

CHANGE OF CORRESPONDENCE ADDRESS <i>Patent</i> Address to: Mail Stop Post Issue Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Patent Number	10339825
	Issue Date	7/2/2019
	Application Number	13/439,305
	Filing Date	4/4/2012
	First Named Inventor	Timothy Kelley
	Attorney Docket Number	

Please change the Correspondence Address for the above-identified patent to:

☐ The address associated with Customer Number:

OR

☒ **Firm or Individual Name** Timothy Kelley

6117 N. Kirkwood Ave.

Address

City Chicago	State IL	ZIP 60646
Country USA		
Telephone 312-952-0436	Email timothyjohnkelley@gmail.com	

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47).

I am the:

☒ Patentee.

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ Attorney or agent of record. Registration Number _____.

Signature 

Typed or Printed Name Timothy John Kelley

Date 12/28/2022	Telephone 312-952-0436
-----------------	------------------------

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Post Issue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Electronic Acknowledgement Receipt	
EFS ID:	47284199
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	161128
Filer:	Timothy John Kelley
Filer Authorized By:	
Attorney Docket Number:	4933.001US1
Receipt Date:	28-DEC-2022
Filing Date:	04-APR-2012
Time Stamp:	12:26:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment		no			
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Change of Address	sb0123_fill.pdf	137786	no	2
			a83be0a935904ab138ef21ced99c83bcecdff7d9b		
Warnings:					

Information:	
Total Files Size (in bytes):	137786
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE	REQUEST ID
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	180925

Acknowledgement of Change to Micro Entity Status

The entity status change request below filed through Private PAIR on 12/28/2022 has been accepted.

CERTIFICATIONS:

Change of Entity Status:

☒ Applicant certifying micro entity status. See 37 CFR 1.29.

NOTE: If this box is checked you will be prompted to choose micro entity status on the gross income basis (37 CFR 1.29(a)) or the institution of higher education basis (37 CFR 1.29(d)), and to make the applicable certification.

☒ The certification of micro entity status shown below is made by checking this box and signing below.

CERTIFICATION OF MICRO ENTITY STATUS (GROSS INCOME BASIS)

The applicant hereby certifies the following:

- (1) SMALL ENTITY REQUIREMENT - The applicant qualifies as a small entity as defined in 37 CFR 1.27.
- (2) APPLICATION FILING LIMIT - Neither the applicant nor the inventor nor a joint inventor has been named as the inventor or a joint inventor on more than four previously filed U.S. patent applications, excluding provisional applications and international applications under the Patent Cooperation Treaty (PCT) for which the basic national fee under 37 CFR 1.492(a) was not paid, and also excluding patent applications for which the applicant has assigned all ownership rights, or is obligated to assign all ownership rights, as a result of the applicant's previous employment.
- (3) GROSS INCOME LIMIT ON APPLICANTS AND INVENTORS - Neither the applicant nor the inventor nor a joint inventor, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986 (26 U.S.C. 61(a)), exceeding the Maximum Qualifying Gross Income reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.
- (4) GROSS INCOME LIMIT ON PARTIES WITH AN OWNERSHIP INTEREST - Neither the applicant nor the inventor nor a joint inventor has assigned, granted, or conveyed, nor is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the application concerned to an entity that, in the calendar year preceding the calendar year in which the applicable fee is being paid, had a gross income, as defined in section 61(a) of the Internal Revenue Code of 1986, exceeding the Maximum Qualifying Gross Income reported on the USPTO website at http://www.uspto.gov/patents/law/micro_entity.jsp which is equal to three times the median household income for that preceding calendar year, as most recently reported by the Bureau of the Census.

This portion must be completed by the signatory or signatories making the entity status change in accordance with 37 CFR 1.4(d)(4).

Signature:	/Timothy Kelley/
Name:	Timothy Kelley
Registration Number:	-



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	07/02/2019	10339825	4933.001US1	8456

161128 7590 06/12/2019
Timothy John Kelley
4805 N. Claremont #403
Chicago, IL 60625

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 400 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Timothy J. Kelley, Chicago, IL;
Michael J. Perrone, Chicago, IL;
Joseph T. Napoli, Chicago, IL;
Innokenty Y. Mihailov, Kiev, UKRAINE;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456
161128	7590	05/03/2019		
Timothy John Kelley 4805 N. Claremont #403 Chicago, IL 60625			EXAMINER YEN, JASON TAHAI	
			ART UNIT	PAPER NUMBER
			3715	
			MAIL DATE	DELIVERY MODE
			05/03/2019	PAPER

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

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

Response to Rule 312 Communication	Application No. 13439305	Applicant(s) Timothy J. Kelly
	Examiner	Art Unit
<p align="center"><i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i></p> <p>1. ☒ The amendment filed on <u>26 April 2019</u> under 37 CFR 1.312 has been considered, and has been:</p> <p>a) ☒ entered.</p> <p>b) ☐ entered as directed to matters of form not affecting the scope of the invention.</p> <p>c) ☐ disapproved because the amendment was filed after the payment of the issue fee. Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.</p> <p>d) ☐ disapproved. See explanation below.</p> <p>e) ☐ entered in part. See explanation below.</p> <p>/ Timothy Caldwell /</p> <p>Timothy Caldwell Publishing Division Office of Data Management</p>		

Group 1				Group 2			
Score	Rank	Student ID	Student Score	Score	Rank	Student ID	Student Score
	1	2	15		1	3	18
	2	5	17		2	1	26
	3	4	35		3	2	72
	4	7	41				
	5	3	62				
	6	6	74				
	7	1	82				

As an example, Figure 19 illustrates a possible path through the graph of Figure 18. Each stage is the rank of a student from the larger group (Group 1). The node number is the rank of a student from the smaller group (Group 2). The number of consecutive visits is the number of consecutive times a student from the smaller group has been assigned. This path represents the following assignment:

Matches

Group 1				Group 2			
Score	Rank	Student ID	Student Score	Score	Rank	Student ID	Student Score
1		2	15	1		18	3
2		5	17	1		18	3
3		4	35	1		18	3
4		7	41	2		26	1
5		3	62	2		26	1
6		6	74	3		72	2
7		1	82	3		72	2

In this path, the node (2,1) appears in stage 5. Therefore, the student with score rank 5 from Group 1 is assigned to the student with score rank 2 from Group 2. It is the first consecutive time (or second time) that this student has been assigned. The bold row is the tabular representation of stage 5. It is important to note that the graph represents all possible paths, i.e. all possible matches between students in Group 1 and Group 2.

Length of a Link:

[0181] The length of each link is the cost of assigning the student in the *terminating* node. The graph along with the length of each link is shown in Figure 20. For example, in Figure 20, the length of the link connecting node (2, 1) in stage 4 to (2, 2) in stage 5 is 36. The length is the cost of assigning the student with score rank 5 from Group 1 to the student with score rank 2 from Group 2. The absolute difference in their scores is $62 - 26 = 36$. Again, the length is determined solely by the terminating node, *i.e.* node (2,2) in stage 5.

Length of a Path:

[0182] The length of a path, plus a fixed cost, is the sum of the absolute differences of a particular match. For example, Figure 21 illustrates a sample path with the following lengths assigned: The path does not include the cost of assigning node (1,0) in stage 1. This is the fixed cost and in this case its value is $18 - 15 = 3$. The total cost of this match is $3 + 1 + 17 + 15 + 36 + 2 + 10 = 84$.

Determining the Best Match:

[0183] A graph contains the set of all possible paths from the first to the last node and represents all possible ways to match students. Each path has a length that measures how well a particular match minimizes differences in scores. The path with the shortest length represents the best match between students of the two groups. The shortest path through the graph can be determined one stage at a time. At each stage, the shortest path to a node is the minimum over all links of the length of the link plus the shortest path of the preceding node. Figure 22 illustrates a graph for the above problem with the shortest paths displayed beneath each node. The shortest path 3 is assigned to (1, 0) in stage 1 and is the fixed cost of assigning the lowest scoring students to one another. A shortest path of 12 is assigned to node (2, 0) in stage 2. This

Electronic Acknowledgement Receipt	
EFS ID:	35847702
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	161128
Filer:	Timothy John Kelley
Filer Authorized By:	
Attorney Docket Number:	4933.001US1
Receipt Date:	26-APR-2019
Filing Date:	04-APR-2012
Time Stamp:	16:18:03
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	Amendment after Notice of Allowance (Rule 312)	SPEC.pdf	213580	no	2
			e6e67e3c7d3ce5c0ea7e968c71f09ec2e7f46443		
Warnings:					

Information:	
Total Files Size (in bytes):	213580
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	



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.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456
161128	7590	04/24/2019		
Timothy John Kelley 4805 N. Claremont #403 Chicago, IL 60625			EXAMINER YEN, JASON TAHAI	
			ART UNIT 3715	PAPER NUMBER
			MAIL DATE 04/24/2019	DELIVERY MODE PAPER

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Application No. : 13439305
Applicant : Kelley
Filing Date : 04/04/2012
Date Mailed : 04/24/2019

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given two (2) months from the mail date of this Notice within which to respond. This time period for reply is extendable under 37 CFR 1.136(a) for only TWO additional MONTHS.

The informalities requiring correction are indicated in the attachment(s). If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to respond within the above-identified time period will result in the application being ABANDONED.

See attachment(s).

*A copy of this notice **MUST** be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".*

/Chris Harmon/
Publication Branch
Office of Data Management
(571) 272-4200

NON-COMPLIANT ILLUSTRATIONS IN SPECIFICATION OR CLAIMS

- ☒ The illustration(s) in the location(s) referenced below do not come within the exceptions of 37 CFR 1.58(a). Please delete the illustration(s) from the specification or claims, provided the illustration(s) as part of the formal drawing(s) in accordance with 37 CFR 1.84, and amend the specification to provide a brief description of the drawings in accordance with 37 CFR 1.74. Please see the following item(s):

☒ Specification document coded SPEC dated 04/04/2012, page(s) 32.

☐ Claims document coded dated , claim(s) .

☐ Amendment document coded dated .

☐ Other: .

- ☐ The chemical formula(s), mathematical formula(s), or table(s) in the location(s) referenced below contain shading (color/grayscale) and therefore do not comply with 37 CFR 1.52 and do not come within the exceptions of 37 CFR 1.58(a). Please delete chemical formula(s), mathematical formula(s), or table(s) with shading from the specification or claims, provide them as formal color drawing(s) in accordance with 37 CFR 1.84, including petition, fee, and amendment in accordance with 37 CFR 1.84(a)(2), and amend the specification to provide a brief description of the drawings in accordance with 37 CFR 1.74. Please see the following item(s):

☐ Specification document coded dated , page(s) .

☐ Claims document coded dated , claim(s) .

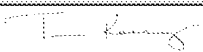
☐ Amendment document coded dated .

☐ Other: .

REQUEST FOR REFUND

Reference # (Patent #, Application #, Trademark Serial #, Registration #, etc.)		Title of Invention or Mark Information	
13/439,305		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION	
Attorney Docket # (if applicable)	Payment Date (mm/dd/yyyy)	Refund Request Amount	
	04/01/2019	\$ 500.00	
Refund Option (Select one)			
☒ If approved, issue the refund to the account associated with the original payment.			
☐ If approved, and the original payment was a check, issue the refund to deposit account # _____.			
☐ If approved, and the original payment was a check, issue the refund as a U.S. Treasury check.			
Reason for Refund Request Refund requests must generally be filed within 2 years of payment date (37 CFR 1.26 and 2.209)			
☒ Duplicate Payment		☐ No Fee Due	☐ Office Error
☐ Small Entity Later Established* <small>(*must be filed within 3 months of payment date, 37 CFR 1.28)</small>		☐ Other _____	
Rationale (Supporting documentation may be submitted with this form)			
I was charged twice for the same fee on April 1st, 2019: \$500			

Requester's Information

Company or Firm Name (if applicable)		
Interstellar Inc.		
Address Line 1	City	State/Region
4805 N. Claremont #403	Chicago	IL
Address Line 2 (if applicable)	Country	Zip/Postal Code
		60625
Email Address (You will receive an acknowledgment of receipt only if you provide a valid email address)		Phone Number
timothyjohnkelley@gmail.com		312-952-0436
Requester's Name		Registration Number (if applicable)
Timothy John Kelley		
Signature		Date (mm/dd/yyyy)
		04/23/2019

Submit online: EFS-Web (registered users only; select "Request for Refund" from the document description menu), or
Fax to: 571-273-6500, or
Mail to: Director of the U.S. Patent and Trademark Office, Attn: Refunds, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314

Electronic Acknowledgement Receipt	
EFS ID:	35809921
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	161128
Filer:	Timothy John Kelley
Filer Authorized By:	
Attorney Docket Number:	4933.001US1
Receipt Date:	23-APR-2019
Filing Date:	04-APR-2012
Time Stamp:	18:49:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment		no			
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	USPTO2326.pdf	717678	no	1
			c7e61400146c64a616c74276937d156becbbaad8		
Warnings:					

Information:	
Total Files Size (in bytes):	717678
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3715

CPC						
Symbol					Type	Version
G09B	/	7	/	02	F	2013-01-01
A63F	/	13	/	798	I	2014-09-02
A63F	/	13	/	795	I	2014-09-02
G09B	/	5	/	00	I	2013-01-01
G09B	/	5	/	125	I	2013-01-01
A63F	/	13	/	46	I	2014-09-02
G07F	/	17	/	3276	I	2013-01-01
G09B	/	7	/	06	I	2013-01-01
G06Q	/	10	/	101	I	2013-01-01

CPC Combination Sets							
Symbol				Type	Set	Ranking	Version
	/		/				

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	42	
/JASON T YEN/ Primary Examiner, Art Unit 3715		22 April 2019	
(Primary Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
		1	9, 14

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3715

INTERNATIONAL CLASSIFICATION			
CLAIMED			
G09B		7	
			02
NON-CLAIMED			
			

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS

CROSS REFERENCES(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	42	
/JASON T YEN/ Primary Examiner, Art Unit 3716		22 April 2019	
(Primary Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
		1	9, 14

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3715

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47															
CLAIMS															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	43	10	55	19	64	28	76	37	88						
2	44	11	56	20	67	29	77	38	94						
3	45	12	57	21	68	30	78	39	89						
4	46	13	91	22	70	31	81	40	95						
5	47	14	59	23	71	32	82	41	90						
6	48	15	60	24	72	33	84	42	96						
7	51	16	61	25	73	34	85								
8	52	17	62	26	92	35	86								
9	54	18	63	27	75	36	93								

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 42	
/JASON T YEN/ Primary Examiner, Art Unit 3715 (Primary Examiner) _____ (Date) _____		22 April 2019 (Date)	O.G. Print Claim(s) 1 O.G. Print Figure 9, 14



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.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

161128 7590 04/16/2019
Timothy John Kelley
4805 N. Claremont #403
Chicago, IL 60625

EXAMINER

YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
3715	

MAIL DATE	DELIVERY MODE
04/16/2019	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.

Corrected Notice of Allowability	Application No. 13/439,305	Applicant(s) Kelley et al.	
	Examiner JASON T YEN	Art Unit 3715	AIA (FITF) Status No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/12/19.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 43-48,51-52,54-57,59-64,67-68,70-73,75-78,81-82,84-86 and 88-96 . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

a) ☐ All b) ☐ Some *c) ☐ None of the:

 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file areply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892) 2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____. 3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____. 4. ☒ Interview Summary (PTO-413), Paper No./Mail Date. <u>pto-413b</u> .	5. ☒ Examiner's Amendment/Comment 6. ☒ Examiner's Statement of Reasons for Allowance 7. ☒ Other <u>pto-413b</u> .
--	---

/JASON T YEN/ Primary Examiner, Art Unit 3715	
--	--

Notice of Pre-AIA or AIA Status

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

DETAILED ACTION

Examiner's Amendment

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

Authorization for this examiner's amendment was given in a telephone interview with Mr. Timothy Kelley on 4/5/19.

The application has been amended as follows:

In Claim 93, please replace the phrase "The storage device" with "The non-transitory computer readable storage device".

Please cancel claims 53, 69, 83 and add claims 94, 95, 96 as indicated below.

94. The system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to: create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round; whereby when two matched teams in a given round share a same preferred tem, the processor facilitates live play between the two matched teams; and whereby when two matched teams in a given round do not share a preferred time, the processor

enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

95. The method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to: create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round; whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

96. The non-transitory computer readable storage device as in claim 90, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to: create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round; whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

3. The following is an examiner's statement of reasons for allowance: The specific limitations of (with respect to Claims 43, 59, 75) "enabling a user, through a user

interface connected to said database, to perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition; and enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, teams' scores, and the individual contestant's score and teams' scores and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, team score of the individual contestant's team, and the individual contestant's score and team score of the individual contestant's team", (with respect to Claims 88, 89, 90) "providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard; creating a league of teams through a user interface; and creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets; and enabling a user, through a user interface connected to said database, to perform at least one of the following: search for and

select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition”, in combination with the remainder of the respective claims are not anticipated or made obvious over the prior art of record in the Examiner’s opinion.

Online academic competition is well known in the art. For instance, Lavanchy et al. (6758754) in view of Panetta (20090104591) and Pavlich et al. (2011/0165946) teaches online academic competition. However, Lavanchy in view of Panetta and Pavlich is silent on “enabling a user, through a user interface connected to said database, to perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition; and enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant’s score, teams’ scores, and the individual contestant’s score and teams’ scores and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant’s score, team score of the individual contestant’s team, and the individual contestant’s score and team score of the individual contestant’s team”, (with respect to Claims 88, 89, 90) “providing a real time scoreboard at each contestant processing device that displays each individual contestant’s progress with respect to

both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard; creating a league of teams through a user interface; and creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets; and enabling a user, through a user interface connected to said database, to perform at least one of the following: search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition".

As a result, in the Examiner's opinion, the present invention is not anticipated or made obvious over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON TAHAI YEN whose telephone number is (571)270-1777. The examiner can normally be reached on Mon - Fri 7am- 3pm PST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. 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.

/JASON T YEN/
Primary Examiner, Art Unit 3716

<i>Examiner-Initiated Interview Summary</i>	Application No. 13/439,305	Applicant(s) Kelley et al.	
	Examiner JASON T YEN	Art Unit 3715	AIA (FITF) Status No

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

(1) JASON TAHAI. YEN. (3) ____.

(2) Timothy Kelley. (4) ____.

Date of Interview: 05 April 2019.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: ____.

Issues Discussed ☐ 101 ☐ 112 ☐ 102 ☐ 103 ☒ Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 53,69,83 and 93.

Identification of prior art discussed: n/a.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner initiated an interview with Applicant to discuss issues regarding 112 and claims dependency. Applicant agreed to Examiner's proposed amendments. As a result, the instant application is placed in condition for allowance..

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/JASON T YEN/ Primary Examiner, Art Unit 3715	
--	--

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3715

CPC						
Symbol					Type	Version
G09B	/	7	/	02	F	2013-01-01
A63F	/	13	/	798	I	2014-09-02
A63F	/	13	/	795	I	2014-09-02
G09B	/	5	/	00	I	2013-01-01
G09B	/	5	/	125	I	2013-01-01
A63F	/	13	/	46	I	2014-09-02
G07F	/	17	/	3276	I	2013-01-01
G09B	/	7	/	06	I	2013-01-01
G06Q	/	10	/	101	I	2013-01-01

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version
/		/		

NONE (Assistant Examiner)		Total Claims Allowed: 42	
/JASON T YEN/ Primary Examiner, Art Unit 3715 (Primary Examiner)		05 April 2019 (Date)	O.G. Print Claim(s) 1
			O.G. Print Figure 9, 14

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3715

INTERNATIONAL CLASSIFICATION			
CLAIMED			
G09B		7	
			02
NON-CLAIMED			
			

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS

CROSS REFERENCES(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	42	
/JASON T YEN/ Primary Examiner, Art Unit 3716		05 April 2019	
(Primary Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
		1	9, 14

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3715

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47															
CLAIMS															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	43	10	55	19	67	28	76	37	88						
2	44	11	56	20	68	29	77	38	94						
3	45	12	57	21	69	30	78	39	89						
4	46	13	91	22	70	31	81	40	95						
5	47	14	59	23	71	32	82	41	90						
6	48	15	60	24	72	33	84	42	96						
7	51	16	61	25	73	34	85								
8	52	17	62	26	92	35	86								
9	54	18	64	27	75	36	93								

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 42	
/JASON T YEN/ Primary Examiner, Art Unit 3715 (Primary Examiner) _____ (Date) _____		05 April 2019 (Date)	O.G. Print Claim(s) O.G. Print Figure 1 9, 14



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/439,305	04/04/2012	3715	2240	4933.001US1	42	3

CONFIRMATION NO. 8456
CORRECTED FILING RECEIPT

161128
Timothy John Kelley
4805 N. Claremont #403
Chicago, IL 60625



0000000107327268

Date Mailed: 04/10/2019

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

Inventor(s)

Timothy J. Kelley, Chicago, IL;
Michael J. Perrone, Chicago, IL;
Joseph T. Napoli, Chicago, IL;
Innokenty Y. Mihailov, Kiev, UKRAINE;

Applicant(s)

Timothy J. Kelley, Chicago, IL;
Michael J. Perrone, Chicago, IL;
Joseph T. Napoli, Chicago, IL;
Innokenty Y. Mihailov, Kiev, UKRAINE;

Power of Attorney: None

Domestic Applications for which benefit is claimed - None.

A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: No

Permission to Access Search Results: No

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

If Required, Foreign Filing License Granted: 04/19/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/439,305**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Preliminary Class

463

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific

page 2 of 4

countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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

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

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

NOT GRANTED

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

SelectUSA

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

technology, manufacture products, deliver services, and grow your business, visit <http://www.SelectUSA.gov> or call +1-202-482-6800.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

7590 03/29/2019
TIMOTHY KELLEY
6117 N. KIRKWOOD AVENUE
CHICAGO, IL 60646

EXAMINER

YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
----------	--------------

3716

MAIL DATE	DELIVERY MODE
-----------	---------------

03/29/2019

PAPER

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

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

Response to Rule 312 Communication	Application No. 13/439,305	Applicant(s) Kelley et al.	
	Examiner JASON T YEN	Art Unit 3716	AIA Status No
<p align="center">-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</p> <p>1. ☒ The amendment filed on <u>12 March 2019</u> under 37 CFR 1.312 has been considered, and has been:</p> <p>a) ☒ entered.</p> <p>b) ☐ entered as directed to matters of form not affecting the scope of the invention.</p> <p>c) ☐ disapproved because the amendment was filed after the payment of the issue fee. Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.</p> <p>d) ☐ disapproved. See explanation below.</p> <p>e) ☐ entered in part. See explanation below.</p> <p>_____</p>			
/JASON T YEN/ Primary Examiner, Art Unit 3716			

RECEIVED
CENTRAL FAX CENTER

MAR 12 2019

S/N 13/439,305

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Timothy J Kelley et al.

Examiner: Jason Yen

Serial No.: 13/439,305

Group

Art Unit: 3716 Filed:
4, 2012

April

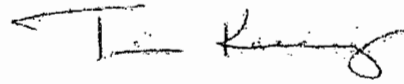
Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

REQUEST FOR AMENDMENT AFTER ALLOWANCE UNDER 37 C.F.R. §
1.312

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

In response to the Notice of Allowance Action dated March 8,
2019, the undersigned respectfully submits a Request for Amendment
after Allowance.

OK TO ENTER: /J.Y/



Timothy J. Kelley

RECEIVED
CENTRAL FAX CENTER

MAR 29 2019

FAX COVER SHEET

TO	USPTO
COMPANY	
FAX NUMBER	15712738300
FROM	TimothyKelley
DATE	2019-03-29 19:07:46 GMT
RE	UNKNOWN

COVER MESSAGE

Enclosed is completed Form PTO-2038, payment of \$500 by credit card in regards to Notice of Allowance on Application 13/439,305.

Best Available Copy

RECEIVED
CENTRAL FAX CENTER

To: USPTO Page 2 of 2

2019-03-29 19:11:35 (GMT)

MAR 29 2019 3122757594 From: Timothy Kelley

PTO-2038(02-2015)

Approved for use through 03/31/2021. OMB 0651-0043

United States 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.

Credit Card Billing Address			
Street Address 1: 4805 N. Claremont Ave. #403			
Street Address 2:			
City: Chicago			
State/Province: IL		Zip/Postal Code: 60625	
Country: USA			
Daytime Phone #: 312-952-0436		Fax #:	
Request and Payment Information			
Description of Request and Payment Information:			
Notice of Allowance Fee Payment			
☒ Patent Fee	☐ Patent Maintenance Fee	☐ Trademark Fee	☐ Other Fee
Application No. 13/439,305	Application No.	Application No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No.		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form or submits this form electronically via EFS-Web, the United States Patent and Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

United States Patent and Trademark Office

- Sales Receipt -

04/01/2019 SDIRETA1 00000027 13439305

01 FC:2501

500.00 OP

RECEIVED
CENTRAL FAX CENTER

To: USPTO Page 3 of 5

2019-03-29 19:40:36 (GMT) **MAR 29 2019** 13122757594 From: Timothy Kelley

PTO/SB/122 (04-15)

Approved for use through 03/31/2021. OMB 0651-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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

<p align="center">CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i></p> <p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>	Application Number	13/439,305
	Filing Date	04/04/2012
	First Named Inventor	Timothy J. Kelley
	Art Unit	3716
	Examiner Name	Yen, Jason Tahai
	Attorney Docket Number	

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with Customer Number: 161128

OR

☐ Firm or Individual Name

Address

City State Zip

Country

Telephone Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

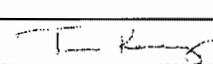
I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ Attorney or agent of record. Registration Number _____

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Signature 

Typed or Printed Name **Timothy J. Kelley**

Date **03/29/2019** Telephone **312-952-0436**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

United States Patent and Trademark Office

- Sales Receipt -

04/01/2019 SDIRETA1 00000028 13499305

01 FC:2501

500.00 OP

MAR 29 2019

FAX COVER SHEET

TO	USPTO
COMPANY	
FAX NUMBER	15712738300
FROM	TimothyKelley
DATE	2019-03-29 19:34:42 GMT
RE	UNKNOWN

COVER MESSAGE

Attached are 3 forms. The first is the Part B - Fee Transmittal from a Notice of Allowance. The second is an SB 122 form, change of correspondence address. The third is a PTO 2038 form with payment. NOTE THAT THE PAYMENT FORM PTO 2038 WAS ALSO SENT IN A SEPARATE FAX TODAY. PLEASE DO NOT CHARGE TWICE. \$500 SHOULD BE THE TOTAL DUE.

MAR 29 2019

PTO/SB/122 (04-15)

Approved for use through 03/31/2021. OMB 0651-0035
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i> Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	13/439,305
	Filing Date	04/04/2012
	First Named Inventor	Timothy J. Kelley
	Art Unit	3716
	Examiner Name	Yen, Jason Tahai
	Attorney Docket Number	

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with Customer Number: 161128

OR

☐ Firm or Individual Name

Address

City State Zip

Country

Telephone Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

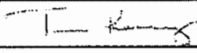
I am the:

☒ Applicant/Inventor

☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ Attorney or agent of record. Registration Number _____

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Signature 

Typed or Printed Name Timothy J. Kelley

Date 03/29/2019 Telephone 312-952-0436

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

RECEIVED
CENTRAL FAX CENTER

MAR 29 2019

FAX COVER SHEET

TO	USPTO
COMPANY	
FAX NUMBER	15712738300
FROM	TimothyKelley
DATE	2019-03-29 19:34:42 GMT
RE	UNKNOWN

COVER MESSAGE

Attached are 3 forms. The first is the Part B - Fee Transmittal from a Notice of Allowance. The second is an SB 122 form, change of correspondence address. The third is a PTO 2038 form with payment. NOTE THAT THE PAYMENT FORM PTO 2038 WAS ALSO SENT IN A SEPARATE FAX TODAY. PLEASE DO NOT CHARGE TWICE. \$500 SHOULD BE THE TOTAL DUE.

WWW.EFAX.COM

Best Available Copy

To: USPTO - Page 2 of 5

2019-03-29 19:34:59 (GMT)

RECEIVED 7594 From: Timothy Kelley
CENTRAL FAX CENTER

MAR 29 2019

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

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

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

7590 03/08/2019
TIMOTHY KELLEY
6117 N. KIRKWOOD AVENUE
CHICAGO, IL 60646

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/432,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

TITLE OF INVENTION: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	06/10/2019

EXAMINER	ART UNIT	CLASS-SUBCLASS
YEN, JASON TAHAI	3716	463-009000

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

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev-03-09 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

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

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

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

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government4a. Fees submitted: ☒ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies

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

☐ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29☐ Applicant asserting small entity status. See 37 CFR 1.27☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature

Date 3/29/19

Typed or printed name

TIMOTHY J. KELLEY

Registration No.

PTOL-85 Part B (08-18) Approved for use through 01/31/2020

Page 2 of 3
OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Scanned with CamScanner

2019-03-20 02:55:29 (GMT)

RECEIVED
CENTRAL FAX CENTER 13122757594 From: Timothy Kelley

MAR 19 2019

PTO/SB/122 (11-08)

Approved for use through 11/30/2011. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

**CHANGE OF
CORRESPONDENCE ADDRESS
Application**Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	13/439,305
Filing Date	4/4/2012
First Named Inventor	Timothy J Kelley
Art Unit	3716
Examiner Name	Jason Yen
Attorney Docket Number	

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with
Customer Number:

161128

OR

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☒ Applicant/Inventor☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☐ Attorney or agent of record. Registration Number _____☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Signature

Typed or Printed
Name

Timothy J Kelley

Date

3/19/2019

Telephone

312-952-0436

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

RECEIVED
CENTRAL FAX CENTER

MAR 19 2019

FAX COVER SHEET

TO	USPTO
COMPANY	
FAX NUMBER	15712738300
FROM	TimothyKelley
DATE	2019-03-20 02:55:17 GMT
RE	UNKNOWN

COVER MESSAGE

SB122

RECEIVED
CENTRAL FAX CENTER

MAR 12 2019

S/N 13/439,305

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Timothy J Kelley et al.

Examiner: Jason Yen

Serial No.: 13/439,305

Group

Art Unit: 3716 Filed:
4, 2012

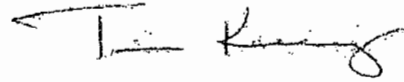
April

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

REQUEST FOR AMENDMENT AFTER ALLOWANCE UNDER 37 C.F.R. §
1.312

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

In response to the Notice of Allowance Action dated March 8,
2019, the undersigned respectfully submits a Request for Amendment
after Allowance.



Timothy J. Kelley

(NON-TRACKED CHANGES)

1 – 42. (Canceled)

43. (Currently Amended) A system for on-line academic competition, comprising:

- a database that stores test questions, team and individual contestant profiles, and test response statistics for the team and individual contestants; and

- a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

- enabling the creation of teams of individual contestants for participation in an academic competition;

- enabling a user, through a user interface connected to said database, to perform at least one of the following: (1) create a league of teams and a cycle of academic competition amongst the league of teams, (2) search for and select at least one team for participation in an inter-team academic competition, and (3) divide a team into multiple teams for an intra-team academic competition;

- presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

- providing a real time scoreboard with time clock to each contestant processing device that displays an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes on the real time scoreboard to at least one of (1) an individual score of the individual contestant and (2) a team score of the individual contestant's team; and

- enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays in real time at least one of (a) the individual score of the individual contestant and (b) the team scores of the competing teams, and (2) non-live, if the teams do not have common

time availability, wherein the real time scoreboard displays in real time at least one of (a) the individual score of the individual contestant and (b) the team score of the individual contestant's team.

44. The system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. The system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. The system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. The system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. The system as in claim 43, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest

integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (Canceled)

50. (Canceled)

51. The system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

52. The system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. The system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

- whereby when two matched teams in a given round share a same preferred

time, the processor facilitates live play between the two matched teams; and
whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. The system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. The system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

56. The system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. The system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (Canceled)

59. (Currently Amended) A method for on-line academic competition, comprising:
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;
enabling a user, through a user interface, to perform at least one of the following: (1) create a league of teams and a cycle of academic competition amongst the league of teams, (2) search for and select at least one team for participation in an inter-team academic competition, and (3) divide a team into multiple teams for an

intra-team academic competition;

presenting, using a processing device, a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock at each contestant processing device that displays an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes on the real time scoreboard to at least one of (1) an individual score of the individual contestant and (2) a team score of the individual contestant's team; and

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays in real time at least one of (a) the individual score of the individual contestant and (b) the team scores of the competing teams, and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays in real time at least one of (a) the individual score of the individual contestant and (b) the team score of the individual contestant's team.

60. The method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. The method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. The method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is

on pace to finish the test questions in the allocated time frame.

63. The method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. The method as in claim 59, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (Canceled)

66. (Canceled)

67. The method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and
select a team from a list of teams having a common time availability.

68. The method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and
divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. The method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

70. The method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. The method as in claim 70, further comprising the processor enabling the administrator or coach to create a question set by naming the question set in accordance

with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

72. The method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. The method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (Canceled)

75. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

enabling a user, through a user interface, to perform at least one of the following: (1) create a league of teams and a cycle of academic competition amongst the league of teams, (2) search for and select at least one team for participation in an inter-team academic competition, and (3) divide a team into multiple teams for an intra-team academic competition;

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock at each contestant processing device that displays an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes on the real time scoreboard to at least one of (1) an individual score of the individual contestant and (2) a team score of the individual contestant's

team; and

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays in real time at least one of (a) the individual score of the individual contestant and (b) the team scores of the competing teams, and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays in real time at least one of (a) the individual score of the individual contestant and (b) the team score of the individual contestant's team.

