAM confirmation Number	6634
Deposit Account	192555
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees) Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees) Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	10344_RCE.pdf	697930 8d20fcd6b6120bac2ef388721eaa1c512e07422e	no	3
Warnings:					
Information:					
2		10344_Amendment_D.pdf	110114 aa12ddda69518cc43f8934c90aee2c4053bc7c1f	yes	16

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment After Final	1	1
Claims	2	13
Applicant Arguments/Remarks Made in an Amendment	14	16

Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	33354 7ae29962b28b6614d005c844413f9e427d514424	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	841398		

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 Acknowledgement Receipt	
EFS ID:	10325723
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	Enforcing compliance policies in a messaging system
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	00758
Filer:	Christopher-Charles P. King
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	16-JUN-2011
Filing Date:	12-MAY-2005
Time Stamp:	23:01:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$580
RAM confirmation Number	6634
Deposit Account	192555
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees) Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees) Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	10344_RCE.pdf	697930 8d20fcd6b6120bac2ef388721eaa1c512e07422e	no	3
Warnings:					
Information:					
2		10344_Amendment_D.pdf	110114 aa12ddda69518cc43f8934c90aee2c4053bc7c1f	yes	16

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment After Final	1	1
Claims	2	13
Applicant Arguments/Remarks Made in an Amendment	14	16

Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	33354 7ae29962b28b6614d005c844413f9e427d514424	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	841398		

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.

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
11/129,212	05/12/2005	

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT 06/16/2011	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 30	Minus	** 30	= 0	X $26 =	0	OR	X $ =	
Independent (37 CFR 1.16(h))	* 4	Minus	***3	= 1	X $110 =	110	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	**110**	OR	TOTAL ADD'L FEE	

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

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

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

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

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

Legal Instrument Examiner:
/FRANCES FIELDS/

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

758 7590 09/28/2011

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER
ALI, FARHAD

ART UNIT	PAPER NUMBER
2478	

DATE MAILED: 09/28/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

TITLE OF INVENTION: ENFORCING COMPLIANCE POLICIES IN A MESSAGING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	12/28/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

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

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

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

If the SMALL ENTITY is shown as NO:

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

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

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

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

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

PTOL-85 (Rev. 02/11)

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 323 of 359

PART B - FEE(S) TRANSMITTAL

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

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

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

758 7590 09/28/2011

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

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

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

TITLE OF INVENTION: ENFORCING COMPLIANCE POLICIES IN A MESSAGING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	12/28/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALI, FARHAD	2478	709-206000

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

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

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

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

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

1 _____

2 _____

3 _____

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

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

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

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

❑ Issue Fee

❑ Publication Fee (No small entity discount permitted)

❑ Advance Order - # of Copies _____

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

❑ A check is enclosed.

❑ Payment by credit card. Form PTO-2038 is attached.

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

❑ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

❑ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 324 of 359

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

758 7590 09/28/2011

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER	
ALI, FARHAD	
ART UNIT	PAPER NUMBER
2478	

DATE MAILED: 09/28/2011

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

The Patent Term Adjustment to date is 1004 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1004 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

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

PTOL-85 (Rev. 02/11)

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
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Privacy Act Statement

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

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

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

Notice of Allowability	Application No.	Applicant(s)	
	11/129,212	MARSTON ET AL.	
	Examiner	Art Unit	
	FARHAD ALI	2478	

-- 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 *telephone and email with Christopher King (60,985)* .

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

3. ☒ The allowed claim(s) is/are *1-29 (original 1-3, 5, 6, 8, 12, 13, 15, 18, 19, 21-27 and 29-39)*.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

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

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

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other *Bib Data sheet*.

/Farhad Ali/ Examiner, Art Unit 2478	/Jeffrey Pwu/ Supervisory Patent Examiner, Art Unit 2478

Microsoft - Exhibit 1002
Microsoft v. Sterling - IPR2025-00270
Page 327 of 359

EXAMINER'S AMENDMENT

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

Authorization for this examiner's amendment was given via telephone and email with Christopher King (60,985) on 09/16/2011.

The application has been amended as follows:

In the claims:

Claim 4 is canceled.

1. (Currently Amended) A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control a message database storing messages sent among users of the messaging system, at least one of the sent messages stored in the message database comprising a message container containing relational references pointing to a plurality of sent submessages stored externally to the message container in the message database, at least one of the sent submessages being one of a reply to and a forward of other sent submessages of the sent message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the sent submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of the plurality of sent submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of sent submessages;

wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether the rule is applicable to a sent

submessage, at least one of the rule elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the sent submessage;

a target element describing a population structure entity that is a recipient of the sent submessage; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

2. (Currently Amended) The messaging server of claim 1, wherein the compliance policy describes a population structure of end-users of the messaging system, a set of jobcodes with which the sent submessages can be classified, and a set of rules applicable to the population structure, jobcodes, [[sent]] and sent submessages.

5. (Currently Amended) The messaging server of claim 1, ~~wherein the messaging system is utilized by a set of entities in a population structure and~~ wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system; and

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system.

6. (Currently Amended) The messaging server of claim 1, ~~wherein the messaging system is utilized by a set of entities in a population structure and~~ wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a sent submessage or entity in the population structure is useable; and

retention rules describing a time period after which a sent submessage or entity in the population structure should be deleted from the messaging system.

8. (Currently Amended) A computer program product having a non-transitory computer-readable medium having embodied thereon program code for use in an electronic messaging system, the program code comprising:

a messaging module adapted to control a message database storing messages sent among users of the messaging system to at least one other end user of the messaging system, at least one of the sent messages comprising a message container containing relational references pointing to a plurality of sent submessages stored in the message database externally to the message container, at least one of

the sent submessages being one of a reply to and a forward of other sent submessages of the sent message; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the sent submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of the plurality of sent submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of sent submessages;

wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether the rule is applicable to a sent submessage, at least one of the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the sent submessage;

a target element describing a population structure entity that is a recipient of the sent submessage; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

12. (Currently Amended) The computer program product of claim 8, ~~wherein the messaging system is utilized by a set of entities in a population structure and~~

wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a message component in the messaging system; and

search rules describing which population structure entities can view which message components when searching the messaging components stored by the messaging system.

13. (Currently Amended) The computer program product of claim 8, ~~wherein the messaging system is utilized by a set of entities in a population structure and~~ wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

validity rules describing a time period for which a sent submessage or entity in the population structure is useable; and

retention rules describing whether a sent submessage or entity in the population structure should be deleted from the messaging system.

15. (Currently Amended) A computer-implemented method of managing messages in an electronic messaging system, comprising:

defining a compliance policy describing rules applicable to sent submessages of sent messages in the electronic messaging system;

receiving a message sent by one end user of the messaging system to at least one other end user of the messaging system, the sent message comprising a message container containing relational references pointing to a plurality of sent submessages stored in a message database externally to the message container, the plurality of sent submessages including a first sent submessage and a second sent submessage, at least one of the sent submessages being one of a reply to and a forward of another sent submessage of the plurality of sent submessages; and

selectively applying rules of the compliance policy to the sent submessages;

wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether the rule is applicable to a sent submessage, at least one of the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the sent submessage;

a target element describing a population structure entity that is a recipient of the sent submessage; and

a rank describing a ranking of the rule relative to other rules in the compliance policy..

18. (Currently Amended) The computer-implemented method of claim 15, wherein the compliance policy describes the [[a]] set of entities in the [[a]] population structure, the method further comprising:

defining a team containing a set of entities of the population structure; and

reflecting an action of an entity on the team across all of the entities on the team.

19. (Currently Amended) The computer-implemented method of claim 15, wherein the compliance policy describes the [[a]] set of entities in the [[a]] population structure, the method further comprising:

defining a group containing a set of entities, the entities in the group defined by their locations in a hierarchy defined by the hierarchical population structure; and

defining a set of rules applicable to the entities in the group.

21. (Currently Amended) The computer-implemented method of claim 15, ~~wherein the messaging system is utilized by a set of entities in a population structure~~

~~and~~ wherein a rule of the compliance policy includes a rule element describing an action that is allowed or denied subject to approval by an entity in the population structure.

23. (Currently Amended) The computer-implemented method of claim 15, ~~wherein the messaging system is utilized by a set of entities in a population structure and~~ wherein the rules described by the compliance policy include one or more types of rules from the set consisting of:

communication rules describing which population structure entities can communicate with other population structure entities via the messaging system;

readership rules describing which population structure entities can read sent messages from other population structure entities via the messaging system;

action rules describing actions a population structure entity can perform on a sent submessage in the messaging system; and

search rules describing which population structure entities can view which sent submessages when searching the sent submessages stored by the messaging system.

26. (Currently Amended) The computer-implemented method of claim 15, ~~wherein the messaging system is utilized by a set of entities in a population structure,~~ further comprising:

defining a group of entities in the population structure;

defining group rules applicable to sent submessages related to the group of entities; and

applying the group rules to a sent submessage related to the group of entities.