76. The storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. The storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. The storage device as in claim 75, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number

of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (Canceled)

80. (Canceled)

81. The storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

82. The storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. The storage device as in claim 90, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
- whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and
- whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final

team score is determined after all players for both teams have played.

84. The storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. The storage device as in claim 84, further comprising instructions for enabling the administrator or coach to create a question set by naming the question set in accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

86. The storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (Canceled)

88. (Currently Amended) A system for on-line academic competition, comprising:
a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
enabling the creation of teams of individual contestants for participation in an academic competition;
creating a league of teams through a user interface;
creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets;
enabling a user, through a user interface connected to said database, to perform at least one of the following: (1) search for and select at least one team for

participation in an inter-team academic competition and (2) divide a team into multiple teams for an intra-team academic competition;

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard.

89. (Currently Amended) A method for on-line academic competition, comprising:

enabling using the processing device, the creation of teams of individual contestants for participation in an academic competition;

creating a league of teams through a user interface;

creating a cycle of academic competitions amongst the league of teams, through a user interface, where matches between teams are based at least on a selected time period, frequency of matches, and question sets;

enabling a user, through a user interface, to perform at least one of the following:

(1) search for and select at least one team for participation in an inter-team academic competition and (2) divide a team into multiple teams for an intra-team academic competition;

presenting, using the processing device, a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard.

90. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

creating a league of teams through a user interface;

creating a cycle of academic competitions amongst the league of teams, through a user interface, where matches between teams are based at least on a selected time period, frequency of matches, and question sets;

enabling a user, through a user interface, to perform at least one of the following:

(1) search for and select at least one team for participation in an inter-team academic competition and (2) divide a team into multiple teams for an intra-team academic competition;

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard.

91. The system as in claim 43 wherein the processor promotes live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

92. The method as in claim 59, further comprising the processing device promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

93. The storage device as in claim 75, further comprising instructions for promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

(TRACKED CHANGES)

1 – 42. (Canceled)

43. (Currently Amended) A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the team and individual contestants; and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

enabling a user, through a user interface connected to said database, to perform at least one of the following: (1) create a league of teams and a cycle of academic competition amongst the league of teams, (2) search for and select at least one team for participation in an inter-team academic competition, and (3) divide a team into multiple teams for an intra-team academic competition; and

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock to each contestant processing device that displays an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes on the real time scoreboard to at least one of ~~(1) the contestant's~~ an individual score of the individual contestant and (2) a team score

of the individual contestant's team ~~on the real time scoreboard, and~~

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays in real time at least one of (a) the following in real time: individual contestant's score of the individual contestant, and (b) the teams' scores of the competing teams, and the individual contestant's score and teams' scores, and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays in real time at least one of (a) the following in real time: individual contestant's score of the individual contestant, and (b) the team score of the individual contestant's team, and the individual contestant's score and team score of the individual contestant's team.

44. The system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. The system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. The system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. The system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. The system as in claim 43, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (Canceled)

50. (Canceled)

51. The system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and
select a team from a list of teams having a common time availability.

52. The system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and

divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. The system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. The system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. The system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

56. The system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. The system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (Canceled)

59. (Currently Amended) A method for on-line academic competition, comprising:

enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;

enabling a user, through a user interface ~~connected to said database~~, to perform at least one of the following: (1) create a league of teams and a cycle of academic competition amongst the league of teams, (2) search for and select at least one team for participation in an inter-team academic competition, and (3) divide a team into multiple teams for an intra-team academic competition; ~~and~~

presenting, using a processing device, a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock at each contestant processing device that displays an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes on the real time scoreboard to at least one of (1) ~~the contestant's~~ an individual score of the individual contestant and (2) a team score of the individual contestant's team ~~on the real time scoreboard;~~ and

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays in real time at least one of (a) ~~the following in real time: individual contestant's score of the individual contestant; and (b) the teams' scores of the competing teams, and the individual contestant's score and teams' scores;~~ and (b) the teams' scores of the competing teams, and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays in real time at least one of (a) ~~the following in real time: individual contestant's score of the individual contestant; and (b) the team score of the individual contestant's team; and the individual contestant's~~

~~score and team score of the individual contestant's team.~~

60. The method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. The method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. The method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

63. The method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. The method as in claim 59, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest

integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (Canceled)

66. (Canceled)

67. The method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

68. The method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. The method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
- whereby when two matched teams in a given round share a same preferred

time, the processor facilitates live play between the two matched teams; and
whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

70. The method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. The method as in claim 70, further comprising the processor enabling the administrator or coach to create a question set by naming the question set in accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

72. The method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. The method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (Canceled)

75. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

enabling a user, through a user interface ~~connected to said database~~, to perform at least one of the following: (1) create a league of teams and a cycle of academic

competition amongst the league of teams, (2) search for and select at least one team for participation in an inter-team academic competition, and (3) divide a team into multiple teams for an intra-team academic competition; and

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock at each contestant processing device that displays an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes on the real time scoreboard to at least one of (1) ~~the contestant's~~ an individual score of the individual contestant and (2) a team score of the individual contestant's team on the real time scoreboard; and

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays in real time at least one of (a) ~~the following in real time: individual contestant's score of the individual contestant; and (b) the teams' scores of the competing teams, and the individual contestant's score and teams' scores;~~ and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays in real time at least one of (a) ~~the following in real time: individual contestant's score of the individual contestant; and (b) the team score of the individual contestant's team; and the individual contestant's score and team score of the individual contestant's team.~~

76. The storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. The storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the

display of his/her name and photo on the scoreboard of the competing contestant.

78. The storage device as in claim 75, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (Canceled)

80. (Canceled)

81. The storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and
select a team from a list of teams having a common time availability.

82. The storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and
divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. The storage device as in claim 90, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

84. The storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. The storage device as in claim 84, further comprising instructions for enabling the administrator or coach to create a question set by naming the question set in accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

86. The storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (Canceled)

88. (Currently Amended) A system for on-line academic competition, comprising:

- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
- a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - creating a league of teams through a user interface;
 - creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets; ~~and~~
 - enabling a user, through a user interface connected to said database, to perform at least one of the following: (1) search for and select at least one team for participation in an inter-team academic competition; and (2) divide a team into multiple teams for an intra-team academic competition;
 - presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and
 - providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

89. (Currently Amended) A method for on-line academic competition, comprising:

- enabling using the processing device, the creation of teams of individual contestants for participation in an academic competition;
- creating a league of teams through a user interface;
- creating a cycle of academic competitions amongst the league of teams, through a user interface, where matches between teams are based at least on a selected time period,

frequency of matches, and question sets; ~~and~~

enabling a user, through a user interface ~~connected to said database~~, to perform at least one of the following: (1) search for and select at least one team for participation in an inter-team academic competition; and (2) divide a team into multiple teams for an intra-team academic competition;

presenting, using the processing device, a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

90. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

creating a league of teams through a user interface;

creating a cycle of academic competitions amongst the league of teams, through a user interface, where matches between teams are based at least on a selected time period, frequency of matches, and question sets; ~~and~~

enabling a user, through a user interface ~~connected to said database~~, to perform at least one of the following: (1) search for and select at least one team for participation in an inter-team academic competition; and (2) divide a team into multiple teams for an intra-team academic competition;

presenting, using the processing device, a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard at each contestant processing device that

displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

91. The system as in claim 43 wherein the processor promotes live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

92. The method as in claim 59, further comprising the processing device promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

93. The storage device as in claim 75, further comprising instructions for promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

REMARKS

First, note that both a tracked change version and an un-tracked change version have been included above for the Examiner's ease in reviewing. The tracked change version is based on the claims agreed to by the Applicant and Examiner through email exchange and phone conversation on or around March 5, 2019, as best the Applicant understands that agreement.

The purpose of the proposed Amendments is neither to expand nor detract from the scope already agreed to but to better clarify and present that scope. The primary change consisted of removing from claims 43, 59 and 75:

- 1) ...and the individual contestant's score and teams' scores...
- 2) ...and the individual contestant's score and team score of the individual contestant's team...

Using the "at least one of" construction, it is the Applicant's understanding that these clauses

should not be necessary. To further clarify, the Applicant intends to claim around three scenarios:

1. Only individual score being displayed on the scoreboard;
2. Only team score being displayed on the scoreboard; and
3. Both individual score and team score being displayed on the scoreboard (in live, the team scores for multiple teams; in nonlive, the team score for the individual's team).

A second change involved reversing the paragraph ordering in claims 43, 59, 75, and 88-90. This new organization better reflects the actual process flow of the application.

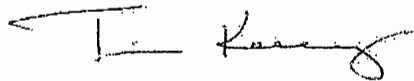
A third change involved adding a more extensive numbering classification system to claims 43, 59, 75, and 88-90 to better compartmentalize and present the various features presented.

A fourth change involved removing "connected to said database" where a database had not been mentioned in the claim.

Minor changes were made to terms like "individual score" and "team score" to more consistently apply them, with slight re-ordering as necessary.

The Applicant trusts that the Examiner will quickly see the merits of these changes, a motion to a more concise, stream-lined presentation of the claims, and asks that said changes be made accordingly. The Applicant apologizes for the imposition on the Examiner's time.

Respectfully submitted,



Timothy J. Kelley

Date: 03/12/2019

RECEIVED
CENTRAL FAX CENTER

MAR 12 2019

REQUEST FOR Amendment after Allowance	<i>Application Number</i>	13/439,305
	<i>Filing Date</i>	April 4, 2012
	<i>First Named Inventor</i>	Timothy J Kelley
	<i>Confirmation Number</i>	
	<i>Group Art Unit</i>	3716
	<i>Examiner Name</i>	Jason Yen
	<i>Attorney Docket Number</i>	Pro Se
	<i>Customer No.</i>	

This is a Request for Amendment after Allowance under 37 C.F.R. § 1.312 of the above-identified application entitled

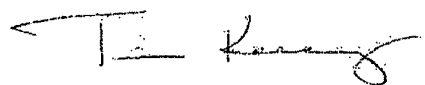
SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

1. Submission required under 37 C.F.R. § 1.312:

☒ Request for Amendment after Allowance is enclosed.

2. Fees

☒ N/A

By: 

Timothy J. Kelley



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

7590 03/08/2019
TIMOTHY KELLEY
6117 N. KIRKWOOD AVENUE
CHICAGO, IL 60646

EXAMINER

YEN, JASON TAHAI

ART UNIT

PAPER NUMBER

3716

DATE MAILED: 03/08/2019

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

TITLE OF INVENTION: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	06/10/2019

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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

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

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

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

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

7590 03/08/2019
TIMOTHY KELLEY
6117 N. KIRKWOOD AVENUE
CHICAGO, IL 60646

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via EFS-Web or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

TITLE OF INVENTION: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$500	\$0.00	\$0.00	\$500	06/10/2019

EXAMINER	ART UNIT	CLASS-SUBCLASS
YEN, JASON TAHAI	3716	463-009000

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

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

1 _____

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

2 _____

3 _____

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

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

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

4a. Fees submitted: ☐ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

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

☐ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____



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.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456
7590 03/08/2019 TIMOTHY KELLEY 6117 N. KIRKWOOD AVENUE CHICAGO, IL 60646			EXAMINER YEN, JASON TAHAI	
			ART UNIT 3716	PAPER NUMBER

DATE MAILED: 03/08/2019

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

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 13/439,305	Applicant(s) Kelley et al.	
	Examiner JASON T YEN	Art Unit 3716	AIA (FITF) Status No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/30/18.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

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

3. ☒ The allowed claim(s) is/are 43-48,51-57,59-64,67-73,75-78,81-86 and 88-93. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to **PPHfeedback@uspto.gov**.

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

Certified copies:
a) ☐ All b) ☐ Some *c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file areply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) 2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____. 3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____. 4. ☒ Interview Summary (PTO-413), Paper No./Mail Date. <u>3/4/19</u> .	5. ☒ Examiner's Amendment/Comment 6. ☒ Examiner's Statement of Reasons for Allowance 7. ☒ Other <u>See Continuation Sheet</u> .
---	---

/JASON T YEN/ Primary Examiner, Art Unit 3716	
--	--

Continuation of Attachment(s) 7. Other: pto-413b, proposed claims amendments, claims amendments

Notice of Pre-AIA or AIA Status

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

DETAILED ACTION

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 in a telephone interview with Mr. Tim Kelley on 3/4/19.

The application has been amended as follows:

Replace Claims 43-48, 51-57, 59-64, 67-73, 75-78, 81-86, 88-93 as indicated below.

43. A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the team and individual contestants;
and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock to each contestant processing device that displays an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to at least one of the contestant's individual score and team score of the individual contestant's team on the real time scoreboard;

enabling a user, through a user interface connected to said database, to perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition; and

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, teams' scores, and the individual contestant's score and teams' scores and (2) non-live, if the teams do not have common time availability,

wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, team score of the individual contestant's team, and the individual contestant's score and team score of the individual contestant's team.

44. The system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. The system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. The system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. The system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. The system as in claim 43, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past

performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

51. The system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

select a team from a list of teams having a common time availability.

52. The system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

divide the original team of individual contestants into two or more opposing

teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. The system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. The system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. The system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in

accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

56. The system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. The system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

59. A method for on-line academic competition, comprising:

enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;

presenting, using a processing device, a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock at each contestant processing device that displays ~~each~~ an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to at least one of the contestant's individual score and team score of the individual contestant's team on the real time scoreboard;

enabling a user, through a user interface connected to said database, to

perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition; and

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, teams' scores, and the individual contestant's score and teams' scores and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, team score of the individual contestant's team, and the individual contestant's score and team score of the individual contestant's team.

60. The method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. The method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. The method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant

as to whether he/she is on pace to finish the test questions in the allocated time frame.

63. The method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. The method as in claim 59, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

67. The method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or a

coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

68. The method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. The method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal

best score and a final team score is determined after all players for both teams have played.

70. The method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. The method as in claim 70, further comprising the processor enabling the administrator or coach to create a question set by naming the question set in accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

72. The method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. The method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

75. A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock at each contestant processing device that displays ~~each~~ an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to at least one of the contestant's individual score and team score of the individual contestant's team on the real time scoreboard;

enabling a user, through a user interface connected to said database, to perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition; and

enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, teams' scores, and the individual contestant's score and teams' scores and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual

contestant's score, team score of the individual contestant's team, and the individual contestant's score and team score of the individual contestant's team.

76. The non-transitory computer readable storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. The non-transitory computer readable storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. The non-transitory computer readable storage device as in claim 75, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

81. The non-transitory computer readable storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

82. The non-transitory computer readable storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing

teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. The non-transitory computer readable storage device as in claim 90, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

- whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched

teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

84. The non-transitory computer readable storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. The non-transitory computer readable storage device as in claim 84, further comprising instructions for enabling the administrator or coach to create a question set by naming the question set in accordance with a list of categories, populating the question set with questions, and storing any created questions in said database in said list of categories.

86. The non-transitory computer readable storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

88. A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and

a processor programmed to interact with the database and with individual

contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

creating a league of teams through a user interface; and

creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets; and

enabling a user, through a user interface connected to said database, to perform at least one of the following: search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition.

89. A method for on-line academic competition, comprising:

enabling using the processing device, the creation of teams of individual contestants for participation in an academic competition;

presenting, using the processing device, a series of test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

creating a league of teams through a user interface; and

creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets; and

enabling a user, through a user interface connected to said database, to perform at least one of the following: search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition.

90. A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of test questions to the contestant processing devices

of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

creating a league of teams through a user interface; and

creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets; and

enabling a user, through a user interface connected to said database, to perform at least one of the following: search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition.

91. The system as in claim 43 wherein the processor promotes live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

92. The method as in claim 59, further comprising the processing device promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3)

facilitating live matches between teams with common time availability.

93. The storage device as in claim 75, further comprising instructions for promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

3. The following is an examiner's statement of reasons for allowance: The specific limitations of (with respect to Claims 43, 59, 75) "enabling a user, through a user interface connected to said database, to perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition; and enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, teams' scores, and the individual contestant's score and teams' scores and (2) non-live, if the teams do not have common time availability, wherein the real time scoreboard displays at least one of the following in real time: individual contestant's score, team score of the individual contestant's team, and the individual contestant's score and team score of the individual contestant's team", (with respect to Claims 88, 89, 90) "providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress

with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard; creating a league of teams through a user interface; and creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets; and enabling a user, through a user interface connected to said database, to perform at least one of the following: search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition", in combination with the remainder of the respective claims are not anticipated or made obvious over the prior art of record in the Examiner's opinion.

Online academic competition is well known in the art. For instance, Lavanchy et al. (6758754) in view of Panetta (20090104591) and Pavlich et al. (2011/0165946) teaches online academic competition. However, Lavanchy in view of Panetta and Pavlich is silent on "enabling a user, through a user interface connected to said database, to perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition; and enabling teams of individual contestants to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, at least one of (1) live, if the teams have common time availability,

wherein the real time scoreboard displays at least one of the following in real time:
individual contestant's score, teams' scores, and the individual contestant's score and
teams' scores and (2) non-live, if the teams do not have common time availability,
wherein the real time scoreboard displays at least one of the following in real time:
individual contestant's score, team score of the individual contestant's team, and the
individual contestant's score and team score of the individual contestant's team", (with
respect to Claims 88, 89, 90) "providing a real time scoreboard at each contestant
processing device that displays each individual contestant's progress with respect to
both the time frame for answering questions and questions answered correctly while
answering the series of questions during an academic competition, where each
correctly answered question contributes to the contestant's individual score on the real
time scoreboard; creating a league of teams through a user interface; and creating a
cycle of academic competitions amongst the league of teams through a user interface
where matches between teams are based at least on a selected time period, frequency
of matches, and question sets; and enabling a user, through a user interface connected
to said database, to perform at least one of the following: search for and select at least
one team for participation in an inter-team academic competition, and divide a team into
multiple teams for an intra-team academic competition".

As a result, in the Examiner's opinion, the present invention is not anticipated or
made obvious over the prior art.

Any comments considered necessary by applicant must be submitted no later
than the payment of the issue fee and, to avoid processing delays, should preferably

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

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON TAHAI YEN whose telephone number is (571)270-1777. The examiner can normally be reached on Mon - Fri 7am- 3pm PST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. 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.

/JASON T YEN/
Primary Examiner, Art Unit 3716

Notice of References Cited	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.	
	Examiner JASON T YEN	Art Unit 3716	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20110165946-A1	07-2011	Pavlich; Charles F.	G07F17/32	463/42
	B					
	C					
	D					
	E					
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3716

CPC						
Symbol					Type	Version
G09B	/	7	/	02	F	2013-01-01
A63F	/	13	/	798	I	2014-09-02
A63F	/	13	/	795	I	2014-09-02
G09B	/	5	/	00	I	2013-01-01
G09B	/	5	/	125	I	2013-01-01
A63F	/	13	/	46	I	2014-09-02
G07F	/	17	/	3276	I	2013-01-01
G09B	/	7	/	06	I	2013-01-01
G06Q	/	10	/	101	I	2013-01-01

CPC Combination Sets							
Symbol				Type	Set	Ranking	Version
	/		/				

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	42	
/JASON T YEN/ Primary Examiner, Art Unit 3716		04 March 2019	
(Primary Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
		1	9, 14

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3716

INTERNATIONAL CLASSIFICATION			
CLAIMED			
G09B		7	
			02
NON-CLAIMED			
			

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS

CROSS REFERENCES(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	42	
JASON T YEN/ Primary Examiner, Art Unit 3716	04 March 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	9, 14

Issue Classification 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3716

☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47															
CLAIMS															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	43	10	54	19	63	28	92	37	85						
2	44	11	55	20	64	29	75	38	86						
3	45	12	56	21	67	30	76	39	93						
4	46	13	57	22	68	31	77	40	88						
5	47	14	91	23	69	32	78	41	89						
6	48	15	59	24	70	33	81	42	90						
7	51	16	60	25	71	34	82								
8	52	17	61	26	72	35	83								
9	53	18	62	27	73	36	84								

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 42	
/JASON T YEN/ Primary Examiner, Art Unit 3716 (Primary Examiner) _____ (Date) _____		04 March 2019 (Date)	O.G. Print Claim(s) 1 O.G. Print Figure 9, 14

<i>Search Notes</i> 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3716

CPC - Searched*		
Symbol	Date	Examiner
A63F 13/12, 46, 795, 798, 8064 (TEXT COMBINED).	03/04/2019	JY
G09B 5/125, 7/02, 06 (TEXT COMBINED).	03/04/2019	JY
G07F 17/3276 (TEXT COMBINED).	03/04/2019	JY

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
434	322, 350, 352, 362 (combined with text search).	8/13/14	jy
463	9, 29, 42 (combined with text search).	8/13/14	jy
705	7.18 (combined with text search).	8/13/14	jy
707	803 (combined with text search).	8/13/14	jy
715	206 (combined with text search).	8/13/14	jy
725	59 (combined with text search).	8/13/14	jy

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

Search Notes		
Search Notes	Date	Examiner
inventor search, east.	1/9/13	jy
search history, east.	03/04/2019	jy
internet search, ref cited.	1/9/13	jy

/JASON T YEN/ Primary Examiner, Art Unit 3716	
--	--

<i>Search Notes</i> 	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination Kelley et al.
	Examiner JASON T YEN	Art Unit 3716

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
G09B	7/02	03/04/2019	JY

/JASON T YEN/ Primary Examiner, Art Unit 3716	
--	--

Bibliographic Data

Application No: 13/439,305

Foreign Priority claimed: ☐ Yes ☒ No

35 USC 119 (a-d) conditions met: ☐ Yes ☒ No ☐ Met After Allowance

Verified and Acknowledged:

/JASON YEN/

Examiner's Signature

Initials

Title:

SYSTEM AND METHOD FOR ON-LINE ACADEMIC
COMPETITION

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
04/04/2012	463	3716	4933.001US1
RULE			

APPLICANTS

INVENTORS

Timothy J. Kelley Chicago, IL, UNITED STATES

Michael J. Perrone Chicago, IL, UNITED STATES

Joseph T. Napoli Chicago, IL, UNITED STATES

Innokenty Y. Mihailov Kiev, UKRAINE

CONTINUING DATA

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

04/19/2012

**** SMALL ENTITY ****

STATE OR COUNTRY

UNITED STATES

ADDRESS

Timothy Kelley

6117 N. Kirkwood Avenue

Chicago, IL 60646

UNITED STATES

FILING FEE RECEIVED

\$1,190

From: [Tim Kelley](#)
To: [Yen, Jason](#)
Subject: 13/439,305
Date: Monday, March 4, 2019 2:26:21 PM

Hi again Examiner Yen,

Here are your revisions:

43/59/75

enabling a user, through a user interface connected to said database, to perform at least one of the following: create a league of teams and a cycle of academic competition amongst the league of teams, search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition.

88-90:

(and) enabling a user, through a user interface connected to said database, to perform at least one of the following: search for and select at least one team for participation in an inter-team academic competition, and divide a team into multiple teams for an intra-team academic competition.

In the second paragraph, I have a comma between “academic competition” and “and divide”. I assume that is the proper inclusion but please delete if not.

Thank you,

Tim

Sent from my iPhone

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L7	22632351	@ad< = "20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 19:06
L8	9787	7 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F2300/8064 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 19:06
L9	119	8 and (realtime real near2 time) near5 (scoreboard score)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 19:06
L10	4	8 and team near20 (realtime real near2 time) near5 (scoreboard score)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 19:07
S5	79	((TIMOTHY) near2 (KELLEY)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S6	51	((MICHAEL) near2 (PERRONE)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S7	45	((JOSEPH) near2 (NAPOLI)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S8	1	(S5 S6 S7) and academic with competition	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:12
S9	1	((INNOKENTY) near2 (MIHAILOV)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S10	22145597	@ad< = "20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:13
S11	136	S10 and (online internet virtual network\$3 on near line) near20 (school academic collegiate college scholastic) near20 (contest competition tournament challenge match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:51
S12	21	S10 and (online internet virtual network\$3 on near line) near20 (school academic	US-PGPUB;	OR	ON	2014/01/08 09:53

		collegiate college scholastic education\$2) near20 (contest competition tournament challenge match) same (coach teacher mentor instructor)	USPAT; EPO; JPO			
S13	372	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S14	68	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (select\$3 choos\$3 form\$3) near10 (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S15	55475	S10 and ("463"/\$.ccls. "434"/\$.ccls.)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:35
S16	194	S15 and (educational academic) near10 (competition contest tournament match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:36
S17	11	S15 and (educational academic) near10 (competition contest tournament match) same team	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:36
S18	28	("2562179" "2654163" "3763577" "4079365").PN. OR ("4767335").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:01
S19	22145597	@ad< = "20120404"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S20	55475	S19 and ("463"/\$.ccls. "434"/\$.ccls.)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S21	5	S20 and (live real near time) near10 (educational academic) near10 (competition contest tournament match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S22	27	("4768087" "4793813" "5273437" "5303042" "5437555").PN. OR ("6086381").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:13
S23	3	S22 and (competition contest tournament)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:18
S25	34	S20 and (online network\$3 internet on near line) near10 (knowledge question quiz) near10 (competition contest	US- PGPUB; USPAT;	OR	ON	2014/01/08 12:21

		tournament match)	EPO; JPO			
S27	150	S20 and (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S28	14	S20 and (trivia knowledge academic education\$3 scholastic) same (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S29	83	("4572509" "4592546" "4877408" "5114155" "5359510" "5462275" "5586257" "5586937" "5593349" "5637844" "5679075" "5695400" "5697844" "5730654" "5748731" "5759101" "5779549" "5796952" "5813006" "5823879" "5846132" "5855516" "5890906" "5890963" "5894556" "5917725" "5941774" "5947747" "6009458" "6023729" "6080063" "6082887" "6102797" "6126547" "6292780" "RE37957").PN. OR ("6758754").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/01/08 13:06
S30	3	S29 and (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 13:07
S31	4	S20 and (trivia knowledge academic education\$3 scholastic) same (interactive) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 13:24
S32	22145597	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S33	112	S32 and (poker card) near10 (tournament competition contest) with team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S34	7	S32 and (poker card) near10 (tournament competition contest) with team same coach	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:57
S35	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13
S36	16	S32 and (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13

S37	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:14
S38	20	S32 and (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:15
S39	3	((("5035625") or ("5695400") or ("20070231780"))).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/01/08 20:35
S40	22146841	@ad< = "20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07
S41	110	S40 and upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07
S42	0	S40 and (contest competition) same upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:08
S43	11	S40 and player near20 upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:08
S44	3	S40 and (contest competition) same introduc\$5 near10 (coach instructor teacher)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:16
S45	5	S40 and (contest competition) same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:19
S46	20	S40 and sports same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
S47	0	S40 and sports same display\$3 with coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
S48	2	S40 and pre near game near10 introduc\$7	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:27

S49	3	S40 and display near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:37
S50	114	S40 and coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
S51	10	S40 and game same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
S52	6	S40 and (click select) near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:03
S53	1922	S40 and (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S54	74	S40 and game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S55	3	S40 and tournament same game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S56	5	S40 and tournament same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:31
S57	8	((("20070293322") or ("20090149234") or ("5762503") or ("20080091692") or ("20110099210") or ("20070156267") or ("20080010106") or ("20090099924")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/03/19 12:36
S58	22335499	@ad< = "20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:14
S59	404	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:15
S60	1	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17

		individual) near20 team same statistic				
S61	207	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S62	22	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic and team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S63	2	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic and team and scoreboard	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:18
S64	174	S58 and (virtual online network\$2 interactive internet) with (academic\$3 scholastic education\$3) near10 (competition contest compet\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:48
S65	12	S64 AND ((G07F17/3276 OR G07F17/3295 OR A63F9/18 OR G09B7/00 OR G09B7/02).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 17:07
S66	22626655	@ad< = "20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 09:56
S67	4530	S66 and (G09B7/02 or A63F13/798 or A63F13/80 or G06Q10/101 or G09B7/06).cpc.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 09:56
S68	17	S67 and (academic school mathematic) near5 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 09:57
S69	9745	S66 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F2300/8064 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:05
S70	11	S67 and (academic school mathematic education\$2) same team near10 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:06
S71	17	S69 and (academic school mathematic education\$2) same team near10 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:06

S72	6521	S66 and (A63F13/798 or A63F13/80 OR A63F2300/8023 OR A63F13/847 OR A63F2300/5566 OR G09B5/00 or G09B7/02 or G09B7/06 or G06Q10/101).cpc.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:32
S74	12869	S66 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F13/80 OR A63F2300/8064 OR A63F13/847 OR A63F2300/5566 OR A63F2300/8023 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276 OR G09B5/00 OR G06Q10/101).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:35
S75	25	S74 and (academic school mathematic education\$2) same team near10 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:35
S76	2	((("5035625") or ("5695400")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2018/06/26 10:55
S77	22626655	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:19
S78	9745	S77 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F2300/8064 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:20
S79	642	S78 AND (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:20
S80	6	S78 AND real near2 time near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:20
S81	146	S77 AND real near2 time near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:22
S82	30734	S77 AND ((A63F13/\$ OR A63F2300/\$ G09B7/\$ G09B5/\$).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:23
S83	18	S82 AND real near2 time near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:23
S84	69	S82 AND team near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT;	OR	ON	2018/06/26 14:26

			EPO; JPO			
S85	7	S82 AND team near10 (scoreboard score near2 (board display)) same question	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:27
S86	22632351	@ad< = "20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 18:51
S87	9787	S86 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F2300/8064 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 18:52
S88	172	S87 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 18:55
S89	36	S87 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 18:55
S90	26	S87 and (school academic collegiate college scholastic education\$2) near5 (contest competition challenge match) same team and (scoreboard score)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2019/03/04 18:58

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L11	24	(academic same competition).clm.	US-PGPUB; USPAT	OR	ON	2019/03/04 19:11
L12	1	(academic same competition same team).clm.	US-PGPUB; USPAT	OR	ON	2019/03/04 19:12
L13	1	(academic same competition same individual).clm.	US-PGPUB; USPAT	OR	ON	2019/03/04 19:12
L14	1	(academic same competition same scoreboard).clm.	US-PGPUB; USPAT	OR	ON	2019/03/04 19:12

3/ 4/ 2019 7:12:38 PM**C:\Users\jyen\Documents\EAST\Workspaces\13439305.wsp**

1 – 42. (Canceled)

43. (Currently Amended) A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the team and individual contestants; and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of ~~predetermined~~ test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock to each contestant processing device that displays ~~each~~ an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to at least one of the contestant's individual score and ~~may contribute or to~~ team score of the individual contestant's team on the real time scoreboard;

enabling, through a user interface, at least one of the creation of a league of teams and a cycle of academic competitions amongst the league of teams, the search for and selection of at least one team for participation in an inter-team academic competition, and the division of a team into multiple teams for participation in an intra-team academic competition; and

enabling teams of ~~two or more~~ individual contestants ~~each~~ to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, ~~either~~ at least one of (1) live, if the teams have common time availability, ~~in which case individual contestants from opposing teams may be matched against each other; wherein~~ the real time scoreboard displays ing at least one of the following in real time: individual contestant's score, teams' scores, or both, and the individual contestant's score and

teams' scores ~~being updated in real time, or~~ and (2) non-live, if the teams do not have common time availability, ~~in which case individual contestants may be matched against a personal best score, wherein~~ the real time scoreboard displaying at least one of the following in real time: individual contestant's score, team score of the individual contestant's team, ~~or both, and~~ the individual contestant's score and team scores ~~being of the individual contestant's team. updated in real time and a final score between teams being determined after all teams have played at their respective preferred times; and~~
promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability

44. (Currently Amended) [[A]] The system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. (Currently Amended) [[A]] The system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. (Currently Amended) [[A]] The system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. (Currently Amended) [[A]] The system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a ~~predetermined~~ number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. (Currently Amended) [[A]] The system as in claim ~~43~~ 88, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (Canceled)

50. (Canceled)

51. (Currently Amended) [[A]] The system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and
select a team from a list of teams having a common time availability.

52. (Currently Amended) [[A]] The system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and
divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. (Currently Amended) [[A]] The system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. (Currently Amended) [[A]] The system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. (Currently Amended) [[A]] The system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a ~~predetermined~~ list of categories, populating the question set with questions, and storing any created questions in said database in said ~~predetermined~~ list of categories.

56. (Currently Amended) [[A]] The system as in claim 43, wherein a contestant

processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. (Currently Amended) [[A]] The system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (Canceled)

59. (Currently Amended) A method for on-line academic competition, comprising:
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;
presenting, using a processing device, a series of ~~predetermined~~ test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
providing a real time scoreboard with time clock at each contestant processing device that displays ~~each~~ an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to at least one of the contestant's individual score and ~~may contribute or to~~ team score of the individual contestant's team on the real time scoreboard;
enabling, through a user interface, at least one of the creation of a league of teams and a cycle of academic competitions amongst the league of teams, the search for and selection of at least one team for participation in an inter-team academic competition, and the division of a team into multiple teams for participation in an intra-team academic competition; and
enabling teams of ~~two or more~~ individual contestants ~~each~~ to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, ~~either~~ at least one of

(1) live, if the teams have common time availability, ~~in which case individual contestants from opposing teams may be matched against each other, wherein~~ the real time scoreboard displaying at least one of the following in real time: individual contestant's score, teams' scores, or both, and the individual contestant's score and teams' scores being updated in real time, or and (2) non-live, if the teams do not have common time availability, ~~in which case individual contestants may be matched against a personal best score, wherein~~ the real time scoreboard displaying at least one of the following in real time: individual contestant's score, team score of the individual contestant's team, or both, and the individual contestant's score and team scores being of the individual contestant's team. updated in real time and a final score between teams being determined after all teams have played at their respective preferred times; and

~~promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability~~

60. (Currently Amended) [[A]] The method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. (Currently Amended) [[A]] The method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. (Currently Amended) [[A]] The method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

63. (Currently Amended) [[A]] The method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a

number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a ~~predetermined~~ number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. (Currently Amended) [[A]] The method as in claim ~~59~~ 89, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

- limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

- leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
- setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

- allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (Canceled)

66. (Canceled)

67. (Currently Amended) [[A]] The method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

68. (Currently Amended) [[A]] The method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. (Currently Amended) [[A]] The method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

70. (Currently Amended) [[A]] The method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. (Currently Amended) [[A]] The method as in claim 70, further comprising ~~wherein~~ the processor ~~enables~~ enabling the administrator or coach to create a question set by naming the question set in accordance with a ~~predetermined~~ list of categories,

populating the question set with questions, and storing any created questions in said database in said ~~predetermined~~ list of categories.

72. (Currently Amended) [[A]] The method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. (Currently Amended) [[A]] The method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (Canceled)

75. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of ~~predetermined~~ test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard with time clock at each contestant processing device that displays ~~each~~ an individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to at least one of the contestant's individual score and ~~may contribute or to~~ team score of the individual contestant's team on the real time scoreboard;

enabling, through a user interface, at least one of the creation of a league of teams and a cycle of academic competitions amongst the league of teams, the search for and selection of at least one team for participation in an inter-team academic

competition, and the division of a team into multiple teams for participation in an intra-team academic competition; and

enabling teams of ~~two or more~~ individual contestants ~~each~~ to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, ~~either~~ at least one of (1) live, if the teams have common time availability, ~~in which case individual contestants from opposing teams may be matched against each other, wherein~~ the real time scoreboard displaying at least one of the following in real time: individual contestant's score, teams' scores, ~~or both,~~ and the individual contestant's score and teams' scores ~~being updated in real time, or~~ and (2) non-live, if the teams do not have common time availability, ~~in which case individual contestants may be matched against a personal best score, wherein~~ the real time scoreboard displaying at least one of the following in real time: individual contestant's score, team score of the individual contestant's team, ~~or both,~~ and the individual contestant's score and team scores ~~being of the individual contestant's team, updated in real time and a final score between teams being determined after all teams have played at their respective preferred times; and~~ promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

76. (Currently Amended) [[A]] The storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. (Currently Amended) [[A]] The storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. (Currently Amended) [[A]] The storage device as in claim ~~75~~ 90, further comprising instructions for evenly matching individual contestants from opposing teams

1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (Canceled)

80. (Canceled)

81. (Currently Amended) [[A]] The storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

select a team from a list of teams having a common time availability.

82. (Currently Amended) [[A]] The storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling

each opposing team with members from the original team of individual contestants.

83. (Currently Amended) [[A]] The storage device as in claim 90, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

84. (Currently Amended) [[A]] The storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. (Currently Amended) [[A]] The storage device as in claim 84, further comprising ~~wherein the instructions enable~~ for enabling the administrator or coach to create a question set by naming the question set in accordance with a ~~predetermined~~ list of categories, populating the question set with questions, and storing any created questions in said database in said ~~predetermined~~ list of categories.

86. (Currently Amended) [[A]] The storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (Canceled)

88. (Currently Amended) A system for on-line academic competition, comprising:
a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
enabling the creation of teams of individual contestants for participation in an academic competition;
presenting a series of ~~predetermined~~ test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;
creating a league of teams through a user interface; and
creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets.

89. (Currently Amended) A method for on-line academic competition, comprising:
enabling using the processing device, the creation of teams of individual contestants for participation in an academic competition;
presenting, using the processing device, a series of ~~predetermined~~ test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question

contributes to the contestant's individual score on the real time scoreboard;
creating a league of teams through a user interface; and
creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets.

90. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of ~~predetermined~~ test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;

providing a real time scoreboard at each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

creating a league of teams through a user interface; and

creating a cycle of academic competitions amongst the league of teams through a user interface where matches between teams are based at least on a selected time period, frequency of matches, and question sets.

91. (New) The system as in claim 43 wherein the processor promotes live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

92. (New) The method as in claim 59, further comprising the processing device promoting live competition between teams by (1) allowing teams to input their day/time

availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

93. (New) The storage device as in claim 75, further comprising instructions for promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 13/439,305		Filing Date 04/04/2012		☐ To be Mailed		
ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO										
APPLICATION AS FILED - PART I										
		(Column 1)		(Column 2)						
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)		
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A		N/A		N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A		N/A		N/A				
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 = *				x \$30 =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 = *				x \$ 125 =				
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.						TOTAL				
APPLICATION AS AMENDED - PART II										
		(Column 1)		(Column 2)		(Column 3)				
AMENDMENT	03/07/2019		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))		* 42	Minus	** 45	= 0			x \$ 50 =	0
	Independent (37 CFR 1.16(h))		* 6	Minus	*** 6	= 0			x \$ 230 =	0
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
								TOTAL ADD'L FEE		0
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))		*	Minus	**	=			x \$ 0 =	
	Independent (37 CFR 1.16(h))		*	Minus	***	=			x \$ 0 =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
								TOTAL ADD'L FEE		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.								LIE		
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".								/DAWN BREWER/		
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".										
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

7590 03/04/2019
Timothy Kelley
6117 N. Kirkwood Avenue
Chicago, IL 60646

EXAMINER

YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
3716	

MAIL DATE	DELIVERY MODE
03/04/2019	PAPER

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

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

<i>Examiner-Initiated Interview Summary</i>	Application No. 13/439,305	Applicant(s) Kelley et al.	
	Examiner JASON T YEN	Art Unit 3716	AIA (FITF) Status No

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

(1) JASON TAHAI. YEN. (3) ____.

(2) Timothy Kelly. (4) ____.

Date of Interview: 01 March 2019.

Type: ☒ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☒ No.
If Yes, brief description: ____.

Issues Discussed ☒ 101 ☐ 112 ☐ 102 ☐ 103 ☐ Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 43-57,59-73,75-86 and 88-90.

Identification of prior art discussed: n/a.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner initiated an interview with Applicant to discuss claims amendments, specifically, incorporating claim 49 or 50 into all independent claims. Applicant agreed to consider Examiner's proposed claims amendments. Therefore, Examiner will now wait for Applicant's timely filed response and amendments for further prosecution on the merit..

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/JASON T YEN/ Primary Examiner, Art Unit 3716	
--	--



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1

CONFIRMATION NO. 8456

POWER OF ATTORNEY NOTICE

21186
SCHWEGMAN LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402



Date Mailed: 01/11/2019

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/21/2018.

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

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

/mtekleimichael/



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1

Timothy Kelley
6117 N. Kirkwood Avenue
Chicago, IL 60646

CONFIRMATION NO. 8456
POA ACCEPTANCE LETTER



Date Mailed: 01/11/2019

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/21/2018.

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

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

/mtklemichael/

RECEIVED
CENTRAL FAX CENTER

NOV 30 2018

S/N 13/439,305

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Timothy J Kelley et al.

Examiner: Jason Yen

Serial No.: 13/439,305

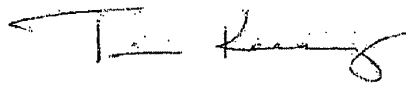
Group Art Unit: 3716

Filed: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

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

In response to the non-final Office Action dated July 3, 2018, the undersigned respectfully submits a Reply.



Timothy J. Kelley

REPLY TO A NON-FINAL OFFICE ACTION

Page 3

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

IN THE CLAIMS

Please amend the Claims as follows (based on April 26, 2018 submission):

I - 42. (Canceled)

43. (Currently Amended) A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the team and individual contestants; and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; ~~and~~

providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score and may contribute to team score on the real time scoreboard; ~~and~~

enabling teams of two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if the teams have share a common preferred time availability, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, ~~or a team scores, or both, determined by taking a running average or sum of a predetermined number N of top individual contestant scores from the respective teams to generate scores for the respective teams~~, the individual and team scores being updated in real time, or (2) non-live, if the

REPLY TO A NON-FINAL OFFICE ACTION

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 4

teams do not have share a common ~~preferred~~ time availability, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score, ~~or~~ team score of the individual contestant's team, or both, the individual and team scores being updated in real time and a final score between teams being determined after all teams have played at their respective preferred times; and

promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

44. (Previously Presented) A system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. (Previously Presented) A system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. (Previously Presented) A system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. (Previously Presented) A system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. (Previously Presented) A system as in claim 88, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance,

REPLY TO A NON-FINAL OFFICE ACTION

Page 5

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

50. (Previously Presented) A system as in claim 49, wherein the processor enables a team to search for and then challenge another team to an academic competition and enables said team to be divided into multiple teams for an intra-team academic competition.

51. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

select a team from a list of teams having a common time availability.

REPLY TO A NON-FINAL OFFICE ACTION

Page 6

SerialNumber: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

52. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. (Previously Presented) A system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. (Previously Presented) A system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

REPLY TO A NON-FINAL OFFICE ACTION

Page 7

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

55. (Previously Presented) A system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

56. (Previously Presented) A system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. (Previously Presented) A system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (Canceled)

59. (Currently Amended) A method for on-line academic competition, comprising:
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;
presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;
providing at each contestant processing device a real time scoreboard that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score and may contribute to team score on the real time scoreboard; ~~and~~
enabling teams of two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item

REPLY TO A NON-FINAL OFFICE ACTION

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 8

presentation area and the real time scoreboard with time clock, either (1) live, if the teams have share a common preferred time availability, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, ~~or a team scores, or both, determined by taking a running average or sum of a predetermined number N of top individual contestant scores from the respective teams to generate scores for the respective teams~~, the individual and team scores being updated in real time, or (2) non-live, if the teams do not have share a common preferred time availability, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score, ~~or team score of the individual contestant's team, or both, the individual and team scores~~ being updated in real time and a final score between teams being determined after all teams have played at their respective preferred times; and

promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.

60. (Previously Presented) A method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. (Previously Presented) A method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. (Previously Presented) A method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

REPLY TO A NON-FINAL OFFICE ACTION

Page 9

SerialNumber:13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

63. (Previously Presented) A method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. (Previously Presented) A method as in claim 89, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

- limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

- leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

- setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

- allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (Previously Presented) A method as in claim 59, further comprising the processor enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

66. (Previously Presented) A method as in claim 65, further comprising the processor enabling a team to search for and then challenge another team to an academic competition and enabling said team to be divided into multiple teams for an intra-team academic competition.

REPLY TO A NON-FINAL OFFICE ACTION

Page 10

SerialNumber: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

67. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

68. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. (Previously Presented) A method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
- whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and
- whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

REPLY TO A NON-FINAL OFFICE ACTION

Page 11

SerialNumber:13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

70. (Previously Presented) A method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. (Previously Presented) A method as in claim 70, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

72. (Previously Presented) A method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. (Previously Presented) A method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (Canceled)

75. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic

REPLY TO A NON-FINAL OFFICE ACTION

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 12

competition;

providing at each contestant processing device a real time scoreboard that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score and may contribute to team score on the real time scoreboard; ~~and~~

enabling teams of two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, ~~if the teams share a common preferred time~~, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, ~~or a team scores~~, or both, ~~determined by taking a running average or sum of a predetermined number N of top individual contestant scores from the respective teams to generate scores for the respective teams~~, the individual and team scores being updated in real time, or (2) non-live, if the teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score, ~~or team score~~ of the individual contestant's team, or both, the individual and team scores being updated in real time and a final score between teams being determined after all teams have played at their respective preferred times; and

promoting live competition between teams by (1) allowing teams to input their own day/time availability, (2) comparing such availability across teams and (3) facilitating live matches between teams with common time availability.

76. (Previously Presented) A storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

REPLY TO A NON-FINAL OFFICE ACTION

SerialNumber:13/439,305

Filing Date: April 4, 2012

Page 13

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

77. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. (Previously Presented) A storage device as in claim 90, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

80. (Previously Presented) A storage device as in claim 79, further comprising instructions for enabling a team to search for and then challenge another team to an academic competition and for enabling said team to be divided into multiple teams for an intra- team academic competition.

REPLY TO A NON-FINAL OFFICE ACTION

Page 14

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

81. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

82. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. (Previously Presented) A storage device as in claim 90, further comprising instructions for creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
- whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and
- whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

REPLY TO A NON-FINAL OFFICE ACTION

Page 15

SerialNumber:13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

84. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. (Previously Presented) A storage device as in claim 84, wherein the instructions enable the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

86. (Previously Presented) A storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (Canceled)

88. (Previously Presented) A system for on-line academic competition, comprising:

- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
- a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
 - providing a real time scoreboard to each contestant processing device that

REPLY TO A NON-FINAL OFFICE ACTION

SerialNumber:13/439,305

Filing Date: April 4, 202

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 16

displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

creating a league of teams; and

creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets.

89. (Previously Presented) A method for on-line academic competition, comprising:

enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;

presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

providing at each contestant processing device a real time scoreboard that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

creating a league of teams; and

creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets.

90. (Previously Presented) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

REPLY TO A NON-FINAL OFFICE ACTION

Page 17

SerialNumber: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

providing at each contestant processing device a real time scoreboard that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

creating a league of teams; and

creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets.

REPLY TO A NON-FINAL OFFICE ACTION

SerialNumber:13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 18

REMARKS

This responds to the non-final Office Action dated July 3, 2018 and specifically to the contents of a call between the Examiner and Timothy Kelley on September 4th. During that call, the Examiner directed Kelley to develop in greater detail the technical inventiveness of the concept and noted in particular that greater clarification as to how the system facilitates live matches between teams, as traceable to the Description section of the patent application, could assist in overcoming the 101 objections, with an allowance resulting.

New language has been added to the end of Claims 43, 59, and 75 to so clarify: “[A system (method, etc.) for on-line academic competition comprising . . . a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of . . .] *promoting live competition between teams by (1) allowing teams to input their day/time availability, (2) comparing such time availability across teams and (3) facilitating live matches between teams with common time availability.*”

To find support for this additional paragraph more generally in the Description, see section 0134 where it reads, “Competition is always live where possible.” To find support for clause (1), see section 0220 where it reads, “Figure 49 illustrates a page presented when the 'Start time' and 'Day of week' fields are filled in and saved by clicking 'Save.’” See also section 0251 where it reads, “The Coach may enter multiple periods when his/her team is available to compete in the 'Team Availability' area by filling out the required fields and clicking the 'Add' button.” To find support for clause (2), see section 0236 where it reads, “First, it identifies . . . those teams . . . that have the *same* (emphasis added) 'Start time'/'Day of week' entries.” See also section 0251 where it reads, “Later, when a Coach is attempting to schedule a 'Pick-Up Play' match for his/her team and is searching for a team to compete against, the system *automatically* (emphasis added) searches . . . teams . . . that have common availability.” To find support for clause (3), see section 0163 where it reads, “. . . the logic is simple, namely, to create live pairs based on the units' preferred time (step 1402), create live competitions for live pairs (step 1404), and create non-live competitions for unpaired units (step 1406).” That is, the system attempts to arrange live matches where

REPLY TO A NON-FINAL OFFICE ACTION

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 19

possible, as the preferred course, but then arranges non-live matches as an alternative. See also section 0164 where it reads, "If two teams . . . share a common time for competing . . . the processor *automatically* (emphasis added) creates live competition between them." See also section 178 where it reads, ". . . the system *automatically* (emphasis added) facilitates live competition between opponent teams . . . who have common Preferred League Play times."

The essence of this entire patent application, and the product itself, can be reduced to 4 words: live, online academic competition. The first of these is the most critical: *live*. Prior to this submission, the claims set forth how the system makes possible competition between teams, from the creation of a teacher account, to the creation of a team construct, to the filling of that team construct with students, to the creation of matches for that team either by the teacher or the administrator. Applicants respectfully reiterate that those claims as written were in condition for allowance. Nonetheless, the additional clause proposed here takes the process one step further, entirely traceable to the Description section. Not only does the system make possible live matches between teams (non-live if teams do not share common time availability), the system is inventively built to increase the number of live matches that take place, that is, to uncover the possibility where teams can play live and then actualize that potential. The pedagogical rationale would be that a live match between teams is more engaging to a student than a non-live match (a non-live match still being better than no match at all). If more engaging, then the greater the effort the student will make, and therefore, the deeper the expected learning.

In anticipation of revised new guidance, expected by the end of 2018, it may be useful here to include reference to what may be decided upon then. In his address to the Intellectual Property Owners Association 46th Annual Meeting on September 24, 2018, Director Iancu remarked: "For example, in *Le Roy v. Tatham*, the court said in 1853 that 'a new property discovered in matter, when practically applied in the construction of a useful article of commerce or manufacture, is patentable.' Then 128 years later, in *Diamond v. Diehr*, the court repeated that 'an application of a law of nature or mathematical formula to a known structure or process may well be deserving of patent protection.' And recently, in

REPLY TO A NON-FINAL OFFICE ACTION

SerialNumber: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 20

Mayo, the court explained that ‘applications of such concepts to a new and useful end ... remain eligible for patent protection.’ And so, if the claim integrates the exception into a practical application, then the claim is not ‘directed to’ the prohibited matter. In such cases, the claim passes 101 and the eligibility analysis would conclude.”

In his address at the 10th Annual Patent Law & Policy Conference on November 26, 2018, Director Iancu outlined: "After detailed studies of all relevant cases, and based on our extensive experience at the USPTO, it appears to us that “abstract ideas” can be synthesized to fall into the following three categories:

1. Mathematical concepts like mathematical relationships, formulas, and calculations.
2. Certain methods of organizing human interactions, such as fundamental economic practices; commercial and legal interactions; managing relationships or interactions between people; and advertising, marketing, and sales activities.
3. Mental processes, which are concepts performed in the human mind, such as forming an observation, evaluation, judgment, or opinion."

It is unclear whether live, online academic competition would fall into one of these 3 categories, almost certainly not 1 or 3. The competition concept in its real world application does involve the management of interactions between people, strictly speaking, but certainly a more narrow definition/categorization is contemplated for category 2 or the exception would again swallow the rule/statute, the exact scenario Director Iancu is trying to avoid. After all, most software involves managing interactions between people to some degree. Nonetheless, even if live, online academic competition were an abstract idea falling into one of these categories, given the product that has been built, the real world effects it has had on student learning and peer relationships, it would be difficult to argue that this abstract idea has not been applied to a new and useful end. Moreover, and as Director Iancu further remarked, "a practical application of otherwise excluded matter is not directed to that matter because, among other things, it does not substantially preempt the excluded subject matter itself. Such patents arguably only cover the particular applications claimed." Indeed, the claims listed above in their wording do not and cannot preempt all live, online academic competition possibilities, the entire domain. They only pertain to one precise manifestation among an infinite number of online competition constructs presently being developed or yet to be imagined.

REPLY TO A NON-FINAL OFFICE ACTION

Page 21

SerialNumber:13/439,305

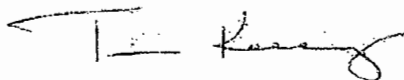
Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

CONCLUSION

Applicants respectfully submit that claims 43-57, 59-73, 75-86, and 88-90 are in condition for allowance and notification to that effect is requested. The Examiner is invited to telephone Applicant at (312) 952-0436 to facilitate prosecution of this application.

Respectfully submitted,



Timothy J. Kelley

Date: 11/29/2018

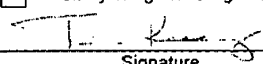
NOV 30 2018

PTO/AIA/22 (03-13)

Approved for use through 11/30/2020. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)																														
Application Number 13/439,305	Filed 4/4/2012																															
For SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION																																
Art Unit 3716	Examiner Jason Yen																															
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;"><u>Fee</u></th> <th style="text-align: center;"><u>Small Entity Fee</u></th> <th style="text-align: center;"><u>Micro Entity Fee</u></th> <th style="text-align: center;"></th> </tr> </thead> <tbody> <tr> <td>☐ One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$200</td> <td style="text-align: center;">\$100</td> <td style="text-align: center;">\$50</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td>☒ Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$600</td> <td style="text-align: center;">\$300</td> <td style="text-align: center;">\$150</td> <td style="text-align: center;">\$ <u>300</u></td> </tr> <tr> <td>☐ Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1,400</td> <td style="text-align: center;">\$700</td> <td style="text-align: center;">\$350</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td>☐ Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$2,200</td> <td style="text-align: center;">\$1,100</td> <td style="text-align: center;">\$550</td> <td style="text-align: center;">\$ _____</td> </tr> <tr> <td>☐ Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$3,000</td> <td style="text-align: center;">\$1,500</td> <td style="text-align: center;">\$750</td> <td style="text-align: center;">\$ _____</td> </tr> </tbody> </table> <p>☒ Applicant asserts small entity status. See 37 CFR 1.27. 12/03/2018 STANN1 00000003 13439305</p> <p>☐ Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.</p> <p>☐ A check in the amount of the fee is enclosed. 01 FC:2252 300.00 OP</p> <p>☒ Payment by credit card. Form PTO-2038 is attached.</p> <p>☐ The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p>☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____</p> <p>☐ Payment made via EFS-Web.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the 12/03/2018 STANN1 00000003 13439305</p> <p>☒ applicant.</p> <p>☐ attorney or agent of record. Registration number <u>01 FC:2252</u> 300.00 OP</p> <p>☐ attorney or agent acting under 37 CFR 1.34. Registration number _____</p> <p style="text-align: center;">  Signature </p> <p style="text-align: center;"> <u>11/29/2018</u> Date </p> <p style="text-align: center;"> <u>Timothy J Kelley</u> Typed or printed name </p> <p style="text-align: center;"> <u>312-952-0436</u> Telephone Number </p> <p>NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below.</p>				<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>		☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____	☒ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ <u>300</u>	☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____	☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>																													
☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____																												
☒ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ <u>300</u>																												
☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____																												
☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____																												
☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																												

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Privacy Act Statement

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

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

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

RECEIVED
CENTRAL FAX CENTER

NOV 30 2018

FAX COVER SHEET

TO	Jason Yen
COMPANY	USPTO
FAX NUMBER	15712738300
FROM	Timothy Kelley
DATE	2018-12-01 02:36:50 GMT
RE	Reply to Non-Final Response

COVER MESSAGE

ApplicationNumber:13/439,305
Examiner: Jason Yen

RECEIVED
CENTRAL FAX CENTER

NOV 30 2018

REPLY TO NON-FINAL OFFICE ACTION	<i>Application Number</i>	13/439,305
	<i>Filing Date</i>	April 4, 2012
	<i>First Named Inventor</i>	Timothy J Kelley
	<i>Confirmation Number</i>	
	<i>Group Art Unit</i>	3716
	<i>Examiner Name</i>	Jason Yen
	<i>Attorney Docket Number</i>	Pto Se
	<i>Customer No.</i>	

This is a Response to a Non-Final Office Action of the above-identified application entitled
SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

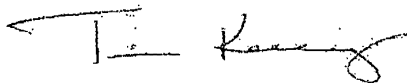
1. Submission required under 37 C.F.R. § 1.114:

☒ Reply to an Non-Final Office Action is
enclosed.

2. Fees

☒ See enclosed Form 2038

By:



Timothy J. Kelley

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 13/439,305	Filing Date 04/04/2012	☐ To be Mailed
---	--	---------------------------	---------------------------------------

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

(Column 1)	(Column 2)	(Column 3)		
AMENDMENT	11/30/2018	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(i))	*	45	Minus	** 45 = 0
Independent (37 CFR 1.16(h))	*	6	Minus	*** 6 = 0
☐ Application Size Fee (37 CFR 1.16(s))				
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				
TOTAL ADD'L FEE				0

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

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

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

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

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

LIE
TAMARA HARRELL

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

21186	7590	09/14/2018
SCHWEGMAN LUNDBERG & WOESSNER, P.A.		
P.O. BOX 2938		
MINNEAPOLIS, MN 55402		
UNITED STATES OF AMERICA		

EXAMINER
YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
09/14/2018	ELECTRONIC

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

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

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

uspto@slwip.com
SLW@blackhillsip.com

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.

43. (Previously Presented) A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score and potentially team score on the real time scoreboard; and

enabling teams of two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if the teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score or team score, the individual score and team score being updated in real time as each individual contestant answers a question, the answer being sent to a server which recalculates the contestant's individual score and team score according to a preferred scoring methodology embedded in the application software, the recalculated individual score being sent to the processing device of the contestant with a corresponding update to the contestant's real time scoreboard, these steps repeating for the opponent of the individual contestant if matched, the recalculated team score being broadcast directly to the processing devices of all competing contestants with a simultaneous update to each respective real time scoreboard, the server connecting the processing devices together in channel, or, if the server is not configured to so connect, the recalculated team score being sent to an appropriately configured server (e.g., APE) for broadcast in turn, or (2) non-live, if the teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time following the process described above, and a final score between teams being determined after both teams have played at their respective preferred times.

the recalculated team score being broadcast directly to the processing devices of all competing contestants with a simultaneous update to each respective real time scoreboard, the server being connected to the processing devices of each competing contestant from both teams and connecting all processing devices together in channel, or, if the server is not configured to so connect, the recalculated team score being sent to an appropriately configured server (e.g., APE) for broadcast in turn

88. (Previously Presented) A system for on-line academic competition, comprising:
- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
 - a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
 - providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score and potentially team score on the real time scoreboard;
 - creating a league of teams; and
 - creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets

Doc Code: PET.POA.WDRW

Document Description: Petition to withdraw attorney or agent (SB83)

PTO/SB/83 (04-13)

Approved for use through 01/31/2018. OMB 0651-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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

**REQUEST FOR WITHDRAWAL
AS ATTORNEY OR AGENT AND
CHANGE OF
CORRESPONDENCE ADDRESS**

Application Number	13/439,305
Filing Date	4 April 2012
First Named Inventor	Timothy J. Kelley
Art Unit	3716
Examiner Name	Jason Tahai YEN
Practitioner Docket Number	4933.001US1

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

Please withdraw me as attorney or agent for the above-identified patent application, and

- ☐ all the practitioners of record;
- ☐ the practitioners (with registration numbers) of record listed on the attached paper(s); or
- ☒ the practitioners of record associated with Customer Number: 21186

NOTE: The immediately preceding box should only be marked when the practitioners were appointed using the listed Customer Number.

The reason(s) for this request are those described in 37 CFR:

- | | | |
|--|---------------------------------------|---------------------------------------|
| ☐ 11.116(a)(1) | ☐ 11.116(a)(2) | ☐ 11.116(a)(3) |
| ☐ 11.116(b)(1) | ☐ 11.116(b)(2) | ☐ 11.116(b)(3) |
| ☐ 11.116(b)(4) | ☐ 11.116(b)(5) | ☐ 11.116(b)(6) |
| ☒ 11.116(b)(7) Please explain below: | | |

The inventor would like to proceed pro se to reduce expenses and to work directly with the examiner.

Certifications

Check each box below that is factually correct. WARNING: If a box is left unchecked, the request will likely not be approved.

- ☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment.
- ☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled.
- ☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond.

Please provide an explanation, if necessary:

The client has copies of the paperwork needed to continue prosecution of the application. The client has not requested that firm return all copies of the files.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.36. 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 15 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.

REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS

Complete the following section only when the correspondence address will change. Changes of address will only be accepted to the first named inventor or an assignee that has properly made itself of record pursuant to 37 CFR 3.71.

Change the correspondence address and direct all future correspondence to:

A. ☐ The address of the first named inventor or assignee associated with Customer Number: _____

OR

B. ☒ First Named
Inventor or Assignee **Timothy Kelley**

Address **6117 N. Kirkwood Avenue**

City **Chicago**

State **IL**

Zip **60646**

Country **USA**

Telephone **312-952-0436**

Email **timothyjohnkelley@gmail.com**

I am authorized to sign on behalf of myself and all withdrawing practitioners.

Signature **/Michael P. Dunnam/**

Name **Michael P. Dunnam**

Registration No. **32,611**

Address **1600 TCF Tower, 121 South Eighth Street**

City **Minneapolis**

State **MN**

Zip **55402**

Country **USA**

Date **August 15, 2018**

Telephone No. **612-371-2189**

NOTE: Withdrawal is effective when approved rather than when received.

[Page 2 of 2]

This collection of information is required by 37 CFR 1.36. 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 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Electronic Acknowledgement Receipt	
EFS ID:	33491698
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	21186
Filer:	Michael Paul Dunnam/Carol White
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	4933.001US1
Receipt Date:	21-AUG-2018
Filing Date:	04-APR-2012
Time Stamp:	16:17:09
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	Petition to withdraw attorney or agent (SB83)	4933_001US1_RequestforWithdrawalasfiled21.pdf	123381	no	2
			326a978924fa0c540d5270663aeb6c4e3fa7961a		
Warnings:					

Information:	
Total Files Size (in bytes):	123381
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	



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.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

21186	7590	08/15/2018
SCHWEGMAN LUNDBERG & WOESSNER, P.A.		
P.O. BOX 2938		
MINNEAPOLIS, MN 55402		
UNITED STATES OF AMERICA		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
08/15/2018	ELECTRONIC

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

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

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

uspto@slwip.com
SLW@blackhillsip.com

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.

43. (Previously Presented) A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score and potentially team score on the real time scoreboard; and

enabling teams of two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if the teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score or team score, the individual score and team score being updated in real time as each individual contestant answers a question, the answer being sent to a server which recalculates the contestant's individual score and team score according to a preferred scoring methodology embedded in the application software, the recalculated individual score being sent to the processing device of the contestant with a corresponding update to the contestant's real time scoreboard, these steps repeating for the opponent of the individual contestant if matched, the recalculated team score being broadcast directly to the processing devices of all competing contestants with a simultaneous update to each respective real time scoreboard, the server connecting the processing devices together in channel, or, if the server is not configured to so connect, the recalculated team score being sent to an appropriately configured server (e.g., APE) for broadcast in turn, or (2) non-live, if the teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time following the process described above, and a final score between teams being determined after both teams have played at their respective preferred times.

the recalculated team score being broadcast directly to the processing devices of all competing contestants with a simultaneous update to each respective real time scoreboard, the server being connected to the processing devices of each competing contestant from both teams and connecting all processing devices together in channel, or, if the server is not configured to so connect, the recalculated team score being sent to an appropriately configured server (e.g., APE) for broadcast in turn

88. (Previously Presented) A system for on-line academic competition, comprising:
- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
 - a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
 - providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score and potentially team score on the real time scoreboard;
 - creating a league of teams; and
 - creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets



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.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

21186	7590	07/27/2018
SCHWEGMAN LUNDBERG & WOESSNER, P.A.		
P.O. BOX 2938		
MINNEAPOLIS, MN 55402		
UNITED STATES OF AMERICA		

EXAMINER
YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
07/27/2018	ELECTRONIC

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

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

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

uspto@slwip.com
SLW@blackhillsip.com

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



UNITED STATES PATENT AND TRADEMARK OFFICE
USPTO Automated Interview Request (AIR)

Jul 17 2018

This paper requesting to schedule and/or conduct an interview is appropriate because:

I am concurrently submitting an authorization to communicate via the internet.
See form SB/0439.

Name(s) :
Michael P. Dunnam

S-signature:
/Michael Dunnam/

Registration Number:
32611

U.S. Application Number:
13439305

Confirmation Number:
8456

E-mail Address:
mdunnam@slwip.com

Phone Number:
6123712189

Proposed Time of Interview:
7-23-2018 12:00 PM ET

Alternative Proposed Time(s) of Interview:
7-24-2018 12:00 PM ET

Alternative Proposed Time(s) of Interview:
ET

Preferred Interview Type:
Video Conference

I am the applicant or applicant's representative for this application.



UNITED STATES
PATENT AND TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

21186	7590	07/03/2018
SCHWEGMAN LUNDBERG & WOESSNER, P.A.		
P.O. BOX 2938		
MINNEAPOLIS, MN 55402		
UNITED STATES OF AMERICA		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
07/03/2018	ELECTRONIC

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

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

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

uspto@slwip.com
SLW@blackhillsip.com

Office Action Summary	Application No. 13/439,305	Applicant(s) KELLEY ET AL.	
	Examiner JASON YEN	Art Unit 3716	AIA (First Inventor to File) Status No

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

Period for Reply

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

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

Status

- 1) ☒ Responsive to communication(s) filed on 4/26/18.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 43-57, 59-73, 75-86 and 88-90 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 43-57, 59-73, 75-86, 88-90 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____.
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 4) ☐ Other: ____.

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

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/26/18 has been entered.

In the response Applicant amended claim(s) 43, 59, 66, 75, 88-90.

Claim(s) 1-42, 58, 74, 87 is/are cancelled.

Currently, claim(s) 43-57, 59-73, 75-86, 88-90 is/are pending.

Claim Rejections - 35 USC § 101

3. 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.

4. In the instant application, claim(s) 43-57, 59-73, 75-86, 88-90 is/are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Step 1:

Claim(s) 43-57, 59-73, 75-86, 88-90 is/are drawn to at least one of the four statutory categories of invention (i.e. process, machine, manufacture, or composition).