33. (Currently Amended) The messaging server of claim 1, ~~wherein the messaging system is utilized by a set of entities in a population structure and~~ wherein the rules described by the compliance policy include search rules describing which population structure entities can view which sent submessages when searching the sent submessages stored by the messaging system.

35. (Currently Amended) The computer-implemented method of claim 15, further comprising:

determining that a first rule of the compliance policy applies to the first sent submessage based at least in part on at least one of a source element and a target element of the first rule; and

determining that the first rule of the compliance policy does not apply to the second sent submessage based at least in part on at least one of the source element and the target element of the first rule;

wherein the source element of the first rule describes a population structure entity that is a source of a sent submessage with respect to which the first rule is evaluated, and the target element describes a population

structure entity that is a recipient of the sent submessage with respect to which the first rule is evaluated.

37. (Currently Amended) A computerized messaging server in an electronic messaging system, comprising:

a messaging module adapted to control an email database storing emails sent among users of the messaging system, wherein:

at least one of the sent emails comprises an email container containing relational references pointing to a plurality of sent submessages stored in the email database externally to the email container, at least one of the sent submessages being one of a reply to and a forward of other sent submessages of the message, and

each of the sent submessages is stored exactly once within the email database, and

upon receipt of a reply to a first email having a first email container containing a first sent submessage, the reply is added to the message container as an additional sent submessage but the first sent submessage is not duplicated within the email database; and

a governance module adapted to control a governance policy database storing a compliance policy describing rules applicable to the sent submessages, the governance module further adapted to determine rules described by the compliance policy that are applicable to ones of

the plurality of sent submessages, wherein different rules of the compliance policy are applicable to different ones of the plurality of sent submessages.

wherein the messaging system is utilized by a set of entities in a population structure and wherein a rule of the compliance policy includes one or more rule elements describing whether the rule is applicable to a sent submessage, at least one of the elements selected from the group consisting of:

a source element describing a population structure entity that is a source of the sent submessage;

a target element describing a population structure entity that is a recipient of the sent submessage; and

a rank describing a ranking of the rule relative to other rules in the compliance policy.

38. (Currently Amended) The computerized messaging server of claim 37 [[38]], wherein the email container additionally contains a reference to embedded graphics.

39. (Currently Amended) The computerized messaging server of claim 37 [[38]], wherein the email container additionally contains a reference to a questionnaire.

CORRESPONDANCE INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARHAD ALI whose telephone number is (571)270-1920. The examiner can normally be reached on Monday thru Friday, 9:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey C. Pwu can be reached on (571) 272-6798. 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.

/Farhad Ali/
Examiner, Art Unit 2478

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2478

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	347	"709"/.clas. and (prior or previous or old) near2 policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L2	176	"709"/.clas. and (prior or previous or old) near policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L3	95	"709"/.clas. and (prior or previous or old) policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L4	69	"709"/.clas. and (prior or previous or old) policy and message	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L5	18	"709"/.clas. and (prior or previous or old) policy and creat$3 near5 time	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L6	4	"7412503".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L7	114	policy history	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L8	29	"709"/.clas. and policy history	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24

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L9	22	"709"/.clas. and policy history and database	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L10	14	"709"/.clas. and policy history and database and message	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L11	3	"20030078874"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L12	3	"20050216745"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L13	2	"6035327".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L14	3945	DRM and encrypt$3 and message	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L15	531	DRM and encrypt$3 and message and "709"/.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L16	351	DRM and encrypt$3 and (email or e-mail or electonic mail) and "709"/.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L17	1	"09982145"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L18	2	"6301609".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24

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L19	2	11/129212	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L20	1063	compliance policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L21	2	compliance policy and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L22	2	"7233954".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L23	9	"1085444"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L24	4	"6704772".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L25	3	"11129212"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L26	15	message and jobcode	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L27	15	message and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L28	3	messaging filter and jobcodes	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24

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L29	11632	709/206.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L30	463	709/206.ccls. and message near filter	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L31	2	709/206.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L32	267	709/206.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L33	574	"709"/.ccls. and message near filter and rule	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L34	3	"709"/.ccls. and message near filter and job near code	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L35	2564	(Marston or Hatch).in.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L36	6	(Marston or Hatch).in. and 709/206.ccls.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L37	2	"20040260710"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L38	232	submessage	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24