Step 2A:

However, claim(s) 43-57, 59-73, 75-86, 88-90 is/are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. The claims is/are directed to the abstract idea of rules for managing an academic competition.

Regarding independent claim(s) 43, 59, 75, 88, 89, 90:

The claim(s) describe(s) limitations such storing test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; enabling the creation of teams of individual contestants for participation in an academic competition; presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and providing a real time scoreboard to each contestant processing device that displays each individual contestant's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard; and enabling teams of two or more individual contestants each to compete over a series of test questions for an

allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if the teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score or a team score determined by taking a running average or sum of a predetermined number N of top individual contestant scores from the respective teams to generate scores for the respective teams, the individual and team scores being updated in real time, or (2) non-live, if the teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after all teams have played at their respective preferred times (claims 43, 59, 75), creating a league of teams; and creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets (claims 88, 89, 90), which are similar to the concepts that have been identified as abstract by the courts.

The Examiner finds that the limitations of storing questions, profiles, response statistics, enabling the creation of teams, presenting a series of predetermined test questions, providing a real time score board, enabling teams to compete either live or non-live, creating a league of teams, creating a cycle of academic competitions amongst the league of teams are similar to the concept(s) of rules for playing a game in In re Smith, collection, storage, and recognition of data in Smart Systems Innovations,

collecting information, analyzing it, and displaying certain results of the collection and analysis in Electric Power Group.

Moreover, the limitations of providing a real time score board are similar to the concept(s) of collecting information, analyzing it, and displaying certain results of the collection and analysis in Electric Power Group and measuring and monitoring delivery of real-time information to users in Two-Way Media.

Regarding dependent claim(s) 44-57, 60-73, 76-86:

Each claim is dependent on its associated independent claim and includes all the limitations of independent claim. Therefore, each dependent claim recites the same abstract idea as identified above. The dependent claims further describe the abstract idea, but do not meaningfully limit the abstract idea because they are no more than a field of use or merely involve insignificant extra-solution activity or intangibly related to the performance of the steps.

Furthermore, claim(s) 43, 59, 75, 88, 89, 90, for example as representative of the other independent claims, recites limitations such as “storing questions, profiles, response statistics, enabling the creation of teams, presenting a series of predetermined test questions, providing a real time score board, enabling teams to compete either live or non-live, creating a league of teams, creating a cycle of academic competitions amongst the league”. The recited limitations describe a mental process that can be performed by a human.

In sum, Applicant’s invention as claimed in the claims covered by this rejection is drawn to rules for managing academic competition. Notably, Applicant has claimed a

system comprising a database, a processor, and individual contestant processing device. However, Applicant, in the claims covered by this rejection, has not claimed this system in a manner that distinguishes it from a conventional computing device. As such, claims of rules for managing an academic competition is an abstract idea.

Step 2B:

Under Step 2B, the claims do not include additional elements that are sufficient to amount to significantly more than the judicial exception because they amount to mere conventional computer implementation of an underlying abstract idea.

For example, Under Step 2B, the claimed invention recites **additional elements** to implement the abstract idea electronically. Applicant has claimed a system comprising a database, a processor, individual contestant processing device, and a real time scoreboard. However, all of these elements viewed individually and as a whole, are indistinguishable from conventional computing elements known in the art. Therefore, they fail to supply additional elements that yield significantly more than the underlying abstract idea.

In addition, with regards to dependent claims, the courts have recognized the computer functions as well-understood, routine, and conventional activities when they are claimed in a merely generic manner (e.g., at a high level of generality) or as insignificant extra-solution activity.

For instance, with regards to claims 44-57, 60-73, 76-86, claims describe the concept of collecting, receiving, analyzing, calculating, transmitting and displaying data, which is similar to the conventional activity or as insignificant extra-solution activity of

gathering, receiving and transmitting data in Symantec, TLI, OIP Techs., buySAFE, performing calculation in Flook, Bancorp, storing and retrieving information in memory in Versata, OIP Techs., monitoring data relates to activities in FairWarning, and selecting information, based on types of information, for collection, analysis and display in Electric Power Group.

Thus, taken alone, the additional elements do not amount to significantly more than the above-identified judicial exception (the abstract idea).

Looking at the limitations as an **ordered combination** adds nothing that is not already present when looking at the elements taken individually. There is no indication that the combination of elements improves the functioning of a computer or improves any other technology. Their collective functions merely provide conventional computer implementation.

Moreover, the claims do not recite improvements to another technology or technical field. That is, they merely recite rules for managing an academic competition. Nor, do the claims improve the functioning of the underlying computer itself -- they merely recite generic computing elements. Furthermore, they do not effect a transformation of a particular article to a different state or thing: the underlying computing elements remain the same. As such, viewed as a whole, these additional claim element(s) do not provide meaningful limitation(s) to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself.

Claim(s) 43-57, 59-73, 75-86, 88-90 is/are therefore not drawn to eligible subject matter as they are directed to an abstract idea without significantly more.

Response to Arguments

5. Applicant's arguments filed 4/26/18 have been fully considered but they are not persuasive.

Re 35 U.S.C. §101 Rejection,

Applicant argues that the claimed feature of real time scoreboard is not well-understood, routine and conventional, specifically in view of Berkheimer memorandum. Examiner respectfully disagrees. As noted in PTAB's decision issued 2/26/18, the claimed "real time scoreboard" does no more than perform a basic function, such as displaying collected data in a selected format. Furthermore, per MPEP 2106.05(d), the claimed "real time scoreboard" is similar to the conventional activity of selecting information, based on types of information, for collection, analysis and display in Electric Power Group.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON YEN whose telephone number is (571)270-1777. The examiner can normally be reached on Mon - Fri: 7:00 am to 4 pm (EST).

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

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on (571) 272-4430. 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.

/JASON YEN/
Primary Examiner, Art Unit 3716

Notice of References Cited	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination KELLEY ET AL.	
	Examiner JASON YEN	Art Unit 3716	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-2009/0176576 A1	07-2009	Billmaier; Kristopher C.	A63F13/12	463/42
	B	US-				
	C	US-				
	D	US-				
	E	US-				
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L5	22626655	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:19
L6	9745	5 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F2300/8064 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:20
L7	642	6 AND (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:20
L8	6	6 AND real near2 time near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:20
L9	146	5 AND real near2 time near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:22
L10	30734	5 AND ((A63F13/\$ OR A63F2300/\$ G09B7/\$ G09B5/\$).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:23
L11	18	10 AND real near2 time near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:23
L13	69	10 AND team near10 (scoreboard score near2 (board display))	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:26
L14	7	10 AND team near10 (scoreboard score near2 (board display)) same question	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 14:27
S5	79	((TIMOTHY) near2 (KELLEY)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S6	51	((MICHAEL) near2 (PERRONE)).INV.	US-	OR	ON	2014/01/08

			PGPUB; USPAT			09:12
S7	45	((JOSEPH) near2 (NAPOLI)).INV.	US- PGPUB; USPAT	OR	ON	2014/01/08 09:12
S8	1	(S5 S6 S7) and academic with competition	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:12
S9	1	((INNOKENTY) near2 (MIHAILOV)).INV.	US- PGPUB; USPAT	OR	ON	2014/01/08 09:12
S10	22145597	@ad<="20120404"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:13
S11	136	S10 and (online internet virtual network\$3 on near line) near20 (school academic collegiate college scholastic) near20 (contest competition tournament challenge match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:51
S12	21	S10 and (online internet virtual network\$3 on near line) near20 (school academic collegiate college scholastic education\$2) near20 (contest competition tournament challenge match) same (coach teacher mentor instructor)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:53
S13	372	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S14	68	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (select\$3 choos\$3 form\$3) near10 (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S15	55475	S10 and ("463"/\$.ccls. "434"/\$.ccls.)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:35
S16	194	S15 and (educational academic) near10 (competition contest tournament match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:36
S17	11	S15 and (educational academic) near10 (competition contest tournament match) same team	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:36
S18	28	("2562179" "2654163" "3763577" "4079365").PN. OR ("4767335").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:01
S19	22145597	@ad<="20120404"	US-	OR	ON	2014/01/08

			PGPUB; USPAT; EPO; JPO			12:11
S20	55475	S19 and ("463"/\$.cls. "434"/\$.cls.)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S21	5	S20 and (live real near time) near10 (educational academic) near10 (competition contest tournament match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S22	27	("4768087" "4793813" "5273437" "5303042" "5437555").PN. OR ("6086381").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:13
S23	3	S22 and (competition contest tournament)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:18
S25	34	S20 and (online network\$3 internet on near line) near10 (knowledge question quiz) near10 (competition contest tournament match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:21
S27	150	S20 and (online network\$3 internet on near line) same team near5 (competition contest match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S28	14	S20 and (trivia knowledge academic education\$3 scholastic) same (online network\$3 internet on near line) same team near5 (competition contest match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S29	83	("4572509" "4592546" "4877408" "5114155" "5359510" "5462275" "5586257" "5586937" "5593349" "5637844" "5679075" "5695400" "5697844" "5730654" "5748731" "5759101" "5779549" "5796952" "5813006" "5823879" "5846132" "5855516" "5890906" "5890963" "5894556" "5917725" "5941774" "5947747" "6009458" "6023729" "6080063" "6082887" "6102797" "6126547" "6292780" "RE37957").PN. OR ("6758754").URPN.	US- PGPUB; USPAT; USOCR	OR	ON	2014/01/08 13:06
S30	3	S29 and (online network\$3 internet on near line) same team near5 (competition contest match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 13:07
S31	4	S20 and (trivia knowledge academic education\$3 scholastic) same (interactive) same team near5 (competition contest match)	US- PGPUB; USPAT; EPO;	OR	ON	2014/01/08 13:24

			JPO			
S32	22145597	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S33	112	S32 and (poker card) near10 (tournament competition contest) with team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S34	7	S32 and (poker card) near10 (tournament competition contest) with team same coach	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:57
S35	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13
S36	16	S32 and (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13
S37	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:14
S38	20	S32 and (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:15
S39	3	((("5035625") or ("5695400") or ("20070231780")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/01/08 20:35
S40	22146841	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07
S41	110	S40 and upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07
S42	0	S40 and (contest competition) same upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:08
S43	11	S40 and player near20 upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO;	OR	ON	2014/01/09 20:08

			JPO			
S44	3	S40 and (contest competition) same introduc\$5 near10 (coach instructor teacher)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:16
S45	5	S40 and (contest competition) same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:19
S46	20	S40 and sports same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
S47	0	S40 and sports same display\$3 with coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
S48	2	S40 and pre near game near10 introduc\$7	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:27
S49	3	S40 and display near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:37
S50	114	S40 and coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
S51	10	S40 and game same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
S52	6	S40 and (click select) near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:03
S53	1922	S40 and (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S54	74	S40 and game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S55	3	S40 and tournament same game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO;	OR	ON	2014/01/09 21:26

			JPO			
S56	5	S40 and tournament same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:31
S57	8	((("20070293322") or ("20090149234") or ("5762503") or ("20080091692") or ("20110099210") or ("20070156267") or ("20080010106") or ("20090099924")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/03/19 12:36
S58	22335499	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:14
S59	404	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:15
S60	1	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) near20 team same statistic	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S61	207	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S62	22	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic and team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S63	2	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic and team and scoreboard	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:18
S64	174	S58 and (virtual online network\$2 interactive internet) with (academic\$3 scholastic education\$3) near10 (competition contest compet\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:48
S65	12	S64 AND ((G07F17/3276 OR G07F17/3295 OR A63F9/18 OR G09B7/00 OR G09B7/02).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 17:07
S66	22626655	@ad<="20120404"	US-PGPUB; USPAT; EPO;	OR	ON	2018/06/26 09:56

			JPO			
S67	4530	S66 and (G09B7/02 or A63F13/798 or A63F13/80 or G06Q10/101 or G09B7/06).cpc.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 09:56
S68	17	S67 and (academic school mathematic) near5 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 09:57
S69	9745	S66 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F2300/8064 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:05
S70	11	S67 and (academic school mathematic education\$2) same team near10 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:06
S71	17	S69 and (academic school mathematic education\$2) same team near10 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:06
S72	6521	S66 and (A63F13/798 or A63F13/80 OR A63F2300/8023 OR A63F13/847 OR A63F2300/5566 OR G09B5/00 or G09B7/02 or G09B7/06 or G06Q10/101).cpc.	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:32
S74	12869	S66 AND ((A63F13/798 OR A63F13/12 OR A63F13/795 OR A63F13/46 OR A63F13/80 OR A63F2300/8064 OR A63F13/847 OR A63F2300/5566 OR A63F2300/8023 OR G09B7/02 OR G09B5/125 OR G09B7/06 OR G07F17/3276 OR G09B5/00 OR G06Q10/101).CPC.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:35
S75	25	S74 and (academic school mathematic education\$2) same team near10 (competition tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2018/06/26 10:35
S76	2	((("5035625") or ("5695400")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2018/06/26 10:55

EAST Search History (Interference)

< This search history is empty >

6/ 26/ 2018 2:31:08 PM**C:\Users\jyen\ Documents\ EAST\ Workspaces\ 13439305.wsp**

Search Notes 	Application/Control No. 13439305	Applicant(s)/Patent Under Reexamination KELLEY ET AL.
	Examiner JASON YEN	Art Unit 3716

CPC- SEARCHED		
Symbol	Date	Examiner
A63F 13/12, 46, 795, 798, 8064 (TEXT COMBINED).	6/26/18	JY
G09B 5/125, 7/02, 06 (TEXT COMBINED).	6/26/18	JY
G07F 17/3276 (TEXT COMBINED).	6/26/18	JY

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
434	322, 350, 352, 362 (combined with text search).	8/13/14	jy
463	9, 29, 42 (combined with text search).	8/13/14	jy
705	7.18 (combined with text search).	8/13/14	jy
707	803 (combined with text search).	8/13/14	jy
715	206 (combined with text search).	8/13/14	jy
725	59 (combined with text search).	8/13/14	jy

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

SEARCH NOTES		
Search Notes	Date	Examiner
inventor search, east.	1/9/13	jy
search history, east.	6/26/18	jy
internet search, ref cited.	1/9/13	jy

INTERFERENCE SEARCH

/JASON YEN/ Examiner.Art Unit 3716	
---------------------------------------	--

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

/JASON YEN/ Examiner.Art Unit 3716	
---------------------------------------	--

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Carol White		
Attorney Docket Number:		4933.001US1		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
RCE- 1ST REQUEST	2801	1	650	650
Total in USD (\$)				650

Electronic Acknowledgement Receipt	
EFS ID:	32463786
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	21186
Filer:	Michael Paul Dunnam/Carol White
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	4933.001US1
Receipt Date:	27-APR-2018
Filing Date:	04-APR-2012
Time Stamp:	10:35:06
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	\$650
RAM confirmation Number	042718INTEFSW00004320190743
Deposit Account	190743
Authorized User	Carol White
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: 37 CFR 1.16 (National application filing, search, and examination fees) 37 CFR 1.17 (Patent application and reexamination processing fees)	

37 CFR 1.19 (Document supply fees)
 37 CFR 1.20 (Post Issuance fees)
 37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	30520	no	2
			6ce39123640d7aab0a660577a66ca5be9a ecde9		

Warnings:

Information:

Total Files Size (in bytes):	30520
-------------------------------------	-------

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.

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 13/439,305	Filing Date 04/04/2012	☐ To be Mailed
---	--	---------------------------	---------------------------------------

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)		RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	04/26/2018	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(i))	* 45	Minus	** 45	= 0	x \$50 = 0
	Independent (37 CFR 1.16(h))	* 6	Minus	*** 6	= 0	x \$230 = 0
	☐ Application Size Fee (37 CFR 1.16(s))					
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
					TOTAL ADD'L FEE	0
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =
	☐ Application Size Fee (37 CFR 1.16(s))					
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
					TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.						

LIE
ANNETTE COWAN

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.

<p style="text-align: center;">REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</p>	<i>Application Number</i>	13/439,305
	<i>Filing Date</i>	April 4, 2012
	<i>First Named Inventor</i>	Timothy J Kelley
	<i>Confirmation Number</i>	8456
	<i>Group Art Unit</i>	3716
	<i>Examiner Name</i>	Jason Yen
	<i>Attorney Docket Number</i>	4933.001US1
	<i>Customer No.</i>	21186

This is a Request for Continued Examination (RCE) under 37 C.F.R § 1.114 of the above-identified application entitled
SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

1. Submission required under 37 C.F.R. § 1.114:

☒ Request to Reopen Prosecution under 37 C.F.R § 41.50 (22 pages) is enclosed.

2. Fees

☒ Authorization to charge deposit account 19-0743 in the amount of \$650.00 to pay the RCE filing fee required under 37 C.F.R. § 1.17(e).

The Commissioner is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN LUNDBERG & WOESSNER, P.A.

By: /Michael P. Dunnam/
Michael P. Dunnam
Reg. No. 32,611

S/N 13/439,305

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Timothy J Kelley et al.	Examiner:	Jason Yen
Serial No.:	13/439,305	Group Art Unit:	3716
Filed:	April 4, 2012	Docket No.:	4933.001US1
Customer No.:	21186	Confirmation No.:	8456
Title:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		

REQUEST TO REOPEN PROSECUTION UNDER 37 C.F.R. § 41.50

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

In response to the Final Office Action dated August 21, 2014, and the Advisory Action on October 7, 2014 and the Decision on Appeal (Decision) dated February 26, 2018, please consider the amendments and remarks contained herein. The undersigned respectfully requests that prosecution of this application be reopened. In addition, the undersigned submits a Request for Continued Examination that is accompanied with this request.

IN THE CLAIMS

Please amend the Claims as follows:

1 - 42. (Canceled)

43. (Currently Amended) A system for on-line academic competition, comprising:

- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
- a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and
 - providing a real time scoreboard to each contestant processing device that displays permits each individual contestant's to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard; and
 - enabling ~~two~~ teams of ~~[[1]]~~ two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if ~~both the~~ both the teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, ~~or share~~ or share a team score, ~~as determined by taking a running average or sum of all or a predetermined number~~ N of top individual contestant scores from the respective teams to generate scores for the respective teams, the individual and team scores being updated in real time, or (2) non-live, if ~~both the~~ both the teams do not share a common preferred time, in which case individual contestants may

be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after all ~~both~~ teams have played at their respective preferred times.

44. (Previously Presented) A system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. (Previously Presented) A system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. (Previously Presented) A system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. (Previously Presented) A system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. (Previously Presented) A system as in claim 88, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

50. (Currently Amended) A system as in claim 49, wherein the processor enables a team to search for and then challenge another team ~~of common time availability~~ to an academic competition and enables said team to be divided into multiple teams for an intra-team academic competition.

51. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

52. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. (Previously Presented) A system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. (Previously Presented) A system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. (Previously Presented) A system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

56. (Previously Presented) A system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. (Previously Presented) A system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (Canceled)

59. (Currently Amended) A method for on-line academic competition, comprising:

enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;

presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

providing at each contestant processing device a real time scoreboard that displays ~~permits~~ each individual contestant's ~~to track his/her and his/her opponent's~~ progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard; and

enabling ~~two~~ teams of ~~[[1]]~~ two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if ~~both~~ the teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, ~~or share~~ a team score, ~~as determined by taking a running average or sum of all~~ or a predetermined number N of top individual contestant scores from the respective teams to generate scores for the respective teams, the individual and team scores being updated in real time, or (2) non-live, if ~~both~~ the teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after all ~~both~~ teams have played at their respective preferred times.

60. (Previously Presented) A method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. (Previously Presented) A method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. (Previously Presented) A method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

63. (Previously Presented) A method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. (Previously Presented) A method as in claim 89, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (Previously Presented) A method as in claim 59, further comprising the processor enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

66. (Currently Amended) A method as in claim 65, further comprising the processor enabling a team to search for and then challenge another team ~~of common time availability~~ to an academic competition and enabling said team to be divided into multiple teams for an intra-team academic competition.

67. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

68. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. (Previously Presented) A method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
- whereby when two matched teams in a given round share a same preferred time, the

processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

70. (Previously Presented) A method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. (Previously Presented) A method as in claim 70, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

72. (Previously Presented) A method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. (Previously Presented) A method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (Canceled)

75. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic

competition;

presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

providing at each contestant processing device a real time scoreboard that displays ~~permits~~ each individual contestant's ~~to track his/her and his/her opponent's~~ progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's score on the real time scoreboard; and

enabling ~~two~~ teams of ~~[[1]]~~ two or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if ~~both~~ the teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score; or ~~share a team score, as determined by taking a running average or sum of all or a predetermined number N of top individual contestant scores from the respective teams to generate scores for the~~ respective teams, the individual and team scores being updated in real time, or (2) non-live, if ~~both~~ the teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after ~~both~~ all teams have played at their respective preferred times.

76. (Previously Presented) A storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. (Previously Presented) A storage device as in claim 90, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

80. (Currently Amended) A storage device as in claim 79, further comprising instructions for enabling a team to search for and then challenge another team ~~of common time availability~~ to an academic competition and for enabling said team to be divided into multiple teams for an intra-team academic competition.

81. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

select a team from a list of teams having a common time availability.

82. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. (Previously Presented) A storage device as in claim 90, further comprising instructions for creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

84. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. (Previously Presented) A storage device as in claim 84, wherein the instructions enable the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

86. (Previously Presented) A storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (Canceled)

88. (Currently Amended) A system for on-line academic competition, comprising:
a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
enabling the creation of teams of individual contestants for participation in an academic competition;
presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
providing a real time scoreboard to each contestant processing device that displays permits each individual contestant's to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;
creating a league of teams, ~~in which separate teams can be merged to form one team; and~~
creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets;
~~enabling a team to search for and then challenge another team of common time availability to an academic competition; and~~
~~enabling said team to be divided into multiple teams for an intra team academic competition.~~

89. (Currently Amended) A method for on-line academic competition, comprising:

- enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;
- presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;
- providing at each contestant processing device a real time scoreboard that displays ~~permits~~ each individual contestant's to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;
- creating a league of teams, ~~in which separate teams can be merged to form one team; and~~
- creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets;
- ~~enabling a team to search for and then challenge another team of common time availability to an academic competition; and~~
- ~~enabling said team to be divided into multiple teams for an intra team academic competition.~~

90. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

- enabling the creation of teams of individual contestants for participation in an academic competition;
- presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;
- providing at each contestant processing device a real time scoreboard that displays

REQUEST TO REOPEN

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 15

Dkt: 4933.001US1

~~permits~~ each individual contestant's ~~to track his/her and his/her opponent's~~ progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant's individual score on the real time scoreboard;

~~creating a league of teams, in which separate teams can be merged to form one team; and~~

~~creating a cycle of academic competitions amongst the league of teams~~ where matches between teams are based at least on a selected time period, frequency of matches, and question sets;

~~enabling a team to search for and then challenge another team of common time availability to an academic competition; and~~

~~enabling said team to be divided into multiple teams for an intra-team academic competition.~~

REMARKS

This responds to the Final Office Action dated August 21, 2014, and the Advisory Action on October 7, 2014 and the Decision on Appeal (Decision) dated February 26, 2018.

In response to the Decision, independent claims 43, 59, and 75 have been amended for clarity to specify that the real time scoreboard “displays each individual contestant’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant’s score on the real time scoreboard” and that the competition is among “teams of two or more individual contestants each” where the team scores are a “running average or sum of a predetermined number N of top individual contestant scores from the respective teams.” Independent claims 88-90 have been similarly amended for clarity to specify that the real time scoreboard “displays each individual contestant’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant’s score on the real time scoreboard.” Independent claims 88-90 have been further amended to recite the step of “creating a cycle of academic competitions amongst the league of teams where matches between teams are based at least on a selected time period, frequency of matches, and question sets.” Dependent claims 50, 66, and 80 have also been amended to remove the requirement of “common time availability.” The claimed features are disclosed throughout the specification and do not introduce any new matter.

Upon entry of the above amendments, claims 43-57, 59-73, 75-86, and 88-90 will remain pending. Reconsideration of the amended claims is requested.

Claim Rejections – 35 USC 101

In its Decision, the Patent Trial and Appeal Board (“PTAB”) affirmed the examiner’s rejections of claims 43-57, 59-73, 75-86, and 88-90 as being patent ineligible under 35 USC §101. That decision is traversed in light of the above clarifying amendments and changes in the law and USPTO procedures since the issuance of the Decision.

The claims have been amended to better capture and convey the real time scoreboard features that are not well-understood, routine and conventional. To illustrate the newly recited

feature, an example may be helpful. Imagine a room with 3 math teams, all consisting of at least 100 players. They are playing in a paper-based math competition. The selected scoring convention is Top 50 Player, meaning that the top 50 player scores from each team will be added together to generate a team score for that team. Assume that there is a human behind every student calculating the student's number of correctly answered questions, holding up a sign indicating that score and that another human searches through all 100+ scores of a given team to determine the top 50 scores, and then adds them together, and that another human reviews this activity, posting the 3 team scores. Now, if time were not an issue, this could be accomplished without the need of mechanical computation, but there would be a time lag, proportionate to the size of the teams and the N chosen. However, if the time/speed of the calculation were an issue, that is, if the scoring needed to be accomplished in real time, then the competition structure would fail even if an infinite number of human beings were coordinating together. This is a real world problem solved by the real time scoreboard. It allows teams of even or uneven size, and potentially vast size, to be objectively compared as to their relative academic skill level (top N player) in a real time format without lag time. The claimed real time scoreboard to solve this real world problem is not addressed in the prior art and has not been established to be well-understood, routine and conventional.

Regarding changes in the law and USPTO procedures, Applicant notes that on April 19, 2018, the Deputy Commissioner for Patent Examination Policy, Robert W. Bahr, issued a memorandum to the examining corps regarding changes in examination procedure pertaining to subject matter eligibility in view of the Federal Circuit's recent decision in *Berkheimer v. HP Inc.*, 881 F.3d 1360 (Fed. Cir. 2018) affecting the determination by an examiner regarding whether an addition element or combination of elements in a claim represents "well-understood, routine, conventional activity." As noted by the Federal Circuit in *Berkheimer*, the question of whether certain claim limitations represent "well-understood, routine, conventional activity" raises a disputed factual issue that informs the inquiry into whether an additional element or combination of elements in a claim represents "well-understood, routine, conventional activity." As noted by the Federal Circuit in *Berkheimer*, the mere fact that something is disclosed in a piece of prior art does not mean it was a well-understood, routine, conventional activity or element.

According to the April 19, 2018 Memorandum and MPEP §2106.05(d)(I), “an examiner should conclude that an element (or combination of elements) represents well-understood, routine, conventional activity **only** when the examiner can readily conclude that the element(s) is widely prevalent or in common use in the relevant industry.” Such a conclusion must be based upon a factual determination.

According to the April 19, 2018 Memorandum, when formulating patent ineligibility rejections, in a step 2B analysis, an additional element (or combination of elements) is **not** well-understood, routine or conventional **unless** the examiner finds, and expressly supports a rejection in writing with, one or more of the following:

1. A citation to an express statement in the specification or to a statement made by an applicant during prosecution that demonstrates the well-understood, routine, conventional nature of the additional element(s). A finding that an element is well-understood, routine, or conventional cannot be based only on the fact that the specification is silent with respect to describing such element.
2. A citation to one or more of the court decisions discussed in MPEP §2106.05(d)(II) as noting the well-understood, routine, conventional nature of the additional element(s).
3. A citation to a publication that demonstrates the well-understood, routine, conventional nature of the additional element(s). The nature of the publication and the description of the additional elements in the publication would need to demonstrate that the additional elements are widely prevalent or in common use in the relevant field, comparable to the types of activity or elements that are so-well known that they do not need to be described in detail in a patent application to satisfy 35 USC §112(a).
4. A statement that the examiner is taking official notice of the well-understood, routine, conventional nature of the additional element(s). This option should be used **only** when the examiner is certain, based upon his or her personal knowledge, that the additional element(s) represents well-understood, routine, conventional activity engaged in by those in the relevant art. Also, if applicant challenges the examiner’s position, specifically stating that such element(s) is not well-understood, routine, conventional activity, the examiner must then provide one of the items discussed in

paragraphs (1) through (3) above, or provide an affidavit or declaration under 37 CFR 1.104(d)(2) setting forth specific factual statements and explanation to support his or her position.

The issue of whether the real time scoreboard is well-understood, routine, conventional is a disputed issue in the present application. As argued by Applicant during prosecution and in its appeal brief, the claims recite techniques that are NOT directed to computer functions that are “well-understood, routine, and conventional activities previously known to the pertinent industry” and the examiner has provided no evidence that such techniques are “well-understood, routine, and conventional activities previously known to the pertinent industry.” In particular, Applicant argued at pages 20-21 of its appeal brief as follows:

Applicant notes that the examiner's lack of evidentiary support is a serious issue. Absent such objective evidence that the invention is well-understood, routine, or conventional to those in the pertinent industry, the examiner may simply substitute his opinion that the invention is directed to an idea that is "fundamental, well-understood, routine, or conventional in the art" and patent ineligible without providing a novelty analysis under 35 U.S.C. §102 or provide the specificity of a *KSR* obviousness analysis under 35 U.S.C. §103. As noted in the PTO's interim guidance, a recitation of software operating on a computer (generic or not) is not automatically an abstract idea. Moreover, in view of the examiner's indication that the claims are allowable over the prior art, it is clear that the claims are not simply directed to features that are simple, conventional, fundamental, or well-understood and thus claims of the type the Supreme Court was concerned about in *Alice*. In any case, the examiner must substantiate his position with actual objective evidence that the claims are directed to an abstract idea and that nothing "significantly more" than the abstract idea is being claimed. In the absence of such evidence in the present case, the rejection must be withdrawn.

Moreover, Applicant specifically argued throughout the file history and its appeal brief (see pages 21-22) that the features relating to the real time scoreboard “are far from purely conventional, as exemplified by the fact that the claimed limitations have not been found by the examiner in the examiner’s prior art search.”

The examiner responded to this issue during prosecution and in the examiner’s answer by alleging that the claimed real time scoreboard amounts to “no more than instructions to implement an idea on a computer, or a recitation of generic computer structure that performs generic, well-understood, routine, and conventional computer functions” (Examiner’s Answer,

page 4). However, the examiner never made any findings or factual allegations that a real time scoreboard as claimed is indeed generic, well-understood, routine, and conventional.

At page 10 of its opinion, the PTAB addresses this issue as follows:

Because Appellants provide no explanation or evidence that the claimed “real time scoreboard” does more than perform a basic function, such as displaying collected data in a selected format, we agree with the Examiner that the claimed real time scoreboard provides no more than well-understood, routine, and conventional computer processing activities and therefore, does not provide significantly more than the judicial exception. Further, lacking evidence or explanation to the contrary, we are not persuaded that the ability to play live or non-live causes the claims to recite significantly more than the judicial exception.

Applicant addressed this line of argument in its appeal brief by noting that the claimed real time scoreboard implements steps and features that are not practiced in the prior art and that are “not ‘well-understood, routine and conventional in the field.’”

The PTAB found such arguments unpersuasive, concluding at page 13 of its opinion that:

We are not persuaded by this argument because Appellants do not provide evidence or a sufficient explanation about why the claimed real time scoreboard and contestants that are remote in time and/or geography take the claims outside of what is performed by a human or a generic computer.

In light of the April 19, 2018 Memorandum, Applicant submits that the examiner’s and the PTAB’s findings are improper as inconsistent with *Berkheimer* and the relevant USPTO guidance. The examiner and the PTAB have put the burden of persuasion on Applicant to provide evidence or a sufficient explanation about why the claimed real time scoreboard is not “well-understood, routine and conventional in the field” when it is clear from the April 19, 2018 Memorandum that the burden of persuasion is on the **examiner** as an additional element (or combination of elements) is assumed to be “**not** well-understood, routine or conventional **unless** the examiner finds, and expressly supports a rejection in writing” with one or more of the indicated forms of factual support. The examiner has not provided such factual support in the present case.

The examiner’s attention is also drawn to the recent PTAB decision in *Ex parte* Brian Dueck (Appeal 2017-001320) from TC 3600 decided April 16, 2018. In that decision, the PTAB disagreed with the examiner’s conclusion that the recited steps were routine and conventional,

noting that the examiner had not undertaken the specific analysis required to show that the recited steps were routine and conventional. Also, the PTAB noted that the burden is on the examiner to show that the claimed arrangement does not constitute a non-conventional arrangement, citing *Bascom* (p. 9). The examiner has not met this burden in the present application.

The examiner is reminded that a finding that an element is well-understood, routine, or conventional cannot be based only on the fact that the specification is silent with respect to describing such element. Moreover, Applicant submits that it is not enough to merely recite that the additional element may be implemented by a generic computer and thus is “well-understood, routine and conventional in the field.” Applicant has specifically claimed that the real time scoreboard “displays each individual contestant’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, where each correctly answered question contributes to the contestant’s individual score on the real time scoreboard.” Whether such features can be implemented by a general-purpose computer is not determinative. As noted by the Federal Circuit in *Enfish*, the ability of an element to be implemented on a general-purpose computer does not doom the claims. Applicant submits that the examiner must establish using factual evidence that the additional claim elements including the claimed real time scoreboard are “well-understood, routine and conventional in the field” as required by the April 19, 2018 Memorandum. In the absence of such evidence, the rejections of claims 43-57, 59-73, 75-86, and 88-90 as allegedly being patent ineligible under 35 USC §101 are improper and should be withdrawn.

For at least these reasons, reconsideration of the rejections of claims 43-57, 59-73, 75-86, and 88-90 as allegedly being patent ineligible under 35 USC §101 is requested. Applicant requests that prosecution be reopened to reconsider the issues raised herein.

REQUEST TO REOPEN

Serial Number: 13/439,305

Filing Date: April 4, 2012

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Page 22

Dkt: 4933.001US1

CONCLUSION

Applicants respectfully submit that claims 43-57, 59-73, 75-86, and 88-90 are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' representative at (612) 371-2189 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account 19-0743.

Respectfully submitted,

SCHWEGMAN LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2189

Date April 26, 2018 By /Michael P. Dunnam/
Michael P. Dunnam
Reg. No. 32,611

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Carol White		
Attorney Docket Number:		4933.001US1		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
RCE- 1ST REQUEST	2801	1	650	650
Total in USD (\$)				650

Electronic Acknowledgement Receipt	
EFS ID:	32457958
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	21186
Filer:	Michael Paul Dunnam/Carol White
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	4933.001US1
Receipt Date:	26-APR-2018
Filing Date:	04-APR-2012
Time Stamp:	16:52:25
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		4933_001US1_RESPONSERCEas filed26.pdf	290863	yes	23
			5a2102bafc63a9cf9d5484d30afb8740450c b154		

Multipart Description/PDF files in .zip description					
Document Description			Start	End	
Request for Continued Examination (RCE)			1	1	
Amendment Submitted/Entered with Filing of CPA/RCE			2	2	
Claims			3	16	
Applicant Arguments/Remarks Made in an Amendment			17	23	
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30521	no	2
			a607d7d0d54c9c04a2c98c4f255e7a2a9a8e7401		
Warnings:					
Information:					
Total Files Size (in bytes):			321384		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



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.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

21186	7590	03/21/2018
SCHWEGMAN LUNDBERG & WOESSNER, P.A.		
P.O. BOX 2938		
MINNEAPOLIS, MN 55402		

EXAMINER
YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
03/21/2018	ELECTRONIC

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

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

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

uspto@slwip.com
SLW@blackhillsip.com

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2
3
4 BEFORE THE PATENT TRIAL AND APPEAL BOARD

5
6
7 *Ex parte* TIMOTHY KELLEY, MICHAEL J. PERRONE,
8 JOSEPH T. NAPOLI, and INNOKENTY Y. MIHAILOV

9
10
11 Appeal 2016-002165
12 Application 13/439,305
13 Technology Center 3700

14
15
16 Held: February 6, 2018

17
18
19
20 BEFORE: ANNETTE R. REIMERS, JILL D. HILL, and ERIC C. JESCHKE,
21 *Administrative Patent Judges.*

22
23 APPEARANCES:

24
25 ON BEHALF OF THE APPELLANT:
26 MICHAEL P. DUNNAM, ESQ.
27 Schwegman Lundberg Woessner
28 1600 TCF Tower
29 121 South Eighth Street
30 Minneapolis, Minnesota 55402

31
32 The above-entitled matter came on for hearing on Tuesday, February 6,
33 2018, at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria,
34 Virginia.

P R O C E E D I N G S

- - - - -

THE CLERK: Calendar Number 18, Appeal Number 2016-2165,
Mr. Dunnam.

JUDGE REIMERS: Thank you very much.

THE CLERK: You're welcome.

MR. DUNNAM: I may need a little technical assistance with this
computer. This right here?

JUDGE REIMERS: Are the things you're going to show us on the
computer in the briefs?

MR. DUNNAM: No. Well, actually, it's basically the invention.
You'll see the slide and it corresponds to figures in the application.

JUDGE REIMERS: Okay.

(Pause in the proceedings.)

MR. DUNNAM: He's going to do, like, a brief overview of the
invention, so most of the things you'll see are right in the figures. We're hoping
this pops up (inaudible).

(Pause in the proceedings.)

JUDGE REIMERS: Mr. Dunnam, do you have a business card for
the court reporter?

MR. DUNNAM: Ah, yes.

1 JUDGE REIMERS: I am Judge Reimers. To my right is Judge Hill.
2 To my left is Judge Jeschke. We are familiar with your case. You have 20
3 minutes, and you can begin whenever you're ready.

4 MR. DUNNAM: Okay. Well, my name is Michael Dunnam. I am
5 the representative of the applicant, and this is the inventor, Tim Kelley, and we
6 are going to -- there is only one issue in this case. It's a 101 case. It's an *Alice*
7 rejection. So the examiner found an abstract idea of an online academic
8 competition without significantly more. You might note that the final rejection
9 was issued in August 2014, shortly after the *Alice* decision, so this was before a
10 lot of the guidance had been issued. There was the June 25th guidance or 26th,
11 right after the *Alice* decision, but not everything had been out yet. In fact,
12 when we did the briefing in 2015, the only positive case with allowable claims
13 was the *EDR Holdings* case, and that's the one we relied upon in the -- in the
14 briefing.

15 But, of course, there has been more guidance from the Court since
16 then and more PTO guidance, so one of the reasons we wanted to have this was
17 an opportunity to go back and discuss what impact maybe some of those things
18 might have had and some of those decisions since 2015, and also, we want to
19 address the issue that the examiner supplemented his position in the examiner's
20 amendment, which was after the guidance came out, but was, I would argue,
21 new rejections that were not identified as new rejections. So we are going to
22 talk about that as well.

1 But before I get into any of that, I wanted to give Mr. Kelley here an
2 opportunity to explain the invention to you. So he's going to talk for a few
3 minutes, then I'll come back.

4 MR. KELLEY: Hello. So, quickly, five years ago when I was
5 starting down this road, I did an analysis of competition in the United States
6 K-to-12 space, and I compared athletic competition to academic competition
7 and participation rates, and I found that while millions were competing
8 athletically, very few, relatively speaking, were competing academically.

9 I did further analysis to try to determine why that was, and there were
10 two core reasons that I found, two failures in academic competition. One was
11 scheduling. Scheduling was fraught with difficulty. It involved travel, time,
12 expense, usually inopportune weekends, et cetera, et cetera, to play. The other
13 reason was the competition structures in academics tended to lack those game
14 mechanics that really resonated, I thought, with the mainstream population. So
15 we endeavored to solve those two problems, those core problems with our
16 application, okay?

17 So now I'm going to walk you through two -- into the -- an account of
18 an actual teacher. So this is a teacher who's from Prince George's County, just
19 down the road, okay? He's created an account -- they're a district client of ours.
20 He's created an account. He's created a team in his account, eighth grade
21 algebra. He's added students to his team. So now he's ready to play. The
22 matches are ready to be created.

1 So there are two ways that that can be done. One, he can create his
2 own matches on our platform; or, two, he can have us create matches through
3 our leagues and cycles functionality. So I'll show you quickly the first way.
4 He's going to create his own match. So I go to the "Create Match" page. He
5 can either challenge another team on our platform to a match, that's interteam,
6 or he can divide his team into multiple teams that play against each other, that's
7 intrateam, and we'll do that. I am going to just drag and drop a few players just
8 so you get an idea of how it works. He's divided his team up into two teams
9 there, put one student on each.

10 The next step, he goes to a question set. He chooses a question set.
11 He could have created that question set on his own by creating the questions, or
12 he can borrow from our repertoire of question sets that we post on teachers'
13 accounts. That question set then fuels the match, every single match on the
14 platform, and then, finally, you just select the date, say it's Friday (inaudible),
15 start time, 5:00 p.m., score time -- we'll get back to this, but I am going to
16 choose top five players for now, and I'll explain that later, and then a
17 five-minute match.

18 So there you have it. I've created the match, and at that time, when
19 that count time goes to zero, those students who are logged in will play in the
20 match. They will automatically be redirected to the match arena and start
21 competing. So that's his own.

22 Now, if I click to the "Math Madness" tab, now you can see that this
23 is a -- this is actually a match I created over the weekend between this man's

1 team and the opponent, which is Rowena Conway. This is a league -- using
2 our leagues and cycle functionality, and you will see that they are playing in
3 different times. This man is playing at 11:30. She's playing with her team at
4 11:30 on Friday. They're on -- there's -- so if this teacher that I'm in his
5 account wanted to change it to Friday, he can do that, and now this is going to
6 be a live match. So when the students are logged in, they're actually going to
7 see team scores updating in realtime from both the teams. So it's really quite
8 thrilling. It's like playing in a basketball match. That's the type of experience
9 we're trying to replicate.

10 But if they -- if this teacher cannot play on Friday, you can change it
11 back to Thursday, and so it's a nonlive match. So they play when it's
12 convenient for them, the other team plays when it's convenient for them, and
13 then the results are posted immediately after both teams have played. But even
14 in a nonlive match like this, each team plays with live score updating of their
15 own team. So they still have an experience of live competition, even though
16 the times are different between teams.

17 So hopefully that gives you a sense of how we've really removed the
18 scheduling difficulty out of academic competitions. Really, there's no
19 difficulty anymore, because each player -- each team can play whenever they
20 want to play, any day or time. So the scheduling conflict is removed by this
21 functionality.

22 The second -- now we turn to the core experience really of the entire
23 platform, which is students playing in a match, in an online arena, so -- an

1 online arena, so they are answering multiple-choice and fill-in-the-blank
2 questions, okay, in real time. So here, for example, you'll see two levels of
3 competition. There will be individual, and that's Steffan versus Annie, so it's
4 an individual level, and then a team level, the Eagles versus the Lions, okay?

5 So what happens is when the student, Steffan, answers a question
6 correctly, he scores a point. That point goes to his individual score
7 immediately. He's playing against Annie. Our system's algorithm has matched
8 these two students based on their past performance, so the competition is very
9 fair, very even between them. So he's scoring a point for himself, but also that
10 point may be going toward his team score. So the team score -- we had to
11 solve a very big problem here. The problem was, what if you have two
12 different class sizes competing -- which is almost always the case in the real
13 world, which I've been doing for five years. You have seven kids here, 30 kids
14 here, 20 here, 80.

15 The way we solved that problem is we've created what we call
16 top-end score. So the system will take the top-end players' scores from each
17 team. So it could be top five, top ten, top 15. The system was created to do --
18 to do all those numbers. So, for example, if it -- we chose top five players, we
19 would take the top five player scores of the Eagles and the top five scores of
20 the Lions, and that would be your team score, okay? But, no, this doesn't
21 happen after the match. This is happening during the match.

22 So that means the system is constantly surveilling all students on each
23 team, looking for the top five players' scores from each team. That can never

1 be done in reality manually. You could throw a million human beings to do
2 this in a manual competition, and they couldn't do this. We needed this
3 software, in conjunction with the computing device, to accomplish that. There
4 is no question about that.

5 So hopefully with this presentation you've seen how we solve those
6 two problems. We have eliminated timing and scheduling difficulties, and
7 we've brought in game mechanics that weren't found in the real world. So with
8 that, I will turn it back over to Michael.

9 MR. DUNNAM: Before I start, do you have any questions for
10 Mr. Kelley?

11 Okay. One thing I want to emphasize up front, first, the examiner
12 referred to a -- you know, the abstract idea of an online academic competition,
13 and we want to show today that it's really significantly more than that, and one
14 thing that I -- that you can see on this screen -- so I'll start with that. All the
15 claims from the very beginning -- and, again, now we're emphasizing this
16 realtime scoreboard, and this is the concept. You see up here in the middle --
17 well, first of all, you have the different people with the numbers, that shows
18 their actual score, and then there's the team score on the other side, but there's
19 also a clock that runs in the middle there, and so this is not like, you know,
20 online Match Game or something like that where they ask a question, you give
21 an answer, every -- and you answer at the same time, and then they tell you if
22 you're right or wrong, and then they'll ask another question, you're either right
23 or wrong.

1 This is you're given X number of questions in Y amount of time and
2 you're racing the clock, but you're also racing the other person. So you're
3 racing the clock and you're racing the amount of questions that are correct for
4 you and for your team. So you -- that's where this notion of competition comes
5 in, this real -- like an athletic competition, only it's in the context of an
6 academic competition, and this is something we've emphasized in the claims
7 throughout. This is what we mean when we refer to the realtime scoreboard.
8 That's the part in the middle there, so that has a timing aspect to it as well as a
9 scoring aspect to it, so that the student has that sense as they're progressing
10 through the match.

11 And this is what -- this is true whether it's in real time and there's a
12 person that might be on the next computer over, they might be across the
13 country, and it may be true if they're competing essentially against other
14 members of their own school or even their own prior times because they're
15 racing against their own prior best. This is something that, you know, if you
16 look in the claim, it's from the server side, so this is maintained on the server
17 side, so that information would be pushed to them where they can see it on
18 their -- on their clock, okay?

19 So we have the -- if we turn to the claims, you'll see there's two sets
20 of claims. The first independent claim is 43, and there's -- and that's a system,
21 and there's a corresponding method and (inaudible) claim. There's a couple
22 features we're emphasizing that were added during prosecution to address
23 primarily the 101 issue but also to overcome the prior art.

1 We have a realtime scoreboard, and the language is "a realtime
2 scoreboard to each contestant processing device" -- so this is to the individual
3 student's computer -- "that permits each individual contestant to track his or her
4 and his or her opponent's progress with respect to both the time frame for
5 answering questions and questions answered correctly, while answering the
6 series of questions during an academic competition." So we specifically recite
7 a series of questions during an academic competition. This is not like the
8 Quizzo or the Match Game or something like that that you might have seen on
9 television.

10 There's also, in the first independent claim, 43, "enabling teams, one
11 or more individual contestants, to compete over a series of test questions for an
12 allotted time period in an online format, including both the test item
13 presentation area and the realtime scoreboard with the time clock." And, again,
14 this was added during prosecution, and you'll see we distinguished over a
15 reference early on which had more -- what I mentioned, more like you answer
16 a question, it's graded, then you get another question, it's graded. And the
17 examiner ultimately dropped the rejection because we had shown that we had a
18 different approach. So this isn't simply an automation of the approach that
19 previously existed, but we would argue this is a totally new way of doing an
20 online academic competition.

21 In addition, in another feature we refer to live and nonlive
22 competitions, and you'll see there's also the feature that Mr. Kelley referred to
23 of sharing a team score, as determined by taking a running average of all or a

1 predetermined number of individual contestant scores from their respective
2 teams, the individual and team scores being updated in real time. So that's,
3 again, so that you have that sensation of -- of tension and excitement of the live
4 contest.

5 Now, in the second set of independent claims, that's 88 through 90,
6 they're picked up on allowable subject matter the examiner identified early on.
7 They are more particularly directed to establishing the academic -- the league
8 of teams and the cycle of academic competitions, enabling you to search for a
9 team, and then also being able to divide your own team into multiple teams so
10 that they can compete against each other. But in addition, it has the feature that
11 I mentioned of the online -- the realtime scoreboard.

12 Okay. And so we would argue that -- initially that these are all
13 meaningful limitations that were added to the claims to overcome the 101
14 rejection and that they are not routine or conventional elements. In fact, the
15 examiner -- I know that this is not something he specifically relied upon, but
16 the examiner found these to be novel and nonobvious elements, and they're not
17 routine and conventional, because these are actually a new online type -- a new
18 type of academic competition that wasn't available before until the software
19 was developed and it was moved onto a computer system, and also the fact that
20 this is team-based, whereas the prior systems were more individual-based.

21 So -- now, there's another set of claims that we've argued separately.
22 They're dependent claims. This goes to matching contestants, which you heard
23 about from Mr. Kelley, when there's multiple -- not the same number of

1 students from one school and another. We have a set of claims directed to
2 matching. Now, maybe this -- this might be one reason why the examiner
3 mentioned game rules, but this isn't really -- there's rules, but they are not game
4 rules. They are matching rules. We're determining when you match the
5 students to each other.

6 So unless there's any questions, I'm just going to turn to the rebuttal
7 of the examiner's position? Okay.

8 Now, the examiner -- of course, he said that the -- the abstract idea is
9 the online academic competition, so my first position is that I'm not aware that
10 there's a case that's ever found an online academic competition to be an abstract
11 idea, and the examiner's not free to make up his own, but, of course, this -- the
12 examiner's -- the examiner's answer came in before any of the guidance came
13 out from Mr. Barr (phonetic) in May of 2016. So I don't know how you work
14 that, but first of all, we would argue that that's not a recognized abstract idea.

15 Second, the examiner said the generic computer implements
16 instructions, that is not significantly more. There's a few cases that (inaudible)
17 that I am going to talk about, but basically what we're saying is that this is an
18 improvement to academic competitions that is enabled by doing it -- using a
19 computer. You could not have done this in an individual capacity because of
20 the realtime aspect of it and the competitive nature of it. It's not one question,
21 grade; one question, grade. It's multiple questions in a limited time frame
22 where you could not grade it.

1 Now, on a more technical note or a legal note, I should say, the
2 examiner added new rationales in the examiner's answer, and my position is
3 that's improper to do so, and I've cited the case *ex parte Udafsky*, 2011-06238,
4 (phonetic). I'd ask if you would please take a look at that case, okay?

5 Now, as I mentioned a moment ago, the examiner referred to game
6 rules for managing competition. There's no game rules anywhere mentioned in
7 the application and certainly not anywhere in the claims. The only rules are the
8 matching rules that I talked about with respect to Claims 47, 64, and 78, a
9 totally different things.

10 The examiner also referred to mathematical concepts. That was
11 totally new in the examiner's answer. There's nothing -- the examiner never
12 mentioned anything about mathematical concepts before that, and actually, if
13 you look at it, there is nothing that would be mathematical unless you want to
14 say those dependent claims regarding the matching would be some kind of
15 mathematical element, but those are dependent claims, okay?

16 Then the examiner refers to generic computer functions. He says the
17 realtime scoreboard is -- is generic and has been implemented -- been
18 implemented by a human, but as I hope we have gotten across today, a human
19 couldn't implement the realtime scoreboard. That's just -- there is no way to
20 really do that in any realistic way.

21 JUDGE JESCHKE: (Inaudible) in a realistic way?

1 MR. DUNNAM: Because you're given, say, 30 seconds to answer
2 eight questions. You couldn't have a human step in and grade the questions
3 and provide the update to the score, you know, because it's --

4 JUDGE JESCHKE: Why not?

5 JUDGE HILL: It's in real time is what you're saying.

6 MR. DUNNAM: Yeah, it's running in real time.

7 Okay. I'd like to -- I'm going to quote now from page 4 of the reply
8 brief on this point. "There's no such generic function for a realtime scoreboard
9 that is known in the art and the examiner has not shown a realtime scoreboard
10 to be well understood, routine, and conventional in computer processing
11 activities. Rather, the realtime scoreboard is a novel structure implemented
12 using unusual processing steps the examiner has acknowledged to be novel
13 over the prior art. The realtime scoreboard is just a specific limitation other
14 than what is well understood as routine and conventional in the field and is
15 implemented using unconventional steps that confine the claim to a particular
16 useful application." So basically this is a summary of our argument.

17 The realtime scoreboard feature is necessary for overcoming a
18 problem introduced by conducting academic contests online rather than in
19 person; namely, there is no common clock across the computer network for
20 tracking the progress of the contestants and keeping track of their scores so that
21 they can monitor their own progress and the progress of their opponent in real
22 time, to simulate the tension and excitement of a live contest.

1 Now, at the time we referred to the *DDR* decision. Again, that was
2 the only case we could refer to at that point, but like there, this solution of the
3 realtime scoreboard is necessarily rooted in computer technology in order to
4 overcome a problem specifically arising around computer networks. In this
5 case, it's because of the use of the computer to enable you to grade these things
6 effectively in real time that you couldn't do before.

7 Okay. Now, the examiner -- I think we have already addressed this,
8 but the examiner also referred to realtime scoring being performed by a human.
9 I think the examiner might have been thinking of this in terms of ask a
10 question, score the question, ask a question, score the question, as opposed to
11 many questions in a limited time frame. And, again, that was addressed in the
12 prior art.

13 Now, if there's no other questions, I just wanted to take the last
14 couple minutes here to point you to a couple cases that have come out since
15 *DDR*, okay? Well, first of all, there's an example -- a PTO example that seems
16 to be the most relevant one, and that is Example 21. That's *Google vs. Sinclair*.
17 It's an internet-centric challenge of a learning and offline subscriber with
18 time-sensitive information when the subscriber's computer is offline.

19 So this solution was necessarily rooted in computer technology, but
20 they also said in the example that unconventional steps that confine an abstract
21 idea to a particular useful application makes a patent eligible, and I would
22 argue here that we have unconventional steps that confine the invention to a
23 particular useful application. We're not claiming generically online academic

1 competition. We're claiming a very specific approach to this, like I said here,
2 using the computer to enable you to grade these things in real time.

3 Now, *Enfish*, of course, a lot -- that's probably the one you hear the
4 most, the most favorable in many respects where it's applicable here. *Enfish*
5 identifies what the claims are directed to, tells that the examiner needs to
6 identify what the claims are directed to, and here the online academic
7 competition with the realtime scoreboard and live and nonlive options in team
8 academic competition setup is what the claims are directed to. It's not the
9 generic notion of an online academic competition.

10 The examiner's interpretation of the claims we would argue, back to
11 where *Enfish* fits in, is untethered from the claim language. The examiner
12 refers to a tic tac toe example in the examiner's answer, which seems like the
13 examiner has some broad interpretation that's just way too broad.

14 Two more cases. *McRO*. *McRO*, that's the one -- the lip-syncing
15 case, you are probably familiar with that. So the *McRO* refers to a specific way
16 of achieving a desired outcome or end result and uses specific characteristics to
17 improve -- so when the generic rules were claimed, the claim was considered
18 patent-ineligible. When they claimed specific rules for particular types of
19 lip-syncing, the claims are found to be patent-eligible. And here we've claimed
20 specific characteristics to improve academic competitions. We're not claiming,
21 again, academic competitions.

22 So the computer is not simply an automation tool. We're not using
23 the same rules that were used -- it's like in *McRO*, the argument was made and

1 successfully made that the computer was not doing the same thing a human
2 did. They added new elements, new rules, the computer was doing new things.
3 Here, hopefully we have gotten across the notion that we didn't just automate
4 the existing academic competitions. This is a new approach, a new type of
5 academic competition that was made possible by computer.

6 And, finally, I don't know if you've seen this one yet, but the *Finjan*
7 decision came out January 10th. This one related to, in case you haven't seen it
8 yet, a method of providing computer security by scanning a downloadable and
9 attaching the results of that scan to the downloadable itself in the form of a
10 security profile. They said that -- and actually, this was Judge Dyk, so it's
11 pretty surprising to see this, but he said it was a good deal more than an
12 abstract idea, and certainly we would argue here that we have a good deal more
13 than an online academic competition.

14 He said in that case, in *Finjan*, there's a new kind of file that enables
15 a security system to do things it could not do before, and the analogy to us is
16 that we're enabling the computer to do things it could not do before, because
17 you're now providing an online academic competition with realtime scoring
18 that simulates the tension and excitement of a realtime academic contest.

19 The case also said a nonabstract improvement in computer
20 functionality rather than an abstract idea of computer security, *writ large*,
21 would be patent-eligible, and we're not -- again, we're not trying to claim an
22 online academic competition in the abstract sense. We have a very specific
23 one.

1 And, finally, *Finjan* also says on page 9, "Claims recite more than a
2 mere result. They recite specific steps and features that accomplish the desired
3 result." In our case, if you look at our claims, we've added pretty specific
4 details in there which shows the specific steps and features that accomplish the
5 realtime scoreboard, as well as the ability to grade multiple teams, as well as --
6 let me see what I -- as well as sharing the scores and taking the running
7 average, that's the team aspect of it, and also the notion of a series of test
8 questions as opposed to individual test questions within a limited time frame.
9 And, again, that was distinguished in the first action.

10 And there's also a recent case -- it kind of parrots *Finjan*, so I am not
11 going to get into it, but *Core Wireless vs. LG Electronics*, came out January
12 25th, follows *Finjan*. So I would just rely on the same things for that one.

13 That's really all I have unless you have some questions.

14 JUDGE REIMERS: I think we will take it under advisement. Thank
15 you. Thank you for the demonstration.

16 MR. DUNNAM: Oh, one last thing. These online -- the realtime
17 scoreboard, it's Figures 108 through 114, and also it's in the spec at 173 to 175,
18 those paragraphs, and 285 and 290, so you can see, and you'll see basically the
19 same thing in the diagrams that you saw here today.

20 JUDGE REIMERS: Okay, good. Thank you very much.

21 **(Whereupon, at 12:51 p.m., the hearing was adjourned.)**
22
23



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.
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1	8456

21186	7590	02/26/2018
SCHWEGMAN LUNDBERG & WOESSNER, P.A.		
P.O. BOX 2938		
MINNEAPOLIS, MN 55402		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
02/26/2018	ELECTRONIC

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

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

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

uspto@slwip.com
SLW@blackhillsip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte TIMOTHY J. KELLEY, MICHAEL J. PERRONE,
JOSEPH T. NAPOLI, and INNOKENTY Y. MIHAIOV

Appeal 2016-002165
Application 13/439,305
Technology Center 3700

Before ANNETTE R. REIMERS, JILL D. HILL, and ERIC C. JESCHKE,
Administrative Patent Judges.

HILL, *Administrative Patent Judge.*

DECISION ON APPEAL

This is an appeal under 35 U.S.C. § 134 from the final rejection of claims 43–57, 59–73, 75–86, and 88–90.¹ We have jurisdiction under 35 U.S.C. § 6(b). Oral argument was heard on February 6, 2018.

We AFFIRM.

¹ Following the Final Action, Appellants amended the claims and canceled claims 58, 74, and 87, such that a prior art rejection was withdrawn. Appellants also added claims 88–90, and the Examiner added claims 88–90 to the pending rejection under 35 U.S.C. § 101 as a new ground. *See* Final Act. 1, Advisory Act. 1, Appeal Br. 1, Ans. 3.

CLAIMED SUBJECT MATTER

Independent claims 43, 59, 75, and 88–90 are pending. The patent relates to a system for on-line academic competition (claims 43, 88), a method for on-line academic competition (claims 59, 89), and a non-transitory computer readable storage device to provide an on-line academic competition (claims 75, 90). Claim 43, reproduced below, illustrates the claimed subject matter:

43. A system for on-line academic competition, comprising:
- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
 - a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
 - providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and
 - enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of

individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

REJECTION

Claims 43–57, 59–73, 75–86, and 88–90 stand rejected under 35 U.S.C. § 101 as directed to ineligible subject matter.

PRINCIPLES OF LAW

A patent may be obtained for “any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof.” 35 U.S.C. § 101. The Supreme Court has held that this provision contains an important implicit exception: Laws of nature, natural phenomena, and abstract ideas are not patentable. *Alice Corp. Pty. Ltd. v. CLS Bank Int’l*, 134 S. Ct. 2347, 2354 (2014); *Gottschalk v. Benson*, 409 U.S. 63, 67 (1972) (“mental processes, and abstract intellectual concepts are not patentable, as they are the basic tools of scientific and technological work.”). Notwithstanding that a law of nature or an abstract idea, by itself, is not patentable, the application of these concepts may be deserving of patent protection. *Mayo Collaborative Servs. v. Prometheus Labs., Inc.*, 132 S. Ct. 1289, 1293–94 (2012). In *Mayo*, the Court stated that “to transform an unpatentable law of nature into a patent eligible application of such a law, one must do more than simply state the law of nature while adding the words ‘apply it.’” *Id.* at 1294 (citation omitted).

In *Alice*, the Supreme Court reaffirmed the framework set forth previously in *Mayo* “for distinguishing patents that claim laws of nature, natural phenomena, and abstract ideas from those that claim patent-eligible applications of these concepts.” *Alice*, 134 S. Ct. at 2355. The first step in the analysis is to “determine whether the claims at issue are directed to one of those patent-ineligible concepts.” *Id.* If the claims are directed to a patent-ineligible concept, then the second step in the analysis is to consider the elements of the claims “individually and ‘as an ordered combination’” to determine whether there are additional elements that “‘transform the nature of the claim’ into a patent-eligible application.” *Id.* (quoting *Mayo*, 132 S. Ct. at 1298, 1297). In other words, the second step is to “search for an ‘inventive concept’ — *i.e.*, an element or combination of elements that is ‘sufficient to ensure that the patent in practice amounts to significantly more than a patent upon the [ineligible concept] itself.’” *Id.* (brackets in original) (quoting *Mayo*, 132 S. Ct. at 1294). The prohibition against patenting an abstract idea “cannot be circumvented by attempting to limit the use of the formula to a particular technological environment or adding insignificant post-solution activity.” *Bilski v. Kappos*, 561 U.S. 593, 610–11 (2010) (citation and internal quotation marks omitted).

DISCUSSION

Appellants argue claims 43–47, 49–57, 59–63, 65–73, 75–77, and 79–86 as a group. *See* Appeal Br. 17. We select claim 43 as representative, and claims 44–47, 49–57, 59–63, 65–73, 75–77, and 79–86 stand or fall with claim 43. *See* 37 C.F.R. § 41.37(c)(1)(iv). Appellants set forth certain additional arguments regarding claims 88–90, and claims 48, 64, and 78, which we address separately below.

In rejecting the claims, the Examiner determines that the claims are directed to the abstract idea of an online academic competition, the additional elements (or combination of elements) of the claims amounting to no more than “(i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry.” Final Act. 4 (emphasis removed). According to the Examiner, the additional/combined claim elements do not provide meaningful limitations to transform the abstract idea into a patent-eligible application reciting significantly more than the abstract idea itself. Final Act. 4–5.

Claims 43–57, 59–73, 75–86

Appellants argue that the Examiner “has not pointed to any case or rationale holding that an ‘online academic competition’ is an abstract idea,” and provides no supporting evidence. Appeal Br. 15.

The Examiner’s position is that an academic competition “is a type of organizing human activity similar to those found by the courts to be abstract.” Ans. 4; *see CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366, 1371 (Fed. Cir. 2011). According to the Examiner, “[r]ules of managing an academic competition are abstract ideas based on *Alice* and other relevant recent court decisions. Such an abstract idea is carried out by general purpose computing devices.” Ans. 7. The Examiner contends that “a human could create teams of individual contestants, present a series of predetermined test questions to contestants, and provide a real time scoreboard to track progress,” and “[t]hen the human could allow two teams

to compete over a series of test questions for an allotted time period either live . . . or non-live.” *Id.* at 8.

Regarding the Examiner’s contention that the claimed method could be performed by a human, despite stating in their Appeal Brief that “the invention facilitates setting up and managing an on-line academic competition using hardware and software,” which set up and management “would have previously been performed manually” (*see* Appeal Br. 22), Appellants contend that “the claimed methods have not been used in the prior art, manually or otherwise.” Reply Br. 5–6.

Regardless of whether the claimed methods have been used in the prior art, we are not persuaded that the Examiner erred in determining that “a human could create teams of individual contestants, present a series of predetermined test questions to contestants, and provide a real time scoreboard to track progress,” and “[t]hen the human could allow two teams to compete over a series of test questions for an allotted time period either live . . . or non-live.” Ans. 7–8. Other than the benefit of performing the claimed method more efficiently and in real time, Appellants have not explained why the claimed method could not be performed by a human.

Appellants’ Specification does not describe any new or unique computer hardware or software, and the law is clear that simply programming a computer to perform what would otherwise be an abstract idea is not sufficient to impart patent eligibility. *See Alice Corp. Pty. v. CLS Bank Int’l*, 134 S. Ct. 2347, 2359 (2014).

The Examiner further contends that the claimed online academic competition can be analogized to game rules² implemented on a generic computer. Ans. 10.

Appellants reply that it would be “quite apparent to those skilled in the art that an online academic competition is not a game and is not driven by game rules,” and “the claims include features such as a real time scoreboard that is clearly not a game rule.” Reply Br. 2–3. Appellants further contend that the Examiner “has made no effort to identify any game rules implicated by the claims.” *Id.* at 3.

Appellants also argue that the claims are not directed to an abstract idea of an online academic competition, but rather are directed to specific techniques for providing online academic competitions in real-time or non-real time, while a contestant tracks certain aspects of the relative progress of his/her opponent. Appeal Br. 15. Appellant further points out that the claims recite features enabling two teams to compete either live or non-live “in an online format including . . . [a] real time scoreboard.” *Id.* Appellants contend that the claimed particular type of academic competition including

² Appellants urge the Board to decline to consider certain arguments made by the Examiner — including the Examiner’s assertion that the claims are drawn to game rules — alleging that the new arguments are unauthorized new grounds of rejection. *See* Reply Br. 2–5. Even if the Examiner’s assertions made to further explain the outstanding § 101 rejection could be considered new grounds (*see* 37 C.F.R. § 41.39(a)(2); *In re Kronig*, 539 F.2d 1300, 1303 (CCPA 1976)), Appellants’ recourse was to either (1) request to withdraw the appeal and reopen prosecution (*see* 37 C.F.R. § 1.111), or (2) maintain the appeal by filing a reply brief (*see* 37 C.F.R. § 41.41) that addresses the new grounds of rejection. We, therefore, consider each of the alleged new grounds.

real time progress tracking against an on-line/virtual opponent is not an abstract idea. *Id.* at 15–16.

We disagree with Appellants because a game can be defined as “a physical or mental competition conducted according to rules with the participants in direct opposition to each other³,” which appears to include Appellants’ online academic competition. We find no error in the Examiner’s characterization of the claimed online academic competition as an abstract idea. *See In re Smith*, 815 F.3d 816, 819 (Fed. Cir. 2016) (“the rejected claims, describing a set of rules for a game, are drawn to an abstract idea”).