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L39	99	submessage and policy	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L40	50	submessage and policy and (email or e-mail or electronic mail)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L41	32	sub-message and policy and (email or e-mail or electronic mail)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L42	2	"20040078447"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L43	2	"20020136279"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L44	152	email near3 thread and polic$3	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L45	30	(Marston or Hatch).in. and messaging	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L46	3	"20050223058"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L47	3	"20050054334"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L48	2	"6822951".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24

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L49	2	"6138168".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L50	2	"20030126109"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L51	1777	"709"/.clas. and email and container	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L52	1190	"709"/.clas. and email and container and (reply or forward)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L53	21	"709"/.clas. and email and message container and (reply or forward)	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L54	2	"6507349".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L55	2	"6557036".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L56	3	"20020023136"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L57	2	"6122632".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L58	2	"6725228".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24

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L59	2	"7076453".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L60	2	"6941304".pn.	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L61	0	"previous compliance policy"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L62	204	"previous policy"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L63	34	"previous policy" and compliance	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L64	3	"20060156382"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L65	2	"20060010301"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24
L66	2	"20050114672"	US-PGPUB; USPAT; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	ON	2011/09/20 14:24

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L67	1260	(Marston or Hatch).in.	USPAT; UPAD	ADJ	ON	2011/09/20 14:24
L68	0	(Marston or Hatch).in. and "set of entities"	USPAT; UPAD	ADJ	ON	2011/09/20 14:25

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L69	0	(Marston or Hatch).in. and "set of entities". clm.	USPAT; UPAD	ADJ	ON	2011/09/20 14:25
L70	0	(Marston or Hatch).in. and "different rules of the compliance policy". clm.	USPAT; UPAD	ADJ	ON	2011/09/20 14:26
L71	0	(Marston or Hatch).in. and "different rules of the compliance policy"	USPAT; UPAD	ADJ	ON	2011/09/20 14:26
L72	0	(Marston or Hatch).in. and "submessages stored externally to the message container"	USPAT; UPAD	ADJ	ON	2011/09/20 14:26
L73	0	(Marston or Hatch).in. and "submessages stored externally to the message container". clm.	USPAT; UPAD	ADJ	ON	2011/09/20 14:26
L74	0	(Marston or Hatch).in. and "a source element".clm.	USPAT; UPAD	ADJ	ON	2011/09/20 14:27
L75	0	(Marston or Hatch).in. and "a source element"	USPAT; UPAD	ADJ	ON	2011/09/20 14:27

9/20/2011 2:27:42 PM
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Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2478

SEARCHED			
Class	Subclass	Date	Examiner
709	206	6/18/2009	Farhad Ali
709	206	1/13/2010	Farhad Ali
709	206	7/1/2010	FA
709	206	2/9/2011	FA
709	206	9/20/2011	FA

SEARCH NOTES		
Search Notes	Date	Examiner
Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	6/18/2009	Farhad Ali
Inventor Search	6/18/2009	Farhad Ali
Updated text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	1/13/2010	Farhad Ali
Updated Inventor Search	1/13/2010	Farhad Ali
Updated text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) see attatched history	7/1/2010	FA
Updated Inventor Search	7/1/2010	FA
Updated Text and Inventor Search	2/9/2011	FA
Updated Text search of East (USPat, USPG_Pub, JPO, EPO, Derwent) & Inventor Search; see attached history	9/20/2011	FA

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
PG_Pub and Unpub search	see attached history	9/20/2011	FA

/FARHAD ALI/ Examiner.Art Unit 2478	

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✓	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	06/18/2009	01/13/2010	07/01/2010	02/09/2011	09/19/2011				
1	1	✓	✓	✓	✓	=				
2	2	✓	✓	✓	✓	=				
3	3	✓	✓	✓	✓	=				
	4	✓	✓	✓	✓	-				
5	5	✓	✓	✓	✓	=				
6	6	✓	✓	✓	✓	=				
	7	✓	✓	✓	-	-				
10	8	✓	✓	✓	✓	=				
	9	✓	✓	✓	✓	-				
	10	✓	-	-	-	-				
	11	✓	✓	✓	✓	-				
11	12	✓	✓	✓	✓	=				
12	13	✓	✓	✓	✓	=				
	14	✓	-	-	-	-				
13	15	✓	✓	✓	✓	=				
	16	✓	✓	✓	✓	-				
	17	✓	-	-	-	-				
14	18	✓	✓	✓	✓	=				
15	19	✓	✓	✓	✓	=				
	20	✓	-	-	-	-				
16	21	✓	✓	✓	✓	=				
17	22	✓	✓	✓	✓	=				
18	23	✓	✓	✓	✓	=				
19	24	✓	✓	✓	✓	=				
20	25	✓	✓	✓	✓	=				
21	26	✓	✓	✓	✓	=				
22	27	✓	✓	✓	✓	=				
	28	✓	✓	-	-	-				
23	29	✓	✓	✓	✓	=				
24	30	✓	✓	✓	✓	=				
7	31		✓	✓	✓	=				
4	32		✓	✓	✓	=				
9	33		✓	✓	✓	=				
8	34		✓	✓	✓	=				
25	35			✓	✓	=				
26	36				✓	=				