Appellants further argue that the claims “amount to ‘significantly more’ than the purported ‘abstract idea’ of an online academic competition,” by reciting a real time scoreboard, and enabling teams to compete either live or non-live. Appeal Br. 17.

Regarding whether the recitation of a real time scoreboard provides significantly more than the judicial exception, the Examiner responds that the claimed real time scoreboard amounts to no more than instructions to implement an idea on a computer, or a recitation of generic computer structure that performs generic, well-understood, routine, and conventional computer functions. Ans. 4. According to the Examiner, generic electronic components performing their basic functions of displaying, transmitting, storing, retrieving, and processing data through a program that includes “mere instructions to implement the abstract idea on electronic machines” is

³ <https://www.merriam-webster.com/dictionary/game> (last visited Feb. 12, 2018).

not substantially more than the abstract idea itself. *Id.* Further, narrowing the abstract idea to a computerized network such as the Internet amounts to no more than implementing the abstract idea in a particular technological environment, without improving the technology, such that the “additional claim element(s) do not provide meaningful limitation(s) to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself.” *Id.* at 5.

Appellants reply that “[t]he only ‘electronic elements’ recited in any claim are a database, a processor, and a computer-readable storage device,” which “do NOT perform only generic computer functions but instead recite novel structures implemented using unusual processing steps that the examiner has acknowledged to be novel over the prior art.” Reply Br. 4. Appellants again point to the “real time scoreboard” as non-generic, arguing that “the [E]xaminer has not shown a real time scoreboard to be ‘well-understood, routine, and conventional’ computer processing activities (like displaying, transmitting, storing, retrieving, and processing data).” Reply Br. 4. Rather, Appellants contend, “the real time scoreboard is novel structure implemented using unusual processing steps that the [E]xaminer has acknowledged to be novel over the prior art.” *Id.* According to Appellants, “the real time scoreboard feature is necessary for overcoming a problem introduced by conducting academic contests online rather than in person, namely, that there is no common clock across a computer network for tracking the progress of the contestants” in real time to “simulate the tension and excitement of a live contest.” *Id.* at 4–5 (citing *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014)).

Because Appellants provide no explanation or evidence that the claimed “real time scoreboard” does more than perform a basic function, such as displaying collected data in a selected format, we agree with the Examiner that the claimed real time scoreboard provides no more than well-understood, routine, and conventional computer processing activities and therefore, does not provide significantly more than the judicial exception. Further, lacking evidence or explanation to the contrary, we are not persuaded that the ability to play live or non-live causes the claims to recite significantly more than the judicial exception.

Appellants also contend that “[t]here are any of a number of ways that an on-line academic competition could be conducted without including these features, thus precluding ‘preemption’ of an ‘online academic competition’ by the invention.” Appeal Br. 18 (including a comparison of the invention to Kahoot!), 21–22.

Although “preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility.” *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1379 (Fed. Cir. 2015) (citing *Alice*, 134 S. Ct. at 2354).

Appellants next argue that the Examiner’s withdrawal of the prior art rejection evidences that the claims are not directed to “well understood, routine, and conventional” computer functions, such that the claims recite “significantly more” than an abstract idea. Appeal Br. 18.

The Examiner disagrees. Ans. 11–12. According to the Examiner, “novelty does not make an abstract idea (i.e. rules for managing competition) any less abstract. Nor does adding more rules coupled with extra-solution activity transform the abstract idea into something more. A

specific implementation of an abstract idea on a general purpose computer is not sufficiently transformative.” Ans. 15.

We agree with the Examiner. “[U]nder the Mayo/Alice framework, a claim directed to a newly discovered law of nature (or natural phenomenon or abstract idea) cannot rely on the novelty of that discovery for the inventive concept necessary for patent eligibility.” *Genetic Techs. Ltd. v. Meril L.L.C.*, 818 F.3d 1369, 1376 (Fed. Cir. 2016); *see Diamond v. Diehr*, 101 S. Ct. 1048, 1057–58 (1981).

Appellants then argue that the Examiner fails to offer evidence to support “his position that the claims do not add ‘significantly more’ to the purported abstract idea.” Appeal Br. 20 (citing *Ex parte Poisson*, No. 2012-011084 (PTAB Feb. 27, 2015)). The Examiner disagrees, responding that *Poisson* is not precedential and, “[w]hile Examiners are required to analyze each and every claim element, there is no requirement that Examiners may not summarize the results of their analysis.” Ans. 14–15.

Appellants contend that, while *Poisson* is not precedential, the panel’s reasoning therein “is persuasive and should be followed, particularly where the examiner has so clearly failed to substantiate his position with any credible evidence.” Reply Br. 6.

We are not persuaded by Appellants’ argument. In *Poisson*, the Board rejected the Examiner’s conclusion that the claims were directed to an abstract idea of a new set of rules for playing a game, finding that the claim instead involved playing a game “using a table and cards.” *Poisson* 5. The Board reversed the Examiner’s rejection because the Board concluded that the facts and evidence relied upon by the Examiner did not support a finding that the claim was an ineligible abstract idea. *Id.* Here, the Examiner made

adequate findings of fact, including finding that the claimed online academic competition can be analogized to game rules implemented on a generic computer.

Claims 88–90

Regarding claims 88–90, the Examiner determines that “[t]he idea of an academic competition is a type of organizing human activity similar to those found by the courts to be abstract.” Ans. 4.

Appellants argue that claims 88–90 are not directed to an abstract idea, or to an online academic competition, but rather are directed to “enabling the creation of teams of individual contestants for participation in an academic competition,” “creating a league of teams, in which separate teams can be merged to form one team,” “creating a cycle of academic competitions amongst the league of teams,” “enabling a team to search for and then challenge another team of common time availability to an academic competition,” and dividing teams for an intra-team academic competition. Appeal Br. 16.

Regarding these claims, the Examiner responds that “a human could manage an academic competition” by creating teams, leagues, and a cycle of academic competition, presenting questions, and providing a scoreboard. Ans. 5.

Appellants reply that the claims recite “a real time scoreboard that a human could not implement, particularly where the contestants are located remote in time and/or geography from each other,” which takes “the claims outside of what is performed by a human or a generic computer by implementing steps and features that are not practiced in the prior art and

certainly not ‘well-understood, routine and conventional in the field.’”

Reply Br. 5.

We are not persuaded by this argument because Appellants do not provide evidence or a sufficient explanation about why the claimed real time scoreboard and contestants that are remote in time and/or geography take the claims outside of what is performed by a human or a generic computer.

Appellants also argue that claims 88–90 recite “significantly more” than an abstract idea because they recite matching contestants via the matching algorithm applying various rules. Appeal Br. 19.

The Examiner notes that algorithms are “a type of organizing human activity similar to those found by the courts to be abstract,” and “the fact that a general purpose computer can execute a specific mathematical algorithm is not improving its function.” Ans. 14.

Appellants reply that the claims do not recite a mathematical algorithm *per se*; “[r]ather, these features are recited in the context of an online academic competition where the claimed mechanism is provided for evenly matching individual contestants from opposing teams,” and “a particular way to set up an online competition” that does not include organizing human activities. Reply Br. 3.

We are not persuaded that matching contestants via the matching algorithm applying various rules causes claims 88–90 to recite significantly more than an abstract idea. We agree with the Examiner that the recited algorithms are “a type of organizing human activity similar to those found by the courts to be abstract.” Ans. 14.

Appellants argue that claims 88–90 do not preempt an abstract idea, because they provide a real time scoreboard, create leagues of teams, create

a cycle of academic competitions, enable challenging other teams, etc.
Appeal Br. 22.

We are not persuaded by this argument because, as explained above, although “preemption may signal patent ineligible subject matter, the absence of complete preemption does not demonstrate patent eligibility.” *Ariosa Diagnostics*, 788 F.3d at 1379 (Fed. Cir. 2015) (citing *Alice*, 134 S. Ct. at 2354).

Claims 48, 64, and 78

Regarding dependent claims 48, 64, and 78, Appellants argue that claims 48, 64, and 78 recite “significantly more” than an abstract idea because they recite matching contestants via a matching algorithm applying various rules. Appeal Br. 19–20.

The Examiner responds that claims 48, 64, and 78 “further describe the abstract idea, but do not make is less abstract, because they are no more than a field of use or merely involve insignificant extra-solution activity.” Ans. 13–14.

As explained above regarding claims 88–90, matching algorithms do not constitute significantly more than an abstract idea. Algorithms are “a type of organizing human activity similar to those found by the courts to be abstract.” Ans. 14.

For the reasons set forth above, Appellants do not apprise us of reversible error in the rejection, and we sustain the rejection of claims 43–57, 59–73, 75–86, and 88–90 as directed to ineligible subject matter.

CONCLUSION

We AFFIRM the rejection of claims 43–57, 59–73, 75–86, and 88–90 under 35 U.S.C. § 101.

Appeal 2016-002165
Application 13/439,305

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002

CONFIRMATION NO. 8456

POWER OF ATTORNEY NOTICE



23377
BAKER & HOSTETLER LLP
CIRA CENTRE 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Date Mailed: 02/01/2018

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 01/25/2018.

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

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

/megga/



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/439,305	04/04/2012	Timothy J. Kelley	4933.001US1

CONFIRMATION NO. 8456

POA ACCEPTANCE LETTER

21186
SCHWEGMAN LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402



Date Mailed: 02/01/2018

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 01/25/2018.

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

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

/megga/

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

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

I hereby appoint:

☒ Practitioners associated with the Customer Number:

21186

OR

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

Name	Registration Number	Name	Registration Number

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

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

☒ The address associated with Customer Number:

21186

OR

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

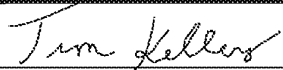
Assignee Name and Address:

Interstellar, Inc.
6117 N Kirkwood Ave
Chicago, IL 60646
United States of America

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

SIGNATURE of Assignee of Record

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

Signature		Date:	1/24/18
Name	Timothy Kelley	Telephone:	312-952-0436
Title	CEO		

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.

STATEMENT UNDER 37 C.F.R. 3.73(b)Applicant/Patent Owner: Timothy J Kelley et al. Attorney Docket No. 4933.001US1Application No./Patent No.: 13/439,305 Filed/Issue Date: April 4, 2012Titled: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

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

States that it is:

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

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

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 028417, Frame 0494 - 0503, or for which a copy therefore is attached.

OR

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

1. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

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

- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.
 [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

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

/Michael P. Dunnam/

Signature

January 25, 2018

Date

Michael P. Dunnam

Printed or Typed Name

USPTO Reg. No. 32,611

Title

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.

Electronic Acknowledgement Receipt	
EFS ID:	31605339
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	James R. Gould/Alexis Dagostino
Filer Authorized By:	James R. Gould
Attorney Docket Number:	100972.000002
Receipt Date:	25-JAN-2018
Filing Date:	04-APR-2012
Time Stamp:	14:31:19
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment		no			
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		4933_001US1-RPOA.pdf	224909	yes	3
			b1ecedc5420193e96525560b01598acc8655d64e		

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Miscellaneous Incoming Letter	1	1
	Power of Attorney	2	2
	Assignee showing of ownership per 37 CFR 3.73	3	3
Warnings:			
Information:			
Total Files Size (in bytes):			224909
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Timothy J Kelley et al.

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Docket No.: 4933.001US1

Serial No.: 13/439,305

Filed: April 4, 2012

Due Date: N/A

Examiner: Jason Yen

Group Art Unit: 3716

Customer No.: 21186

Confirmation No.: 8456

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

X Power of Attorney to Prosecute Applications before the USPTO (PTO/SB/80) (1 pg.)

X Statement Under 37 C.F.R. 3.73(b) (PTO/SB/96) (1 pg)

If not provided for in a separate paper filed herewith, please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743. If applicable, any papers or fees supplied herewith are considered to be timely filed pursuant to 37 C.F.R. § 1.7(a), the response period falling on a Federal Holiday, Saturday or Sunday being extended to the next succeeding business day.

SCHWEGMAN LUNDBERG & WOESSNER, P.A.

Customer No.: 21186

By: /Michael P. Dunnam/

Michael P. Dunnam

Reg. No. 32,611

RECEIVED
CENTRAL FAX CENTER

(1/3) 01/03/2018 01:19:47 PM -0600

JAN 03 2018



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.
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002	8456
23377 7590 12/14/2017 BAKER & HOSTETLER LLP CIRA CENTRE 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER YEN, JASON TAHAI	
			ART UNIT 3716	PAPER NUMBER
			NOTIFICATION DATE 12/14/2017	DELIVERY MODE 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):

coffice@monitor@bakerlaw.com

RECEIVED
CENTRAL FAX CENTER

JAN 03 2018

The United States Patent and Trademark Office
PATENT TRIAL AND APPEAL BOARDBAKER & HOSTETLER LLP
CIRA CENTRE 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Appeal No: 2016-002,165
Appellant: Timothy J. Kelley, et al.
Application No: 13/439,305
Hearing Room: D
Hearing Docket: B
Hearing Date: Tuesday, February 06, 2018
Hearing Time: 01:00 PM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

NOTICE OF HEARING - ALEXANDRIA, VIRGINIA
RESPONSE REQUIRED WITHIN 21 DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Patent Trial and Appeal Board on the date indicated. Hearings will commence at the time set, and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. **The time allowed for argument is 20 minutes** unless additional time is requested and approved before the argument commences. **If the application involved in this appeal has been published, the hearing will be open to the public.**

CONFIRMATION OF ATTENDANCE OR WAIVER OF THE HEARING IS REQUIRED WITHIN 21 DAYS OF THE MAILING DATE OF THIS NOTICE. Failure to respond may subject Appellant(s) to waiver of the oral hearing. If Appellant is no longer interested in having an oral hearing, Appellant must still file a waiver of oral hearing with the Board. This allows the panel to promptly act on the appeal without waiting for the oral hearing date.

Confirmation or waiver of the hearing should be indicated by completing the form below and returning it to the Board. This form may be filed with the Board by any one of the following three alternative methods:

1. Via the USPTO Electronic Filing System (EFS) at <http://www.uspto.gov/patents/process/file/efs/>
2. **PREFERRED:** Facsimile transmitted to: The USPTO Central fax number (official copy): **(571) 273-8300** and the PTAB Hearing fax number (courtesy copy): **(571) 273-9797.**
3. By mail at the PTAB mailing address: Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

PLEASE ELECT ONE OF THE OPTIONS BELOW:

☒ I ELECT AN IN-PERSON HEARING AND CONFIRM - ATTENDANCE IN
ALEXANDRIA, VIRGINIA (EFS-Web selection: Confirmation of Hearing by Appellant)

☐ I ELECT A TELEPHONIC HEARING - ATTENDANCE CONFIRMED (EFS-Web
selection: Confirmation of Hearing by Appellant)

☐ I ELECT A VIDEO HEARING - ATTENDANCE CONFIRMED (EFS-Web selection:
Confirmation of Hearing by Appellant)

☐ I ELECT TO WAIVE HEARING ATTENDANCE (EFS-Web selection: Waiver of
Hearing by Appellant)

To aid the oral hearings staff in scheduling hearing rooms, please indicate the total
number of participating and observing attendees if more than three are expected: _____

To aid the judges in determining whether any conflicts exist that may require a recusal, please
list in the 'Comments' section the names of any additional person(s) who will be participating in
the oral hearing. (Upon arrival at the **Madison East Building, 9th floor**, all persons presenting
arguments must sign in at the Usher's desk.)

Comments/Special Requests:

The inventor, Timothy John Kelley, will attend with counsel.

Michael P. Dunnam	32,611
Typed or Printed Name of Attorney/Agent/Appellant	Registration No.
/Michael P. Dunnam/	January 3, 2018
Signature of Attorney/Agent/Appellant	Date

The 'Hearings' section of the PTAB webpage <http://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/hearings> provides additional information about oral
hearings.

Please direct other inquiries to the PTAB Hearings Clerk at 571-272-9797.



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.
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002	8456

23377	7590	12/14/2017
BAKER & HOSTETLER LLP CIRA CENTRE 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891		

EXAMINER
YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
12/14/2017	ELECTRONIC

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

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

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

cofficemonitor@bakerlaw.com

**The United States Patent and Trademark Office
PATENT TRIAL AND APPEAL BOARD**



BAKER & HOSTETLER LLP
CIRA CENTRE 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Appeal No: 2016-002,165
Appellant: Timothy J. Kelley, et al.
Application No: 13/439,305
Hearing Room: D
Hearing Docket: B
Hearing Date: Tuesday, February 06, 2018
Hearing Time: 01:00 PM
Location: **Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450**

**NOTICE OF HEARING - ALEXANDRIA, VIRGINIA
RESPONSE REQUIRED WITHIN 21 DAYS**

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Patent Trial and Appeal Board on the date indicated. Hearings will commence at the time set, and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. **The time allowed for argument is 20 minutes** unless additional time is requested and approved before the argument commences. **If the application involved in this appeal has been published, the hearing will be open to the public.**

CONFIRMATION OF ATTENDANCE OR WAIVER OF THE HEARING IS REQUIRED WITHIN 21 DAYS OF THE MAILING DATE OF THIS NOTICE. Failure to respond may subject Appellant(s) to waiver of the oral hearing. If Appellant is no longer interested in having an oral hearing, Appellant must still file a waiver of oral hearing with the Board. This allows the panel to promptly act on the appeal without waiting for the oral hearing date.

Confirmation or waiver of the hearing should be indicated by completing the form below and returning it to the Board. This form may be filed with the Board by any one of the following three alternative methods:

1. Via the USPTO Electronic Filing System (EFS) at <http://www.uspto.gov/patents/process/file/efs/>
2. **PREFERRED:** Facsimile transmitted to: The USPTO Central fax number (official copy): **(571) 273-8300** and the PTAB Hearing fax number (courtesy copy): **(571) 273-9797.**
3. By mail at the PTAB mailing address: Patent Trial and Appeal Board
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

PLEASE ELECT ONE OF THE OPTIONS BELOW:

- ☐ I ELECT AN IN-PERSON HEARING AND CONFIRM - ATTENDANCE IN **ALEXANDRIA, VIRGINIA** *(EFS-Web selection: Confirmation of Hearing by Appellant)*
- ☐ I ELECT A TELEPHONIC HEARING - ATTENDANCE CONFIRMED *(EFS-Web selection: Confirmation of Hearing by Appellant)*
- ☐ I ELECT A VIDEO HEARING - ATTENDANCE CONFIRMED *(EFS-Web selection: Confirmation of Hearing by Appellant)*
- ☐ I ELECT TO WAIVE HEARING ATTENDANCE *(EFS-Web selection: Waiver of Hearing by Appellant)*

To aid the oral hearings staff in scheduling hearing rooms, please indicate the total number of participating and observing attendees if more than three are expected: _____

To aid the judges in determining whether any conflicts exist that may require a recusal, please list in the 'Comments' section the names of any additional person(s) who will be participating in the oral hearing. (Upon arrival at the **Madison East Building, 9th floor**, all persons presenting arguments must sign in at the Usher's desk.)

Comments/Special Requests:

Typed or Printed Name of Attorney/Agent/Appellant

Registration No.

Signature of Attorney/Agent/Appellant

Date

The 'Hearings' section of the PTAB webpage <http://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/hearings> provides additional information about oral hearings.

Please direct other inquiries to the PTAB Hearings Clerk at 571-272-9797.

S/N 13/439,305

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Timothy J Kelley et al.

Examiner: Jason Yen

Serial No.: 13/439,305

Group Art Unit: 3716

Filed: April 4, 2012

Docket: 4933.001US1

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

STATUS INQUIRY

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

Dear Sir:

The above-identified patent application was filed on April 4, 2012. Applicant's last communication from the Patent Office was the Patent Trial and Appeal Board Docketing Notice dated December 30, 2015 (Appeal Number 2016-002165).

Kindly inform us as to the status of this application, directing such notice to the attention of the below-signed attorney for Applicants.

Respectfully submitted,

SCHWEGMAN LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6900

Date December 12, 2017

By /Michael P. Dunnam/

Michael P. Dunnam
Reg. No. 32,611

Electronic Acknowledgement Receipt	
EFS ID:	31202781
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Christopher Joseph Brittain/Beth Moon
Filer Authorized By:	Christopher Joseph Brittain
Attorney Docket Number:	100972.000002
Receipt Date:	12-DEC-2017
Filing Date:	04-APR-2012
Time Stamp:	15:17:49
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment		no			
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		s4933_001US1_status_Inquiry.pdf	96460	yes	2
			49ff136676f88ef03f5e08ca3865248ed1e17137		

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Transmittal Letter	1	1
	Request for status of Application	2	2
Warnings:			
Information:			
Total Files Size (in bytes):		96460	
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Timothy J Kelley et al.

Title: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Docket No.: 4933.001US1

Filed: April 4, 2012

Examiner: Jason Yen

Customer No.: 21186

Serial No.: 13/439,305

Due Date: N/A

Group Art Unit: 3716

Confirmation No.: 8456

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

X Status Inquiry (1 pg.)

If not provided for in a separate paper filed herewith, please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743. If applicable, any papers or fees supplied herewith are considered to be timely filed pursuant to 37 C.F.R. § 1.7(a), the response period falling on a Federal Holiday, Saturday or Sunday being extended to the next succeeding business day.

SCHWEGMAN LUNDBERG & WOESSNER, P.A.

Customer No.: 21186

By: /Michael P. Dunnam/

Michael P. Dunnam

Reg. No. 32,611



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.
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002	8456

23377	7590	12/30/2015
BAKER & HOSTETLER LLP CIRA CENTRE 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
12/30/2015	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):

cofficemonitor@bakerlaw.com



United States Patent and Trademark Office

**Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office**

**P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov**

BAKER & HOSTETLER LLP
CIRA CENTRE 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Appeal No: 2016-002165
Application: 13/439,305
Appellant: Timothy J. Kelley et al.

Patent Trial and Appeal Board Docketing Notice

Application 13/439,305 was received from the Technology Center at the Board on December 17, 2015 and has been assigned Appeal No: 2016-002165.

In all future communications regarding this appeal, please include both the application number and the appeal number.

The mailing address for the Board is:

**PATENT TRIAL and APPEAL BOARD
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450**

Telephone inquiries can be made by calling 571-272-9797 and referencing the appeal number listed above.

By order of the Patent Trial and Appeal Board.

ALT

REQUEST FOR ORAL HEARING BEFORE THE PATENT TRIAL AND APPEAL BOARD		Docket Number (Optional) <div style="font-size: 1.2em;">100972.000002</div>
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450" [37 CFR 1.8(a)] on <u>December 9, 2015</u> .		In re Application of <div style="font-size: 1.2em; font-weight: bold;">Timothy J. Kelley</div>
Signature <u>/Michael P. Dunnam/</u> Typed or printed name <u>Michael P. Dunnam</u>		Application Number <div style="font-size: 1.2em;">13/439,305</div> Filed <div style="font-size: 1.2em;">April 4, 2012</div>
For System And Method For On-Line Academic Competition		Art Unit <div style="font-size: 1.2em;">3716</div> Examiner <div style="font-size: 1.2em;">Jason Tahai Yen</div>
Applicant hereby requests an oral hearing before the Patent Trial and Appeal Board in the appeal of the above-identified application.		
The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3)) \$ <u>1300</u>		
<div style="display: flex; justify-content: space-between;"> <div> ☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: </div> <div style="text-align: right;">\$ <u>650</u></div> </div>		
☐ A check in the amount of the fee is enclosed.		
☐ Payment by credit card. Form PTO-2038 is attached.		
☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.		
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>233050</u> .		
☒ Payment made via EFS-Web.		
☐ A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the		<div style="font-size: 1.2em;">/Michael P. Dunnam/</div>
☐ applicant.		<div style="text-align: right; font-size: 0.8em;">Signature</div> <div style="font-size: 1.2em;">Michael P. Dunnam</div> <div style="text-align: right; font-size: 0.8em;">Typed or printed name</div>
☒ attorney or agent of record. Registration number <u>32611</u>		<div style="font-size: 1.2em;">December 9, 2015</div> <div style="text-align: right; font-size: 0.8em;">Date</div>
☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		<div style="font-size: 1.2em;">215-568-3100</div> <div style="text-align: right; font-size: 0.8em;">Telephone number</div>
NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.		
☐ *Total of _____ forms are submitted.		

This collection of information is required by 37 CFR 41.20(b)(3). 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, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

DOCKET NO.: 100972.000002
Application No.: 13/439,305

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Timothy J. Kelley** Confirmation No.: **8456**
Serial No.: **13/439,305** Group Art Unit: **3716**
Filing Date: **April 4, 2012** Examiner: **Jason Tahai Yen**
For: **System and Method for On-Line Academic Competition**

REPLY BRIEF UNDER 37 CFR § 41.41

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

Dear Sir:

This Reply Brief is in response to the Examiner's Answer of October 9, 2015. Since this Reply Brief is being filed on or before December 9, 2015, it is timely. Appellants continue to rely upon the arguments set forth in the Appeal Brief of June 18, 2015. In addition, the following arguments are directed to new points made in the Examiner's Answer.

I. The Examiner Has Improperly Advanced New Rejection Rationale in the Examiner's Answer

In deciding to appeal the Final Rejection mailed August 21, 2014, Appellant relied upon the rejections and supporting reasons for rejection set forth in the Final Rejection. In particular, the examiner rejected all claims under 35 U.S.C. § 101 as allegedly being directed to the abstract idea of an "online academic competition" with additional elements amounting to "no more than: (i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry." In the Advisory Action mailed October 7, 2014, the examiner indicated that the reply filed September 22, 2014 overcame the prior art rejections, without any significant elaboration on the rationale for the claim rejections under 35 U.S.C. § 101. Based on these rejections as presented in the Final Rejection and Advisory Action, Appellant filed a Notice of Appeal on February 20, 2015.

Now, in response to Appellant's Appeal Brief, the examiner has, for the first time, significantly elaborated upon his rationale for the claim rejections under 35 U.S.C. §101 by advancing new theories in the "Response to Arguments" section of the Examiner's Answer that expand upon or are unrelated to the rationale set forth in the Final Rejection. Specific examples of new rationales will be discussed below. The Board is urged to decline to consider these new rationales because they implicitly constitute an unauthorized new ground of rejection. As expressly held by the Board in *Ex parte Yudoovsky et al.*, appeal 2011-006238, the "Response to Arguments" section of the Answer is not an appropriate place to raise a new rationale for unpatentability. Accordingly, the Board is asked to do as the panel did in *Ex parte Yudoovsky* and disregard the examiner's belated new rationales.

II. The Examiner has Improperly Asserted a New Ground of Rejection by Asserting that the Claims are Drawn to Game Rules

In rejecting claims 43-57, 59-73, 75-86, and 88-90 under 35 U.S.C. § 101, the examiner has, for the first time, characterized the claims as drawn to game rules, analogizing the claimed invention to the rules to tic-tac-toe. (See page 10 of Answer.) The examiner's position is totally new, and totally without merit. There are no rules expressly recited or anywhere inferred in the claims. The claims instead relate to systems, method, and computer readable storage devices for creating teams of contestants, presenting test questions to the contestants, providing a real time scoreboard to each contestant that permits each contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition, and enabling live and non-live competition between two teams of contestants over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock. Where is a rule recited or inferred by such processes? The examiner has not provided *any* indication.

The examiner's new example of a tic-tac-toe game shows just how badly the examiner has misinterpreted the claims. As just noted, the claims do not recite game rules and, in fact, nowhere specify what each contestant does during an online academic competition, other than to answer test questions. Moreover, the specification does not disclose game rules either. It is quite apparent to those skilled in the art that an online

607807987.1

academic competition is not a game and is not driven by game rules as the examiner now implies. Also, the claims include features such as a real time scoreboard that is clearly not a game rule. In any case, the examiner has made no effort to identify any game rules implicated by the claims and should not be permitted to so broadly, and incorrectly, characterize the claim features. The examiner's belated claim interpretation goes well beyond "broadest reasonable interpretation" and should not be considered by the Board.

III. The Examiner has Improperly Asserted a New Ground of Rejection by Asserting that the Claims include Mathematical Algorithms that are Purportedly a "Type of Organizing Human Activity"

In rejecting claims 48, 64, and 78 under 35 U.S.C. § 101, the examiner has, for the first time, characterized these claims as describing "mathematical concepts such as mathematical algorithms and calculations" where "the idea of mathematical algorithms is a type of organizing human activity similar to those found by the courts to be abstract." (See pages 13-14 of Answer). The examiner's position is totally new, and totally without merit.

First, the rejection is a new ground of rejection and should not be considered by the Board. Second, the examiner provides absolutely no factual or legal support for this statement. Appellant submits that there is no legal support to be had anywhere in the case law or in the USPTO's Interim Eligibility Guidance. Third, claims 48, 64, and 78 provide mathematical techniques for evenly matching individual contestants from opposing teams for the academic competition set forth in the independent claims, particularly for those cases where there are not even numbers of contestants in each group.

Appellant has not claimed a mathematical algorithm *per se* nor attempted to preempt the concept of matching contestants from different teams. Rather, these features are recited in the context of an online academic competition where the claimed mechanism is provided for evenly matching individual contestants from opposing teams. Appellant submits that there are many ways to match contestants besides the methods claimed and that the claimed methods recite a particular way to set up an online competition without claiming methods of organizing human activities as the examiner asserts for the first time in the Examiner's Answer. This new line of rejection is improper and should not be considered by the Board.

IV. The Examiner has Incorrectly Asserted that the Claims Recite Electronic Components that Perform Generic Computer Functions.

In the new grounds of rejection of claims 88-90 at page 5 of the Examiner's Answer, the examiner alleges, for the first time, that the claims recite "electronic components at each step of the game process [that] perform generic computer functions." The examiner further discounted the claimed features as nothing more than "mere instructions to implement the idea on a computer" and/or "recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry." This is simply inaccurate. The only "electronic elements" recited in any claim are a database, a processor, and a computer-readable storage device. Also, contrary to the examiner's allegations, the recited "electronic elements" do NOT perform only generic computer functions but instead recite novel structures implemented using unusual processing steps that the examiner has acknowledged to be novel over the prior art.

For example, claims 88-90 as well as each of claims 43-57, 59-73, and 75-86 recites a "real time scoreboard" that is provided to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an on-line academic competition. There is no such generic computer function for a real time scoreboard that is known in the art and the examiner has not shown a real time scoreboard to be "well-understood, routine, and conventional" computer processing activities (like displaying, transmitting, storing, retrieving, and processing data). Rather, the real time scoreboard is novel structure implemented using unusual processing steps that the examiner has acknowledged to be novel over the prior art. The real time scoreboard is thus a specific limitation other than what is well-understood, routine and conventional in the field and is implemented using unconventional steps that confine the claim to a particular useful application. Moreover, the real time scoreboard feature is necessary for overcoming a problem introduced by conducting academic contests online rather than in person, namely, that there is no common clock across a computer network for tracking the progress of the contestants and keeping track of their scores so that they can monitor their own progress and the progress of their opponent in real time to simulate the

607807987.1

tension and excitement of a live contest. Thus, like the claims in *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245 (Fed. Cir. 2014), the solution of a real time scoreboard as claimed is “necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks.” All claims reciting such features, including claims 88-90, thus clearly include features that add “substantially more” to the claims.

V. The Examiner has Incorrectly Asserted that the Claims Recite Steps that Could be Performed by a Human

In the new grounds of rejection of claims 88-90 at page 5 of the Examiner’s Answer, the examiner further asserted, again for the first time, that the claimed process amounts to “no more than a series of abstract steps for managing a competition for different contestants” by a human. Appellant traverses the examiner’s suggestion that the claimed methods could be performed by a human and that the claimed methods merely apply such human steps on a computer. As noted above, the methods implement features such as a real time scoreboard that a human could not implement, particularly where the contestants are located remote in time and/or geography from each other. Such claimed features take the claims outside of what is performed by a human or a generic computer by implementing steps and features that are not practiced in the prior art and certainly not “well-understood, routine and conventional in the field.”

VI. The Examiner Mistakenly Asserts that Appellant Agrees that the Claimed Online Academic Competition has been Performed Manually

At page 17 of the Examiner’s Answer, the examiner suggested that “Appellant appears to agree with the Examiner that ‘set up and management of academic competitions would have previously been performed manually.’” This is not the case. The examiner took Appellant’s comments out of context. Appellant stated at page 22 of the Appeal Brief that “the invention facilitates setting up and managing an on-line academic competition using hardware and software embodying the invention. Set up and management of academic competitions would have previously been performed manually, if at all.” This statement was in the context of Appellant’s argument that the claims do not preempt set up and management

of academic competitions. Appellant maintains that the claimed methods have not been used in the prior art, manually or otherwise.

VII. The Examiner Improperly Ignores Admonitions of the Board that Determination of Whether a Claim is Directed to an Abstract Idea Must Be Based on Evidence

At page 14 of the Examiner's Answer, the examiner expressly ignores the express holding of the Patent Trial and Appeal Board in *Ex Parte Poisson*, 2012-011064, further stating that "[t]he decisions generated by the Patent Trial and Appeal Board are not considered to be precedent setting and are not relied upon to make an examination decision." While Appellant acknowledges that no individual Board decision is controlling here, Appellant submits that the Board's reasoning in *Ex Parte Poisson* is persuasive and should be followed, particularly where the examiner has so clearly failed to substantiate his position with any credible evidence. The Board is requested to require the examiner to support his rejections with substantive evidence and to not permit the examiner to hide behind the hand waiving offered to date.

CONCLUSION

For at least these additional reasons, the Board's reversal of the rejection of claims 43-57, 59-73, 75-86, and 88-90 under 35 U.S.C. § 101 is solicited.

Date: December 9, 2015

/Michael P. Dunnam/
Michael P. Dunnam
Registration No. 32,611

BakerHostetler LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Denise Marvel		
Attorney Docket Number:		100972.000002		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Request For Oral Hearing	2403	1	650	650
Appeal Forwarding Fee	2413	1	1000	1000

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1650

Electronic Acknowledgement Receipt	
EFS ID:	24311897
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Denise Marvel
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	100972.000002
Receipt Date:	09-DEC-2015
Filing Date:	04-APR-2012
Time Stamp:	16:15:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 1650
RAM confirmation Number	3169
Deposit Account	233050
Authorized User	BAKER HOSTETLER LLP
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

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	Transmittal Letter	100972_000002_Transmittal_filed_12-9-15.PDF	262754	no	2
			e9b1d3b9f5905484d235d557cd0ba19214266475		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	100972_000002_Appeal_Forwarding_Fee_filed_12-9-15.PDF	223804	no	2
			71af599bcb5e9d3ae578b891a5f5b6c2198374be		
Warnings:					
Information:					
3	Request for Oral Hearing	100972_000002_Request_for_Oral_Hearing_filed_12-9-15.PDF	89584	no	2
			da98f7a0dd57a3261a04fa96a954831af4bce695		
Warnings:					
Information:					
4	Reply Brief Filed	100972_000002_Reply_Brief_filed_12-9-15.PDF	146750	no	6
			49a098bb57a21ead54cdeddc02a95d1ab9e7755b		
Warnings:					
Information:					
5	Fee Worksheet (SB06)	fee-info.pdf	32036	no	2
			b52991d75f97397e5d681277817add0c3eaa32ba0		
Warnings:					
Information:					
Total Files Size (in bytes):			754928		

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.

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.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	13/439,305
	Filing Date	April 4, 2012
	First Named Inventor	Timothy J. Kelley
	Art Unit	3716
	Examiner Name	Jason Tahai Yen
Total Number of Pages in This Submission	Attorney Docket Number	100972.000002

ENCLOSURES <i>(Check all that apply)</i>		
☐ Fee Transmittal Form ☐ Fee Attached ☐ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☐ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☒ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☒ Other Enclosure(s) (please identify below): Request for Oral Hearing; Certification and Transmittal for Appeal Forwarding Fee
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Baker & Hostetler LLP		
Signature	/Michael P. Dunnam/		
Printed name	Michael P. Dunnam		
Date	December 9, 2015	Reg. No.	32611

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

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Doc code: WFEE.APPEAL

Doc Description: Certification and Transmittal of Appeal Forwarding Fee

PTO/AIA/34 (06-14)

CERTIFICATION AND TRANSMITTAL OF APPEAL FORWARDING FEE		Docket Number (Optional) 100972.000002								
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on <u>December 9, 2015</u>.</p> <p>Signature <u>/Michael P. Dunnam/</u></p> <p>Typed or printed name <u>Michael P. Dunnam</u></p>	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td colspan="2" style="padding: 2px;">In re Application of Timothy J. Kelley</td></tr><tr><td style="width: 60%; padding: 2px;">Application Number 13/439,305</td><td style="padding: 2px;">Filed April 4, 2012</td></tr><tr><td colspan="2" style="padding: 2px;">For System And Method For On-Line Academic Competitions</td></tr><tr><td style="padding: 2px;">Art Unit 3716</td><td style="padding: 2px;">Examiner Jason Tahai Yen</td></tr></table>		In re Application of Timothy J. Kelley		Application Number 13/439,305	Filed April 4, 2012	For System And Method For On-Line Academic Competitions		Art Unit 3716	Examiner Jason Tahai Yen
In re Application of Timothy J. Kelley										
Application Number 13/439,305	Filed April 4, 2012									
For System And Method For On-Line Academic Competitions										
Art Unit 3716	Examiner Jason Tahai Yen									
<p>37 CFR 41.45 specifies that, in order to avoid dismissal of the appeal, appellant must pay the fee set in 37 CFR 41.20(b)(4) within two months of the later of the date of either the examiner's answer, or a decision refusing to grant a petition under 37 CFR 1.181 to designate a new ground of rejection in an examiner's answer.</p> <p>The undersigned certifies that the appropriate fee accompanies this transmittal.</p> <p>The fee for forwarding this appeal is (37 CFR 41.20(b)(4)) \$ <u>2000</u></p> <p>☒ Appellant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: \$ <u>1000</u></p> <p>☐ Appellant certifies micro entity status. See 37 CFR 1.29. Therefore, the fee shown above is reduced by 75%, and the resulting fee is: \$ _____</p> <p style="margin-left: 20px;">Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.</p> <p>☐ A check in the amount of the fee is enclosed.</p> <p>☐ Payment by credit card. Form PTO-2038 is attached.</p> <p>☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>233050</u>.</p> <p>☒ Payment made via EFS-Web.</p> <p>Extensions of time under 37 CFR 1.136(a) for patent applications are not applicable to the time period set forth in 37 CFR 41.45. See 37 CFR 1.136(b) for extensions of time to reply for patent applications and 37 CFR 1.550(c) for extensions of time to reply for <i>ex parte</i> reexamination proceedings.</p> <p style="text-align: center;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <table style="width: 100%;"><tr><td style="width: 33%;">☐ appellant</td><td style="width: 33%;">☒ attorney or agent of record Registration number <u>32611</u></td><td style="width: 33%;">☐ attorney or agent acting under 37 CFR 1.34 Registration number _____</td></tr></table> <p>Signature <u>/Michael P. Dunnam/</u></p> <p>Typed or printed name <u>Michael P. Dunnam</u></p> <p>Telephone Number <u>215-568-3100</u></p> <p>Date <u>December 9, 2015</u></p> <p>NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.</p> <p>☐ * Total of _____ forms are submitted.</p>			☐ appellant	☒ attorney or agent of record Registration number <u>32611</u>	☐ attorney or agent acting under 37 CFR 1.34 Registration number _____					
☐ appellant	☒ attorney or agent of record Registration number <u>32611</u>	☐ attorney or agent acting under 37 CFR 1.34 Registration number _____								

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

Privacy Act Statement

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

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

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



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.
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002	8456

23377	7590	10/09/2015
BAKER & HOSTETLER LLP		
CIRA CENTRE 12TH FLOOR		
2929 ARCH STREET		
PHILADELPHIA, PA 19104-2891		

EXAMINER
YEN, JASON TAHAI

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
10/09/2015	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):

cofficeonitor@bakerlaw.com

Application/Control Number: 13/439,305
Art Unit: 3716

Page 2

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 13/439,305
Filing Date: 4/4/2012
Appellant(s): Timothy J. Kelly et al.

Michael P. Dunnam
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/18/2015.

(1) Grounds of Rejection to be Reviewed on Appeal

Every ground of rejection set forth in the Office action dated 8/21/2014 from which the appeal is taken is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

WITHDRAWN REJECTIONS

Claims 43-47, 49, 51-52, 54-57, 59-63, 65, 67-68, 70-73, 75-77, 79, 81-82, 84-86 were previously rejected under the 35 U.S.C. 103(a). The rejection has been withdrawn in view of claims amendments.

NEW GROUNDS OF REJECTION

Newly added claims 88-90 are rejected under the 35 U.S.C. 101. The following ground(s) of rejection are applicable to the appealed claims

Claim Rejections - 35 USC § 101

1. 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.

2. In the instant application, the claim(s) are drawn to at least one of the four statutory categories of invention (i.e. process, machine, manufacture, or composition), however, Claim(s) 88-89 is/are rejected under 35 U.S.C. 101 because the claimed invention is directed to a judicial exception (i.e., a law of nature, a natural phenomenon, or an abstract idea) without significantly more. Claim(s) 88, 89, 90 is/are directed to manage an online academic competition. The idea of an academic competition is a type of organizing human activity similar to those found by the courts to be abstract.

3. The claim(s) does/do not include additional elements that are sufficient to amount to significantly more than the judicial exception because the addition of limitations such as “a database”, “a processor”, “processing devices”, “a real time scoreboard” (claims 88, 89, 90), “a non-transitory computer readable storage device having instructions stored thereon” (claim 90), amount(s) to no more than: *(i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry*, i.e. these generic electronic components are claimed to perform their basic functions of displaying, transmitting, storing, retrieving and processing data through the program that enables the operation of managing an academic competition. The recitation of the computer limitations amounts to mere instructions to implement the abstract idea on electronic machines. Moreover, narrowing the idea to a computerized network such as the Internet is an attempt to limit the use of the abstract idea to a particular technological environment, without causing improvements to any technology or improvements in the

functioning of the computer itself. Taking the additional elements individually and in combination, the electronic components at each step of the game process perform generic computer functions. As such, viewed as a whole, these additional claim element(s) do not provide meaningful limitation(s) to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself.

4. Furthermore, claim 88, for example as representative of the other independent claims, recites limitations such as creating teams of individual contestants, presenting a series of predetermined test questions, providing a real time scoreboard, creating a league of teams, creating a cycle of academic competitions, enabling a team to search for and then challenge another team, and enabling the team to be divided into multiple teams that could be performed by a human. For example, a human could manage an academic competition by creating teams of individual contestants, presenting a series of predetermined test questions to contestants, providing a real time scoreboard to track progress, creating a league of teams, and creating a cycle of academic competitions. Then the human could allow a team to search for and then challenge another team. The described process amounts to no more than a series of abstract steps for managing a competition for different contestants. Essentially, the claims when analyzed in their entirety are held to be non-statutory because they are considered to be drawn to an abstract idea without any limitation(s) which qualify as "significantly more" than the abstract idea itself, but rather are merely implemented/applied on general purpose

computing devices that generally well known in the industry. Therefore claims 88, 89, 90 are found to be ineligible for patent protection under 35 USC 101.

(2) Response to Argument

Appellant's arguments with respect to Claims 43-57, 59-73, 75-86, 88-90 on pages 12-22 of Appellant's brief filed 6/18/2015 are addressed herein.

Section I

Appellant summarizes PTO's 2014 Interim Guidance on Patent Subject Matter Eligibility.

Section II, Part (A)

In (A), Appellant argues that claims 43-57, 59-73, 75-86, 88-90 are not directed to abstract idea under Part I of the abstract idea test, specifically, the Office Action has not provided any evidence supporting the idea of "an online academic competition" is an abstract idea. Examiner disagrees. The final Office Action followed the procedures outlines in the "2014 Interim Eligibility Guidance", which provides for the summarization of the claims. That is, under the Step 2A of the 2014 Interim Guidance, the Office Action stated the claims are directed to an abstract idea of an online academic competition. Furthermore, claims 43-57, 59-73, 75-86, 88-90 are not claimed to incorporate any particular advancement to technology that would distinguish them as being anything other than general purpose computing devices in the art. The recitations include an abstract idea of creating teams of individual contestants, presenting a series of predetermined test questions, providing a real time scoreboard to track progress,

enabling two teams to compete over a series of test questions for an allotted time period either live (i.e. if both teams share a common preferred time) or non-live (if both teams do not share a common preferred time), creating a league of teams, creating a cycle of academic competitions, enabling a team to search for and then challenge another team, and enabling the team to be divided into multiple teams. Essentially an academic competition is claimed. The claims set forth a set of rules for managing an academic competition. Rules of managing an academic competition are abstract ideas based on *Alice* and other relevant recent court decisions. Such an abstract idea is carried out by general purpose computing devices. That is, the abstract idea is implemented by the general purpose computing devices, without causing improvements to any technology, improvements in the functioning of the computer itself (the fact that a general purpose computer can execute code is not improving its function), or providing any meaningful limitations beyond generally linking these abstract ideas to the technological environments of the general purpose computing devices. Essentially, the claims when analyzed in their entirety are held to be non-statutory because they are considered to be drawn to an abstract idea without any limitation(s) which qualify as "significantly more" than the abstract idea itself, but rather are merely implemented/applied on general purpose computing devices that generally well known in the industry. Therefore claims 43-57, 59-73, 75-86, 88-90 are found to be ineligible for patent protection under 35 USC 101.

(A) – Separate Argument (1)

Appellant argues that independent claims 43, 59, 75 are not directed to the abstract idea because the claims are directed to specific techniques for providing academic competitions. Examiner disagrees. As explained above, the claims include an abstract idea of creating teams of individual contestants, presenting a series of predetermined test questions, providing a real time scoreboard to track progress, enabling two teams to compete over a series of test questions for an allotted time period either live (i.e. if both teams share a common preferred time) or non-live (if both teams do not share a common preferred time) that could be performed by a human. For example, a human could create teams of individual contestants, present a series of predetermined test questions to contestants, and provide a real time scoreboard to track progress. Then the human could allow two teams to compete over a series of test questions for an allotted time period either live (i.e. if both teams share a common preferred time) or non-live (if both teams do not share a common preferred time). The described process amounts to no more than a series of abstract steps for managing a competition for different contestants. Essentially, the claims when analyzed in their entirety are held to be non-statutory because they are considered to be drawn to an abstract idea without any limitation(s) which qualify as "significantly more" than the abstract idea itself, but rather are merely implemented/applied on general purpose computing devices that generally well known in the industry. Moreover, narrowing the idea to an online environment such as the Internet is an attempt to limit the use of the abstract idea to a particular technological environment, without causing improvements to any technology or improvements in the functioning of the computer itself. In addition,

a specific abstract idea is still an abstract idea. In *Ultramercial* for example, the Court summed up a specific 11-step method as "using advertising as an exchange or currency." *Ultramercial, Inc., et al. v. Hulu, Inc. and WildTangent, Inc.* 2010-1544 (Fed. Cir., 2014). The Court found that the claim nonetheless recited a judicial exception. Similarly, here, Examiner finds that despite being specific, the claims are still drawn to an abstract idea. Therefore claims 43, 59, 75 are found to be ineligible for patent protection under 35 USC 101.

Separate Argument (2)

Appellant argues that independent claims 88-90 are not directed to the abstract idea because the claims are directed to specific techniques for providing academic competitions. Examiner disagrees. As discussed above, claims 88-90 recites limitations such as creating teams of individual contestants, presenting a series of predetermined test questions, providing a real time scoreboard, creating a league of teams, creating a cycle of academic competitions, enabling a team to search for and then challenge another team, and enabling the team to be divided into multiple teams that could be performed by a human. For example, a human could manage an academic competition by creating teams of individual contestants, presenting a series of predetermined test questions to contestants, providing a real time scoreboard to track progress, creating a league of teams, and creating a cycle of academic competitions. Then the human could allow a team to search for and then challenge another team. The described process amounts to no more than a series of abstract steps for managing a competition for different contestants. Essentially, the claims when analyzed in their entirety are held to

be non-statutory because they are considered to be drawn to an abstract idea without any limitation(s) which qualify as "significantly more" than the abstract idea itself, but rather are merely implemented/applied on general purpose computing devices that generally well known in the industry.

Part (B)

In (A), Appellant argues that claims 43-57, 59-73, 75-86, 88-90 recite substantially more than abstract idea because the claims include additional features that are more than a drafting effort design to monopolize the exception. Examiner disagrees. Appellant's claims are drawn to game rules (i.e. an academic competition is considered by Examiner as a game) implemented on a generic computer. Game rules *per se* are abstract ideas because they seek to preempt any and all uses of those rules. For instance, if someone claimed the rules to tic-tac-toe, those claims would seek to preempt any and all uses of those rules. Someone playing tic-tac-toe with pencil and paper would infringe on such a patent. Someone playing tic-tac-toe in the sand on a beach would infringe on such a patent. Someone playing tic-tac-toe with a computer would infringe on such a patent. Any and all uses of the rules to tic-tac-toe would be preempted. This means that game rules *per se* are abstract ideas. Pre-Alice, it was the Office's position that limiting the claims to a computer-implemented embodiment was enough to overcome this problem and confer patent-eligibility. With the Alice decision, this is no longer the case. Implementing an abstract idea on a generic computer will not confer patent-eligibility. Since Appellant's invention is the implementation of game rules *per se* on a generic computer, it cannot be patent-eligible.

(B) – Separate Argument (1)

Appellant argues that independent claims 43, 59, 75 recite features, specifically, a real time scoreboard and enabling two teams to compete live or non-live, that are significantly more than an abstract idea because there are any of a number of ways that an on-line academic competition could be conducted without including these features, thus precluding “preemption” of an “online academic competition” by the invention. Examiner disagrees. As explained above, a specific abstract idea is still an abstract idea. In *Ultramercial* for example, the Court summed up a specific 11-step method as “using advertising as an exchange or currency.” *Ultramercial, Inc., et al. v. Hulu, Inc. and WildTangent, Inc.* 2010-1544 (Fed. Cir., 2014). The Court found that the claim nonetheless recited a judicial exception. Moreover, game rules *per se* are abstract ideas because they seek to preempt any and all uses of those rules. For instance, Appellant is attempting to preempt every computerized implementation of the game rules outlined in the claims.

Applicant further argues that the claims’ features are patentable because they distinguish over the prior art. This argument has been repeatedly rejected by the courts. Here, similarly, novelty cannot save the claims. In *Mayo Collaborative Services, dba Mayo Medical Laboratories, et al., v. Prometheus Laboratories, Inc.*, 132 S.Ct. 1289 (2012) at 1303-1304, the US Government (i.e., the Patent Office) filed an amicus brief arguing that novelty should equate to patentability. The Supreme Court stated: This approach, however, would make the “law of nature” exception to § 101 patentability a dead letter. The approach is therefore not consistent with prior law. The relevant cases

rest their holdings upon section 101, not later sections. *Bilski*, 561 U.S. ___, 130 S.Ct. 3218, 177 L.Ed.2d 792; *Diehr*, *supra*; *Flook*, *supra*; *Benson*, 409 U.S. 63, 93 S.Ct. 253, 34 L.Ed.2d 273. See also H.R.Rep. No. 1923, 82d Cong., 2d Sess., 6 (1952) ("A person may have 'invented' a machine or a manufacture, which may include anything under the sun that is made by man, but it is not necessarily patentable under section 101 unless the conditions of the title are fulfilled" (emphasis added)). In *Ultramercial, Inc., et al. v. Hulu, Inc. and WildTangent, Inc.* 2010-1544 (Fed. Cir., 2014), *Ultramercial* made the same argument. The court rejected that argument out of hand: "According to *Ultramercial*, abstract ideas remain patent-eligible under § 101 as long as they are new ideas, not previously well known, and not routine activity... We do not agree with *Ultramercial* that the addition of merely novel or non-routine components to the claimed idea necessarily turns an abstraction into something concrete. In any event, any novelty in implementation of the idea is a factor to be considered only in the second step of the Alice analysis."; "A claim that recites an abstract idea must include 'additional features' to ensure 'that the [claim] is more than a drafting effort designed to monopolize the [abstract idea].' Those 'additional features' must be more than 'well-understood, routine, conventional activity... That some of the eleven steps were not previously employed in this art is not enough--standing alone--to confer patent eligibility upon the claims at issue". In *Dealertrack Inc. v Huber* (page 30), the court stated: the "defenses provided in the statute," §282, include not only the "conditions of patentability" in §§ 102 and 103, but also those in § 101. See *Aristocrat Techs. Austl. PTY Ltd. V. Int'l Game Tech.*, 543 F.3d 657, 661 (Fed. Cir. 2008) ("It has long been understood that the Patent

Act sets out the conditions for patentability in three sections: sections 101, 102, and 103." (citing *Graham v. John Deer Co. of Kansas City*, 383 U.S. 1 (1966))).

Separate Argument (2)

Appellant argues that independent claims 88-90 include features that amount to significantly more than an abstract idea the type precluded under the Interim Guidance. Examiner disagrees. As explained above, the described claims features amount to no more than a series of abstract steps for managing a competition for different contestants. Essentially, the claims when analyzed in their entirety are held to be non-statutory because they are considered to be drawn to an abstract idea without any limitation(s) which qualify as "significantly more" than the abstract idea itself, but rather are merely implemented/applied on general purpose computing devices that generally well known in the industry. That is, the abstract idea is implemented by the general purpose computing devices, without causing improvements to any technology, improvements in the functioning of the computer itself (the fact that a general purpose computer can execute code is not improving its function), or providing any meaningful limitations beyond generally linking these abstract ideas to the technological environments of the general purpose computing devices. Moreover, the examples in the 2014 Interim Eligibility Guidance are non-limiting or non-exclusive.

Separate Argument (3)

Appellant further argues that claims 48, 64, 78 amount to significantly more because the claims include specified matching algorithm. Examiner disagrees. Claims 48, 64, and 78 further describe the abstract idea, but do not make it less abstract

because they are no more than a field of use or merely involve insignificant extra-solution activity or intangibly related to the performance of the steps. Moreover, the claims describe mathematical concepts such as mathematical algorithms and calculations. The idea of mathematical algorithms is a type of organizing human activity similar to those found by the courts to be abstract. Furthermore, the claimed abstract idea is carried out by general purpose computing devices in the art without causing improvements to any technology, improvements in the functioning of the computer itself (the fact that a general purpose computer can execute a specific mathematical algorithm is not improving its function), or providing any meaningful limitations beyond generally linking these abstract ideas to the technological environments of the general purpose computing devices.

Part (C)

Appellant argues that the Examiner has not provide any evidence to support the claims do not add significantly more, specifically, in view of Patent Trial and Appeal Board's Ex parte Poisson. Examiner disagrees. The decisions generated by the Patent Trial and Appeal Board are not considered to be precedent setting and are not relied upon to make an examination decision. Furthermore, Examiner stated in the Office Action dated 8/21/2014 that "the additional element(s) or combination of elements in the claim(s) other than the abstract idea per se amount(s) to no more than: *(i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent*

industry.” While Examiners are required to analyze each and every claim element, there is no requirement that Examiners may not summarize the results of their analysis. Moreover, as discussed above, the claimed invention could be carried out by a human. This is considered as an abstract idea and is not patent-eligible without significantly more.

Appellant further argues that the claims are not simply directed to features that are simple, conventional, fundamental, or well-understood because the claims are allowable over the prior art. Examiner disagrees. As discussed above, novelty does not make an abstract idea (i.e. a set of rules for managing competition) any less abstract. Nor does adding more rules coupled with extra-solution activity transform the abstract idea into something more. A specific implementation of an abstract idea on a general purpose computer is not sufficiently transformative.

Part (D)

Appellant argues that the claims do not preempt an abstract idea. Examiner disagrees. As discussed above, Appellant’s claims are drawn to a set of rules (managing an academic competition) implemented on a generic computer. A set of rules *per se* are abstract ideas because they seek to preempt any and all uses of those rules. For example, Appellant is attempting to preempt every computerized implementation of the rules outlined in the claims.

(D) – Separate Argument (1)

Appellant argues that claims 43, 59, and 75 recited claim limitations that are specific and do not preempt any abstract idea on a computer. Examiner disagrees. As

discussed above, Appellant's claims are drawn to a set of rules (managing an academic competition) implemented on a generic computer. A set of rules *per se* are abstract ideas because they seek to preempt any and all uses of those rules. For example, Appellant is attempting to preempt every computerized implementation of the rules outlined in the claims. Furthermore, the claims include limitations that amount to no more than a series of abstract steps for managing a competition for different contestants. Essentially, the claims when analyzed in their entirety are held to be non-statutory because they are considered to be drawn to an abstract idea without any limitation(s) which qualify as "significantly more" than the abstract idea itself, but rather are merely implemented/applied on general purpose computing devices that generally well known in the industry. Moreover, narrowing the idea to an online format such as the Internet is an attempt to limit the use of the abstract idea to a particular technological environment, without causing improvements to any technology or improvements in the functioning of the computer itself. Moreover, a specific abstract idea is still an abstract idea. In *Ultramercial* for example, the Court summed up a specific 11-step method as "using advertising as an exchange or currency." *Ultramercial, Inc., et al. v. Hulu, Inc. and WildTangent, Inc.* 2010-1544 (Fed. Cir., 2014). The Court found that the claim nonetheless recited a judicial exception. Similarly, here, Examiner finds that despite being specific, the claims are still drawn to an abstract idea. Dependent Claim(s) 44-57, 60-73, and 76-86 further describe the abstract idea, but do not make it less abstract because they are no more than a field of use or merely involve insignificant extra-

solution activity or intangibly related to the performance of the steps. Therefore, the dependent claims fail to provide any limitations that remedy the issues set forth above.

Separate Argument (2)

Appellant argues that the independent claims 88-90 include features that do not seek to tie up any judicial exception. Examiner disagrees. As discussed above, Appellant's claims are drawn to a set of rules (managing an academic competition) implemented on a generic computer. A set of rules *per se* are abstract ideas because they seek to preempt any and all uses of those rules. For example, Appellant is attempting to preempt every computerized implementation of the rules outlined in the claims. Moreover, Appellant appears to agree with the Examiner that "set up and management of academic competitions would have previously been performed manually". That is, the claims when analyzed in their entirety are held to be non-statutory because they are considered to be drawn to an abstract idea without any limitation(s) which qualify as "significantly more" than the abstract idea itself, but rather are merely implemented/applied on general purpose computing devices that generally well known in the industry.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/JASON YEN/

Primary Examiner, Art Unit 3716

Application/Control Number: 13/439,305
Art Unit: 3716

Page 18

Conferees:

/Paul A. D'Agostino/
Acting SPE of Art Unit 3716

/DAVID L LEWIS/

Supervisory Patent Examiner, Art Unit 3714

DOCKET NO.: 100972.000002
Application No.: 13/439,305

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Timothy J. Kelley** Confirmation No.: **8456**
Serial No.: **13/439,305** Group Art Unit: **3716**
Filing Date: **April 4, 2012** Examiner: **Jason Tahai Yen**
For: **System and Method for On-Line Academic Competition**

APPELLANT'S BRIEF PURSUANT TO 37 C.F.R. § 41.37

This brief is being filed in support of Appellant's appeal from the rejections of claims 43-57, 59-73, 75-86, and 88-90 set forth in the Final Official Action mailed August 21, 2014. A Notice of Appeal was filed on February 20, 2015. Since this brief is being filed on or before June 20, 2015, it is timely.

1. REAL PARTY IN INTEREST

The real party in interest is Interstellar, Inc. by virtue of an assignment from the inventors.

2. RELATED APPEALS AND INTERFERENCES

None.

3. STATUS OF CLAIMS

Claims 43-57, 59-73, 75-86, and 88-90 are pending and are the subject of this appeal. Claims 1-42, 58, 74, and 87 have been canceled. Claims 43, 59, 75, and 88-90 are independent.

4. STATUS OF AMENDMENTS

As indicated in the Advisory Action mailed October 7, 2014, the Amendment After Final Rejection submitted on September 22, 2014, has been entered. Claims 43, 48, 53, 59, 64, 69, 75, 78, and 83 were amended, claims 58, 74, and 87 were canceled, and claims 88-90 were added in response to the Final Rejection mailed August 21, 2014.

5. SUMMARY OF CLAIMED SUBJECT MATTER

The following summary is provided for purposes of complying with the provisions of 37 CFR 41.37(c)(1)(iii). Citations are to the as-filed specification. The entire disclosure should be reviewed to obtain a complete understanding of the claim language. The summary is provided for each of independent claims 43, 59, 75, and 88-90.

Claim 43

Claim language	Citation(s) to specification
A system for on-line academic competition, comprising:	Paragraph [0129]
a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and	Paragraphs [0140] and [0194]
a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:	Paragraphs [0140]-[0146] and [0295]; Figure 1
enabling the creation of teams of individual contestants for participation in an academic competition;	Paragraphs [0129], [0166] and [0214]-[0216]; Figures 43-45
presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;	Paragraphs [0148], [0150], and [0288]-[0292]; Figures 3 and 6
providing a real time scoreboard to each	Paragraphs [0173]-[0175] and [0285]-[0290];

606584922.1

contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and	Figures 108-111
enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have	Paragraphs [0129], [0134]-[0141], [0171]-[0175], [0178], [0229]-[0231], [0236], [0251], [0275], and [0285]-[0292]; Figures 72, 98, and 108-114

played at their respective preferred times.	
---	--

Claim 59

Claim language	Citation(s) to specification
A method for on-line academic competition, comprising:	Paragraph [0129]
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;	Paragraphs [0129], [0166] and [0214]-[0216]; Figures 43-45
presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;	Paragraphs [0148], [0150], and [0288]-[0292]; Figures 3 and 6
providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and	Paragraphs [0173]-[0175] and [0285]-[0290]; Figures 108-111
enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from	Paragraphs [0129], [0134]-[0141], [0171]-[0175], [0178], [0229]-[0231], [0236], [0251], [0275], and [0285]-[0292]; Figures 72, 98, and 108-114

opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.	
--	--

Claim 75

Claim language	Citation(s) to specification
A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:	Paragraphs [0129] and [0295]
enabling the creation of teams of individual contestants for participation in an academic competition;	Paragraphs [0129], [0166] and [0214]-[0216]; Figures 43-45
presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams	Paragraphs [0148], [0150], and [0288]-[0292]; Figures 3 and 6

for response in a time frame allocated for an academic competition;	
providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and	Paragraphs [0173]-[0175] and [0285]-[0290]; Figures 108-111
enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of	Paragraphs [0129], [0134]-[0141], [0171]-[0175], [0178], [0229]-[0231], [0236], [0251], [0275], and [0285]-[0292]; Figures 72, 98, and 108-114

the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.	
---	--

Claim 88

Claim language	Citation(s) to specification
A system for on-line academic competition, comprising:	Paragraph [0129]
a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and	Paragraphs [0140] and [0194]
a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:	Paragraphs [0140]-[0146] and [0295]; Figure 1
enabling the creation of teams of individual contestants for participation in an academic competition;	Paragraphs [0129], [0166] and [0214]-[0216]; Figures 43-45
presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;	Paragraphs [0148], [0150], and [0288]-[0292]; Figures 3 and 6
providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions	Paragraphs [0173]-[0175] and [0285]-[0290]; Figures 108-111

during an academic competition;	
creating a league of teams, in which separate teams can be merged to form one team;	Paragraphs [0158]-[0160], [0163], and [0223]-[0243]
creating a cycle of academic competitions amongst the league of teams;	Paragraphs [0134], [0160]-[0162], [0223], [0234]-[0236], and [0239]-[0240]; Figures 11-12, 52, 55-57, and 60-61
enabling a team to search for and then challenge another team of common time availability to an academic competition; and	Paragraphs [0168], [0251], and [0260]-[0263]; Figures 15, 72, and 83-86
enabling said team to be divided into multiple teams for an intra-team academic competition.	Paragraphs [0168], [0265], [0269], and [0286]; Figures 15, 88, and 92

Claim 89

Claim language	Citation(s) to specification
A method for on-line academic competition, comprising:	Paragraph [0129]
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;	Paragraphs [0129], [0166] and [0214]-[0216]; Figures 43-45
presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;	Paragraphs [0148], [0150], and [0288]-[0292]; Figures 3 and 6
providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect	Paragraphs [0173]-[0175] and [0285]-[0290]; Figures 108-111

to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;	
creating a league of teams, in which separate teams can be merged to form one team;	Paragraphs [0158]-[0160], [0163], and [0223]-[0243]
creating a cycle of academic competitions amongst the league of teams;	Paragraphs [0134], [0160]-[0162], [0223], [0234]-[0236], and [0239]-[0240]; Figures 11-12, 52, 55-57, and 60-61
enabling a team to search for and then challenge another team of common time availability to an academic competition; and	Paragraphs [0168], [0251], and [0260]-[0263]; Figures 15, 72, and 83-86
enabling said team to be divided into multiple teams for an intra-team academic competition.	Paragraphs [0168], [0265], [0269], and [0286]; Figures 15, 88, and 92

Claim 90

Claim language	Citation(s) to specification
A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:	Paragraphs [0129] and [0295]
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;	Paragraphs [0129], [0166] and [0214]-[0216]; Figures 43-45
presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for	Paragraphs [0148], [0150], and [0288]-[0292]; Figures 3 and 6

response in a time frame allocated for an academic competition;	
providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;	Paragraphs [0173]-[0175] and [0285]-[0290]; Figures 108-111
creating a league of teams, in which separate teams can be merged to form one team;	Paragraphs [0158]-[0160], [0163], and [0223]-[0243]
creating a cycle of academic competitions amongst the league of teams;	Paragraphs [0134], [0160]-[0162], [0223], [0234]-[0236], and [0239]-[0240]; Figures 11-12, 52, 55-57, and 60-61
enabling a team to search for and then challenge another team of common time availability to an academic competition; and	Paragraphs [0168], [0251], and [0260]-[0263]; Figures 15, 72, and 83-86
enabling said team to be divided into multiple teams for an intra-team academic competition.	Paragraphs [0168], [0265], [0269], and [0286]; Figures 15, 88, and 92

Description of Operation of Invention

The invention thus relates to a system, method, and computer readable storage device for facilitating on-line live academic competition between teams and individuals for fostering academic competition between students and schools. During operation, the process begins with the registration of a school or association in the system and the account activation of its members. Once active, an educator can access the site, complete his/her profile information, and immediately form virtual teams. These virtual teams might be composed of students from a particular class, *e.g.*, 8th Grade Biology Team, or from an after school club, *e.g.*, SAT Practice Team. The educator can arrange competition events for that team by dividing it into two or more opposing teams or by challenging another team in the network on a specific date.