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Page 351 of 359

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2478

✓	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	06/18/2009	01/13/2010	07/01/2010	02/09/2011	09/19/2011				
27	37					=				
28	38					=				
29	39					=				

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Microsoft v. Sterling - IPR2025-00270
Page 352 of 359

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11129212	MARSTON ET AL.
	Examiner	Art Unit
	FARHAD ALI	2478

ORIGINAL		INTERNATIONAL CLASSIFICATION														
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED									
709	206	G	0	6	F	15 / 16 (2006.0)										

CROSS REFERENCE(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	21	26												
2	2	22	27												
3	3	23	29												
5	5	24	30												
6	6	7	31												
10	8	4	32												
11	12	9	33												
12	13	8	34												
13	15	25	35												
14	18	26	36												
15	19	27	37												
16	21	28	38												
17	22	29	39												
18	23														
19	24														
20	25														

/FARHAD ALI/ Examiner.Art Unit 2478	09/20/2011	Total Claims Allowed:	
(Assistant Examiner)	(Date)	29	
/JEFFREY PWU/ Supervisory Patent Examiner.Art Unit 2478	09/20/2011	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

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Microsoft v. Sterling - IPR2025-00270
Page 353 of 359

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

BIB DATA SHEET

CONFIRMATION NO. 8578

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
11/129,212	05/12/2005 RULE	709	2478	23682-10344

APPLICANTS

Justin Marston, Richmond, UNITED KINGDOM;
Andrew Stuart Hatch, Hurworth-on-Tees, UNITED KINGDOM;

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

This appln claims benefit of 60/570,848 05/12/2004
and claims benefit of 60/570,861 05/12/2004

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
06/10/2005

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /FARHAD ALI/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		UNITED KINGDOM	5	30	3

ADDRESS

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041
UNITED STATES

TITLE

Enforcing compliance policies in a messaging system

FILING FEE RECEIVED		
925	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

PART B - FEE(S) TRANSMITTAL

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

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

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

758 7590 09/28/2011

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

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.

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/129,212	05/12/2005	Justin Marston	23682-10344	8578

TITLE OF INVENTION: ENFORCING COMPLIANCE POLICIES IN A MESSAGING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$870 ~~$755~~	$300	$0	$1,170 ~~$1055~~	12/28/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
ALI, FARHAD	2478	709-206000

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

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

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

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

1 Fenwick & West 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 has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Bluespace Software Corporation

(B) RESIDENCE: (CITY and STATE OR COUNTRY): Austin, Texas

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

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

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

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

☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 192555 (enclose an extra copy of this form).

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

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

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

Authorized Signature /Christopher King/ Date October 28, 2011

Typed or printed name Christopher-Charles P. King Registration No. 60,985

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Microsoft v. Sterling - IPR2025-00270
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Electronic Patent Application Fee Transmittal

Application Number:	11129212
Filing Date:	12-May-2005
Title of Invention:	ENFORCING COMPLIANCE POLICIES IN A MESSAGING SYSTEM
First Named Inventor/Applicant Name:	Justin Marston
Filer:	Christopher-Charles P. King/Linda Carlson
Attorney Docket Number:	23682-10344

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	870	870
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**1170**

Electronic Acknowledgement Receipt	
EFS ID:	11294369
Application Number:	11129212
International Application Number:	
Confirmation Number:	8578
Title of Invention:	ENFORCING COMPLIANCE POLICIES IN A MESSAGING SYSTEM
First Named Inventor/Applicant Name:	Justin Marston
Customer Number:	758
Filer:	Christopher-Charles P. King
Filer Authorized By:	
Attorney Docket Number:	23682-10344
Receipt Date:	28-OCT-2011
Filing Date:	12-MAY-2005
Time Stamp:	18:36:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$1170
RAM confirmation Number	5358
Deposit Account	192555
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

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

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	10344_IssueFee.pdf	1757787 b8be69751dd67302c786332b9f10e8aac332caf1	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31786 3be6858b190152d696a6741a74176a54910964f3	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1789573		

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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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