606584922.1

These two competition formats are jointly referred to as Pick-Up Play. The educator can also enter the team into a cycle of regularly occurring contests in a format called League Play. When creating a Pick-Up Play event, the educator can easily create and save questions, and even add images to them, in order to fuel the competition. In addition, the educator can choose from a database of questions submitted by fellow educators in the network. For League Play events, the system administrator arranges the questions under the direction of the league's participants.

The experience of the student mirrors what would be found in sport. Prior to an academic competition event, an algorithm evenly matches students from opposing teams based on past performance, ensuring that competition is as fair as possible. If one team is larger than the other, a matching algorithm matches students 2:1, 3:1, etc., until all students have been matched. During the event, questions are presented in random order across students to mitigate the possibility of cheating. A scoreboard displays the name, photo, and score (as measured by questions answered correctly) of both the student and the matched opponent, unless the student has chosen to conceal his/her identity. If this selection is made, then the student's name and photo remain hidden from the opponent. Alternatively, at the educator's direction, team score can be displayed on the scoreboard. In this case individuals are not matched. Instead, score is determined by taking a running average of all student scores and rounding to the nearest whole number. Of particular value, a specialized clock not only keeps track of time remaining, but alerts the student as to whether he/she is on pace to finish the questions on time.

Since a server is typically not able to initiate actions on a client, the system of the invention employs an APE server that connects students with each other in channel and with the network server so as to allow a bi-directional exchange of data in real-time. The on-line academic competition functionality is implemented in software applications running on the network server that are implemented through the APE server (Figure 2). The processing of matching students for the on-line academic competition is illustrated in Figures 3-6, and an explanation of the administrative software for managing the on-line academic competition is provided with respect to Figures 9-16 at paragraphs. As described, the administrative functions include creating competitors (Figure 10), creating a league of teams, creating a cycle for league competitions (Figures 11-13), competitions scheduling (Figure 14), and league play. The coach functions include creating a coach profile, creating a team,

scheduling a match, setting up pick-up play, providing inter-team pick-up play, providing intra-team pick-up play, and providing pick-up play for multiple teams (Figures 15-16). The coach and/or administrator may create and store questions using a question manager (Figure 17).

The system also provides a scoreboard area that presents individual and/or team scores to the contestants during timed competitions. The scoreboard shows where a contestant is relative to his/her opponent, how much time has elapsed in the contest, and whether the contestant is on pace to finish on time (Figures 108-114).

Individuals on respective academic teams are matched for competitions using a matching team member algorithm described with respect to Figures 18-23. Students are matched based on their scores, ranks, etc. When the teams do not have the same numbers of students, a consecutive visits algorithm is invoked to provide a best match for the students on the respective teams.

Operation of the academic competition platform is described in connection with Figures 25-115 illustrating screen shots during access to the system by administrators, coaches, and team members. Figures 29-64 illustrate screen shots for the screens presented to the system administrator during system administration. Figures 65-98 illustrate screen shots for the screens presented to a coach who accesses the system. Finally, Figures 99-115 illustrate screen shots for the screens presented to a team member who accesses the system.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 43-57, 59-73, 75-86, and 88-90 stand rejected under 35 U.S.C. §101 as allegedly being directed to ineligible subject matter.

7. ARGUMENT

In rejecting claims **43-57, 59-73, 75-86, and 88-90** under 35 U.S.C. §101, the examiner has alleged that the claimed invention is directed to ineligible subject matter. In particular, the examiner alleges that the claims are directed to the abstract idea of an online academic competition and that the additional claim features purportedly do not provide meaningful limitations to transform the abstract idea into a patent eligible application of the abstract idea. These rejections are traversed.

I. Subject Matter Eligibility Under *Alice* and PTO Guidelines

On June 19, 2014, the Supreme Court issued a unanimous decision in *Alice Corporation Pty. Ltd. v. CLS Bank International, et al.*, 134 S.Ct. 2347, 110 U.S.P.Q.2d 1976 (2014), holding that patent claims directed to a scheme for mitigating settlement risk are nonstatutory under 35 U.S.C. §101 as directed to an abstract idea. The Supreme Court determined that Alice's claims to methods were ineligible because "the claims at issue amount to 'nothing significantly more' than an instruction to apply the abstract idea of intermediated settlement using some unspecified, generic computer." Alice's claims to computer systems and computer-readable storage media were held to be ineligible for substantially the same reasons in that the generically-recited computers in the claims added nothing of substance to the underlying abstract idea.

On June 25, 2014, The Deputy Commissioner for Patent Examination Policy issued Preliminary Examination Instructions in view of the Supreme Court's Decision in *Alice* ("Preliminary Examination Instructions"). The Preliminary Examination Instructions were effective June 25, 2014 and established a two-part test for determining subject matter eligibility under 35 U.S.C. §101. First, the examiner is to determine whether the claim is directed to one of the four statutory categories of invention (process, machine, manufacture, or composition of matter). If not, the claim is rejected as being directed to non-statutory subject matter. Second, if the claim does fall within one of the statutory categories, the examiner is to determine whether the claim is directed to a judicial exception (law of nature, natural phenomenon, or abstract idea) and, if so, to determine whether the claim is a patent-eligible application of the judicial exception.

Subsequent to the issuance of the present Final Rejection, the USPTO issued on December 16, 2014 its 2014 Interim Guidance on Patent Subject Matter Eligibility ("Interim Guidance"). The Interim Guidance supplements the June 25, 2014, Preliminary Examination Instructions and differs from the Preliminary Examination Instructions in several respects. For example, the application of the overall analysis is based on claims directed to judicial exceptions (defined as claims reciting the exception, *i.e.*, set forth or described), rather than claims merely "involving" an exception (see Interim Guidance, footnote 2). The Interim Guidance also sets forth a two-part test for abstract ideas as follows:

Part 1: Determine whether the claim is directed to an abstract idea. A claim is directed to a judicial exception when the abstract idea is recited (*i.e.*, set forth or described) in

the claim. It is noted that to “properly interpret the claim, it is important to understand what the applicant has invented and is seeking to patent.” Examples of abstract ideas identified in the instructions include fundamental economic practices, certain methods of organizing human activities, an idea “of itself,” and mathematical relationships/formulas. The Interim Guidance also identifies the types of concepts courts have found to be abstract ideas (none of which relate to anything comparable to a “method for on-line academic competition”).

Part 2: If an abstract idea is present in the claim, determine whether any element, or combination of elements, in the claim is sufficient to ensure that the claim amounts to significantly more than the abstract idea itself. In particular, are there other limitations in the claim that indicate more than a mere instruction to apply the abstract idea? The examiner is to consider the claim as a whole by considering all claim elements, both individually and in combination. Examples of “significantly more” when recited in a claim with an abstract idea identified in the Interim Guidance include improvements to another technology or technical field, improvements to the functioning of a computer itself, applying the abstract idea with, or by use of, a particular machine, effecting a transformation or reduction or a particular article to a different state or thing, adding a specific limitation other than what is well-understood, routine and conventional in the field, or adding unconventional steps that confine the claim to a particular useful application, or other meaningful limitations beyond generally linking the use of an abstract idea to a particular technological environment. Examples that are not enough to qualify as “significantly more” when recited in a claim with an abstract idea identified in the Interim Guidance include adding the words “apply it” or an equivalent with an abstract idea, mere instructions to implement an abstract idea on a computer, appending well-understood, routine, and conventional activities previously known to the industry, specified at a high level of granularity, to the abstract idea (*e.g.*, a claim to an abstract idea requiring no more than a generic computer to perform generic computer functions that are well-understood, routine, and conventional activities known in the industry), adding insignificant extrasolution activity to the abstract idea (*e.g.*, mere data gathering in conjunction with an abstract idea), or generally linking the use of the abstract idea to a particular technological environment or field of use.

Using this two part abstract idea test, if there are no meaningful limitations in the claim that transform the exception into a patent eligible application such that the claim amounts to “significantly more” than the exception itself, the claim should be rejected under

35 U.S.C. §101 as being directed to non-statutory subject matter. Otherwise, the claims should not be rejected under 35 U.S.C. §101. In either case, the examiner should proceed with examination of the claim to determine patentability in accordance with the other requirements of the patent statute.

II. Claims 43-57, 59-73, 75-86, and 88-90 Are Directed to Eligible Subject Matter

In applying the Interim Guidance to pending claims 43-57, 59-73, 75-86, and 88-90, Applicant first observes that claims 43-57, 59-73, 75-86, and 88-90 are directed to systems, methods, and storage devices containing instructions for “on-line academic competition.” Accordingly, claims 43-57, 59-73, 75-86, and 88-90 are clearly within one of the four statutory categories of invention (process or system) and the examiner is to apply the two-part test for abstract ideas.

A. Claims 43-57, 59-73, 75-86, and 88-90 Are Not Directed to Abstract Idea

Under Part 1 of the Abstract Idea Test

In applying Part 1 of the abstract idea test, the examiner has alleged that the claims are directed to the abstract idea of an “online academic competition.” The examiner has not pointed to any case or rationale holding that an “online academic competition” is an abstract idea or to any evidence whatsoever in support of this conclusion.

1. Separate Argument for Claims 43, 59, and 75

In response to the examiner’s arguments with respect to claims 43, 59, and 75, Applicant notes that independent claims 43, 59, and 75 are not directed to the broad concept or abstract idea of an online academic competition but are instead directed to specific techniques for providing academic competitions in real-time or non-real time while enabling a contestant to track the progress of his/her opponent with respect to their own progress through test questions. In particular, a real time scoreboard is provided to each contestant processing device that permits each individual contestant to track his/her and his/her opponent’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an on-line academic competition. In addition, the claims recite features for “enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other,

606584922.1

the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times." Claims 43, 59, and 75, and the claims dependent thereon, are thus not directed to the abstract idea of an academic competition but to a particular type of academic competition including real time progress tracking against an on-line opponent or a virtual opponent (*e.g.*, one's own best performance) for "live" or "non-live" competitions.

For at least these reasons, independent claims 43, 59, and 75 are not directed to abstract ideas under Part 1 of the abstract idea test.

2. Separate Argument for Claims 88-90

In response to the examiner's arguments with respect to claims 88-90, Applicant notes that independent claims 88-90 also are not directed to the broad concept or abstract idea of an online academic competition but are instead directed to specific techniques for providing academic competitions by enabling the creation of teams of individual contestants for participation in an academic competition as opposed to providing academic competitions between individuals. A series of predetermined test questions are presented to the individual contestants of competing teams for response in a time frame allocated for the academic competition, and a real time scoreboard is provided that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition. In addition, claims 88-90 recite features for "creating a league of teams, in which separate teams can be merged to form one team," "creating a cycle of academic competitions amongst the league of teams," "enabling a team to search for and then challenge another team of common time availability to an academic competition," and "enabling said team to be divided into multiple teams for an intra-team academic competition."

Claims 88-90 and the claims dependent thereon, are thus not directed to the abstract idea of an academic competition but to a particular type of academic competition including real time progress tracking against an on-line opponent or a virtual opponent and the creation of leagues of teams, creating and running league academic competitions, and intra-team academic competitions. .

For at least these reasons, independent claims 88-90 are not directed to abstract ideas under Part 1 of the abstract idea test.

B. Claims 43-57, 59-73, 75-86, and 88-90 Recite “Substantially More” Than Abstract Idea Under Part II of Abstract Idea Test

In addition to failing to recite an abstract idea, the claims clearly fail Part 2 of the abstract idea test in that the claims amount to “significantly more” than the purported “abstract idea” of an online academic competition. A cursory read of the independent claims shows that the claims include limitations that provide a patent-eligible application of any “abstract idea” and thus include additional features “to ensure that the claim describes a process or product that applies the exception in a meaningful way, such that it is more than a drafting effort designed to monopolize the exception” (Interim Guidance, page 21).

1. Separate Argument for claims 43, 59, and 75

In particular, independent claims 43, 59, and 75 recite the features of “providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition” and “enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant’s team updated in real time, and a

606584922.1

final score between teams being determined after both teams have played at their respective preferred times.” There are any of a number of ways that an on-line academic competition could be conducted without including these features, thus precluding “preemption” of an “on-line academic competition” by the invention.

A real world example may be illustrative. Norway's Kahoot! is a globally utilized web application that also facilitates online academic competition. Similar to the claimed invention, Kahoot! allows a teacher to upload a "quiz" of test items for students to compete over inside the classroom. Once a quiz is created and then launched, a numeric code is assigned to that quiz. When students navigate to the Kahoot! website and enter that code, the quiz is presented with an accompanying leaderboard. However, unlike the invention, Kahoot! is individual-based, not team-based. In the Kahoot! approach, each student competes against all other students simultaneously, not as part of a team. By contrast, in the claimed system and method, every match created has a team component. Thus, if the examiner is correct that the claims seek to preempt the abstract idea of online academic competition, then the activities of Kahoot!, clearly an online academic competition system/method, would be within the claims as written. This is not the case as Kahoot! does not enable the creation of teams of individual contestants for participation in an academic competition as claimed. Kahoot! also does not provide both a team score and an individual score that are updated in real time by notifying the student that he/she has answered a question correctly. Such features are a significant technical achievement, anything but normal computer usage as the examiner alleges. Another approach might publish score only at the end of a match, to mitigate cheating, for example. Moreover, the claimed invention allows two teams of different sizes to compete. Another approach might stop at merely allowing teams of the same size to compete. Thus, these claims are not directed to an abstract idea but to only one of many possible embodiments of an “online academic competition.”

Moreover, as evidenced by the examiner's allowance of the claims over the prior art, the claims recite techniques that are NOT directed to computer functions that are “well-understood, routine, and conventional activities previously known to the pertinent industry.” Rather, the claims recite the meaningful limitations noted immediately above. No evidence has been provided by the examiner that such techniques have been performed in the prior art. In any case, the examiner has not established such techniques to be “well-understood, routine, and conventional activities previously known to the pertinent industry.” Absent such

evidence, the claimed methods recite “substantially more” than a generic “on-line academic competition” as the examiner alleges and “significantly more” than an abstract idea of the type precluded under the Interim Guidance.

2. Separate Argument for Claims 88-90

Similarly, independent claims 88-90 include the features of “providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition,” “creating a league of teams, in which separate teams can be merged to form one team,” “creating a cycle of academic competitions amongst the league of teams,” “enabling a team to search for and then challenge another team of common time availability to an academic competition,” and “enabling said team to be divided into multiple teams for an intra-team academic competition.” These features are not “generic computer functions and “significantly more” than an abstract idea of the type precluded under the Interim Guidance.

3. Separate Arguments for Claims 48, 64, and 78

Claims 48, 64, and 78 further recite the feature of matching contestants using a specified matching algorithm. In particular, the claimed system and method matches “individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched.” The matching is based on at least one of the following rules: “limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group;” “leaving the MNCV unconstrained in which case the MNCV is $n-m+1$;” “setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ;” or “allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.”

Applicant submits that such a matching algorithm goes far beyond the general concept of an “on-line academic competition” and that, accordingly, claims 48, 64, and 78 recite “substantially more” than a generic “on-line academic competition” as the examiner alleges and “significantly more” than an abstract idea of the type precluded under the Interim

Guidance. One need not perform such matching to practice the concept of an on-line academic competition and thus would not preempt same.

C. The Examiner Has Offered No Evidence to Support the Rejections

The examiner has not provided any support of any kind in support of his position that the claims do not add “significantly more” to the purported abstract idea. For this reason alone, the rejection should be reversed. As noted by the Patent Trial and Appeal Board when reversing the examiner’s rejection under 35 U.S.C. §101 in *Ex parte Poisson*, Appeal 2012-011084, the determination of whether a claims is directed to an abstract idea must be based on evidence. As in *Poisson*:

That determination [of ineligibility under 35 U.S.C. §101] has not been made in this case on evidence. Instead, the Examiner merely expresses an opinion that [the claims is merely directed to an on-line academic competition, which is in turn an abstract idea]. Yet, absent supporting evidence in the record – of which there is none, the Examiner’s opinion is an inadequate finding of fact on which to base the *Alice* analysis. Moreover, it does not comport with the broadest reasonable construction of claim [43].... (*Ex parte Poisson*, 2012-011064, page 5).

As further noted in *Ex parte Poisson*, “[t]he PTO bears the initial burden of establishing a prima facie case of patent-ineligible subject matter under 35 U.S.C. §101.” The examiner has not sustained that burden here. In fact, the examiner has offered no objective evidence whatsoever in support of his rejection of the claims as being ineligible under 35 U.S.C. §101. Because the facts and evidence (of which there is none) do not support the finding that any of claims 43, 59, and 75 is an attempt to patent the abstract idea of an online academic competition, a *prima facie* case of patent-ineligible subject matter under 35 U.S.C. §101 has not been established in the first instance by a preponderance of the evidence.

Applicant notes that the examiner’s lack of evidentiary support is a serious issue. Absent such objective evidence that the invention is well-understood, routine, or conventional to those in the pertinent industry, the examiner may simply substitute his opinion that the invention is directed to an idea that is “fundamental, well-understood, routine, or conventional in the art” and patent ineligible without providing a novelty analysis under 35 U.S.C. §102 or provide the specificity of a *KSR* obviousness analysis under 35 U.S.C. §103. As noted in the PTO’s interim guidance, a recitation of software operating on a computer (generic or not) is not automatically an abstract idea. Moreover, in view of the

606584922.1

examiner's indication that the claims are allowable over the prior art, it is clear that the claims are not simply directed to features that are simple, conventional, fundamental, or well-understood and thus claims of the type the Supreme Court was concerned about in *Alice*. In any case, the examiner must substantiate his position with actual objective evidence that the claims are directed to an abstract idea and that nothing "significantly more" than the abstract idea is being claimed. In the absence of such evidence in the present case, the rejection must be withdrawn.

D. The Claims Do Not Preempt an Abstract Idea

In *Alice*, the Supreme Court noted that it has "described the concern that drives this exclusionary principle as one of pre-emption." *Alice* (slip op. at 5, citing *Bilski*). As the Supreme Court further noted, "we tread carefully in construing this exclusionary principle lest it swallow all of patent law" for at some level "all inventions ...embody, use, reflect, rest upon, or apply laws of nature, natural phenomena, or abstract ideas." *Id.* at 6 (citing *Mayo*). As held by the Supreme Court in *Alice*, an invention "is not rendered ineligible for patent simply because it involves an abstract concept," for applications of such concepts to "a new and useful end" remain eligible for patent protection." *Id.* (citing *Diamond v. Diehr*, 450 U.S. 175, 187 (1981) and *Gottschalk v. Benson*, 409 U.S. 63, 67 (1972)). Avoiding preemption is thus the basis of the requirement of "something more" beyond a bare abstract idea. In short, the requirement for "something more" is designed to ensure that the claim, if allowed, would not monopolize the underlying abstract idea.

1. Separate Argument for Claims 43, 59, and 75

The recited claim limitations are quite specific and do not preempt any abstract idea or simply recite applying an abstract idea on a computer. On the contrary, the claimed system, method and computer readable media requires the programming of a computer to provide the claimed real time scoreboard so that real time progress of the contestants may be monitored during the competition. Similarly, the claimed system, method and computer readable media requires the programming of a computer to enable "two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by

606584922.1

taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times." Such applications are far from purely conventional, as exemplified by the fact that the claimed limitations have not been found by the examiner in the examiner's prior art search.

Independent claims 43, 59, and 75, and claims 44-57, 60-73, and 76-86 dependent thereon do not seek to tie up any judicial exception such that others cannot practice it. On the contrary, the invention makes it possible for students in far flung destinations to compete in an academic competition that is set up and managed by hardware and software embodying the invention. Such competition was not possible before the development of the claimed invention.

2. Separate Argument for Claims 88-90

Similarly, as noted above, independent claims 88-90 include the features of "providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition," "creating a league of teams, in which separate teams can be merged to form one team," "creating a cycle of academic competitions amongst the league of teams," "enabling a team to search for and then challenge another team of common time availability to an academic competition," and "enabling said team to be divided into multiple teams for an intra-team academic competition." These features also do not seek to tie up any judicial exception such that others cannot practice it. On the contrary, the invention facilitates setting up and managing an on-line academic competition using hardware and software embodying the invention. Set up and management of academic competitions would have previously been performed manually, if at all.

DOCKET NO.: 100972.000002
Application No.: 13/439,305

- 23 -

PATENT

CONCLUSIONS

For at least the reasons set forth above, claims 43-57, 59-73, and 75-90 satisfy the requirements of 35 U.S.C. § 101. Withdrawal of the rejections of claims 43-57, 59-73, and 75-90 under 35 U.S.C. § 101 is thus appropriate and is requested.

Date: June 18, 2015

/Michael P. Dunnam/
Michael P. Dunnam
Registration No. 32,611

BakerHostetler LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

CLAIMS APPENDIX

1.-42. (Canceled)

43. (Previously Presented) A system for on-line academic competition, comprising:
- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
 - a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
 - providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and
 - enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

44. (Previously Presented) A system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.
45. (Previously Presented) A system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.
46. (Previously Presented) A system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.
47. (Previously Presented) A system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.
48. (Previously Presented) A system as in claim 88, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:
- limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or
 - leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
 - setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or
 - allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

50. (Previously Presented) A system as in claim 49, wherein the processor enables a team to search for and then challenge another team of common time availability to an academic competition and enables said team to be divided into multiple teams for an intra-team academic competition.

51. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

52. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. (Previously Presented) A system as in claim 88, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round; whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. (Previously Presented) A system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. (Previously Presented) A system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

56. (Previously Presented) A system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. (Previously Presented) A system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (Canceled)

59. (Previously Presented) A method for on-line academic competition, comprising:
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;

presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to

606584922.1

both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and

enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

60. (Previously Presented) A method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. (Previously Presented) A method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. (Previously Presented) A method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

63. (Previously Presented) A method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or taking a running average of all or a

predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. (Previously Presented) A method as in claim 89, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

- limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

- leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

- setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

- allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (Previously Presented) A method as in claim 59, further comprising the processor enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

66. (Previously Presented) A method as in claim 65, further comprising the processor enabling a team to search for and then challenge another team of common time availability to an academic competition and enabling said team to be divided into multiple teams for an intra-team academic competition.

67. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;

- select a question set for the academic competition; and

- select a team from a list of teams having a common time availability.

68. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;

- select a question set for the academic competition; and

- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. (Previously Presented) A method as in claim 89, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

- whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

- whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

70. (Previously Presented) A method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. (Previously Presented) A method as in claim 70, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

72. (Previously Presented) A method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from

collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. (Previously Presented) A method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (Canceled)

75. (Previously Presented) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and

enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of

the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

76. (Previously Presented) A storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. (Previously Presented) A storage device as in claim 90, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

- limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

- leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

- setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

- allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

80. (Previously Presented) A storage device as in claim 79, further comprising instructions for enabling a team to search for and then challenge another team of common

606584922.1

time availability to an academic competition and for enabling said team to be divided into multiple teams for an intra-team academic competition.

81. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

82. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. (Previously Presented) A storage device as in claim 90, further comprising instructions for creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round; whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and
- whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

84. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including

the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. (Previously Presented) A storage device as in claim 84, wherein the instructions enable the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

86. (Previously Presented) A storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (Canceled)

88. (Previously Presented) A system for on-line academic competition, comprising:
a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
enabling the creation of teams of individual contestants for participation in an academic competition;
presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;
creating a league of teams, in which separate teams can be merged to form one team;
creating a cycle of academic competitions amongst the league of teams;

enabling a team to search for and then challenge another team of common time availability to an academic competition; and

enabling said team to be divided into multiple teams for an intra-team academic competition.

89. (Previously Presented) A method for on-line academic competition, comprising:
- enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;
 - presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;
 - providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;
 - creating a league of teams, in which separate teams can be merged to form one team;
 - creating a cycle of academic competitions amongst the league of teams;
 - enabling a team to search for and then challenge another team of common time availability to an academic competition; and
 - enabling said team to be divided into multiple teams for an intra-team academic competition.

90. (Previously Presented) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:
- enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;
 - providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to

both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;

creating a league of teams, in which separate teams can be merged to form one team;

creating a cycle of academic competitions amongst the league of teams;

enabling a team to search for and then challenge another team of common time availability to an academic competition; and

enabling said team to be divided into multiple teams for an intra-team academic competition.

DOCKET NO.: 100972.000002
Application No.: 13/439,305

- 37 -

PATENT

EVIDENCE APPENDIX

None.

606584922.1

DOCKET NO.: 100972.000002
Application No.: 13/439,305

- 38 -

PATENT

RELATED PROCEEDINGS APPENDIX

None.

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Denise Marvel		
Attorney Docket Number:		100972.000002		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 2 months with \$0 paid	2252	1	300	300
Miscellaneous:				
Total in USD (\$)				300

Electronic Acknowledgement Receipt	
EFS ID:	22674235
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Denise Marvel
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	100972.000002
Receipt Date:	18-JUN-2015
Filing Date:	04-APR-2012
Time Stamp:	15:52:17
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 300
RAM confirmation Number	2419
Deposit Account	233050
Authorized User	BAKER HOSTETLER LLP
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

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	Transmittal Letter	100972_000002_TRANSMITTAL _APPEAL_BRIEF.PDF	262019	no	2
			09d3d540029559b7364a74bd9f3e2bdd45eb3631		
Warnings:					
Information:					
2	Extension of Time	100972_000002_EXTENSION_O F_TIME.PDF	186994	no	2
			545c43619a88b2dee975300cd573a0cda5274ea		
Warnings:					
Information:					
3	Appeal Brief Filed	100972_000002_Appeal_Brief. PDF	261882	no	38
			101c532938e78db5d42da79829c944c6e6b7b200		
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30371	no	2
			c8bea308a745faffc1fb5ee2e7e07b6b6e469b		
Warnings:					
Information:					
Total Files Size (in bytes):			741266		

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.

Doc Code: TRAN.LET

Document Description: Transmittal Letter

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	13/439,305
	Filing Date	APRIL 4, 2012
	First Named Inventor	TIMOTHY J. KELLEY
	Art Unit	3716
	Examiner Name	JASON TAHAI YEN
	Attorney Docket Number	100972.000002
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form ☐ Fee Attached	☐ Drawing(s) ☐ Licensing-related Papers	☐ After Allowance Communication to TC
☐ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s)	☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation ☐ Change of Correspondence Address	☒ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☒ Extension of Time Request	☐ Terminal Disclaimer	☐ Proprietary Information
☐ Express Abandonment Request	☐ Request for Refund	☐ Status Letter
☐ Information Disclosure Statement	☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ Other Enclosure(s) (please identify below):
☐ Certified Copy of Priority Document(s)	Remarks	
☐ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	BAKER & HOSTETLER LLP		
Signature	/Michael P. Dunnam/		
Printed name	MICHAEL P. DUNNAM		
Date	2015-06-18	Reg. No.	32,611

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

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

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.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 100972.000002																																		
Application Number 13/439,305	Filed APRIL 4, 2012																																			
For SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION																																				
Art Unit 3716	Examiner JASON TAHAI YEN																																			
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="width: 100%; border-collapse: collapse;"><thead><tr><th></th><th style="text-align: center;"><u>Fee</u></th><th style="text-align: center;"><u>Small Entity Fee</u></th><th style="text-align: center;"><u>Micro Entity Fee</u></th><th></th></tr></thead><tbody><tr><td>☐ One month (37 CFR 1.17(a)(1))</td><td style="text-align: center;">\$200</td><td style="text-align: center;">\$100</td><td style="text-align: center;">\$50</td><td>\$ _____</td></tr><tr><td>☒ Two months (37 CFR 1.17(a)(2))</td><td style="text-align: center;">\$600</td><td style="text-align: center;">\$300</td><td style="text-align: center;">\$150</td><td>\$ 300</td></tr><tr><td>☐ Three months (37 CFR 1.17(a)(3))</td><td style="text-align: center;">\$1,400</td><td style="text-align: center;">\$700</td><td style="text-align: center;">\$350</td><td>\$ _____</td></tr><tr><td>☐ Four months (37 CFR 1.17(a)(4))</td><td style="text-align: center;">\$2,200</td><td style="text-align: center;">\$1,100</td><td style="text-align: center;">\$550</td><td>\$ _____</td></tr><tr><td>☐ Five months (37 CFR 1.17(a)(5))</td><td style="text-align: center;">\$3,000</td><td style="text-align: center;">\$1,500</td><td style="text-align: center;">\$750</td><td>\$ _____</td></tr></tbody></table> <p>☐ Applicant asserts small entity status. See 37 CFR 1.27.</p> <p>☐ Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.</p> <p>☐ A check in the amount of the fee is enclosed.</p> <p>☐ Payment by credit card. Form PTO-2038 is attached.</p> <p>☐ The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p>☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>233050</u>.</p> <p>☐ Payment made via EFS-Web.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p>☐ applicant/inventor.</p> <p>☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).</p> <p>☒ attorney or agent of record. Registration number <u>32,611</u>.</p> <p>☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.</p> <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 5px;">/Michael P. Dunnam/ _____ Signature</td><td style="width: 50%; padding: 5px;">2015-06-18 _____ Date</td></tr><tr><td style="padding: 5px;">MICHAEL P. DUNNAM _____ Typed or printed name</td><td style="padding: 5px;">215-568-3100 _____ Telephone Number</td></tr></table> <p>NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.</p> <p>☐ * Total of _____ forms are submitted.</p>				<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>		☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____	☒ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ 300	☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____	☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____	/Michael P. Dunnam/ _____ Signature	2015-06-18 _____ Date	MICHAEL P. DUNNAM _____ Typed or printed name	215-568-3100 _____ Telephone Number
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>																																	
☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____																																
☒ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ 300																																
☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____																																
☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____																																
☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																																
/Michael P. Dunnam/ _____ Signature	2015-06-18 _____ Date																																			
MICHAEL P. DUNNAM _____ Typed or printed name	215-568-3100 _____ Telephone Number																																			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

NOTICE OF APPEAL FROM THE EXAMINER TO THE PATENT TRIAL AND APPEAL BOARD		Docket Number (Optional) 100972.000002
I hereby certify that this correspondence is being facsimile transmitted to the USPTO EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____		In re Application of Timothy J. Kelley <hr/> Application Number 13/439,305 <div style="float: right;">Filed April 4, 2012</div> <hr/> For System and Method for On-Line Academic Competition <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Art Unit 3716 </div> <div style="width: 45%;"> Examiner Jason Tahai Yen </div> </div>
Applicant hereby appeals to the Patent Trial and Appeal Board from the last decision of the examiner.		
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>800</u>
☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>400</u>
☐ A check in the amount of the fee is enclosed.		
☐ Payment by credit card. Form PTO-2038 is attached.		
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>233050</u> .		
☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the		
☐ applicant/inventor.	/Michael P. Dunnam/ <hr/> <div style="text-align: right;">Signature</div>	
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	Michael P. Dunnam <hr/> <div style="text-align: right;">Typed or printed name</div>	
☒ attorney or agent of record. Registration number <u>32611</u>	215-568-3100 <hr/> <div style="text-align: right;">Telephone number</div>	
☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	February 20, 2015 <hr/> <div style="text-align: right;">Date</div>	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.		
☐ *Total of _____ forms are submitted.		

This collection of information is required by 37 CFR 41.31. 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, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 100972.000002																														
Application Number 13/439,305	Filed April 4, 2012																															
For System and Method for On-Line Academic Competition																																
Art Unit 3716	Examiner Jason Tahai Yen																															
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%;"></th> <th style="width: 15%; text-align: center;"><u>Fee</u></th> <th style="width: 15%; text-align: center;"><u>Small Entity Fee</u></th> <th style="width: 15%; text-align: center;"><u>Micro Entity Fee</u></th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>☐ One month (37 CFR 1.17(a)(1))</td> <td style="text-align: center;">\$200</td> <td style="text-align: center;">\$100</td> <td style="text-align: center;">\$50</td> <td>\$ _____</td> </tr> <tr> <td>☐ Two months (37 CFR 1.17(a)(2))</td> <td style="text-align: center;">\$600</td> <td style="text-align: center;">\$300</td> <td style="text-align: center;">\$150</td> <td>\$ _____</td> </tr> <tr> <td>☒ Three months (37 CFR 1.17(a)(3))</td> <td style="text-align: center;">\$1,400</td> <td style="text-align: center;">\$700</td> <td style="text-align: center;">\$350</td> <td>\$ <u>700</u></td> </tr> <tr> <td>☐ Four months (37 CFR 1.17(a)(4))</td> <td style="text-align: center;">\$2,200</td> <td style="text-align: center;">\$1,100</td> <td style="text-align: center;">\$550</td> <td>\$ _____</td> </tr> <tr> <td>☐ Five months (37 CFR 1.17(a)(5))</td> <td style="text-align: center;">\$3,000</td> <td style="text-align: center;">\$1,500</td> <td style="text-align: center;">\$750</td> <td>\$ _____</td> </tr> </tbody> </table> <p>☒ Applicant asserts small entity status. See 37 CFR 1.27.</p> <p>☐ Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.</p> <p>☐ A check in the amount of the fee is enclosed.</p> <p>☐ Payment by credit card. Form PTO-2038 is attached.</p> <p>☐ The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p>☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>233050</u>.</p> <p>☒ Payment made via EFS-Web.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the</p> <p>☐ applicant/inventor.</p> <p>☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96).</p> <p>☒ attorney or agent of record. Registration number <u>32611</u>.</p> <p>☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.</p> <p><u>/Michael P. Dunnam/</u> <u>February 20, 2015</u></p> <p style="text-align: center;">Signature Date</p> <p><u>Michael P. Dunnam</u> <u>215-568-3100</u></p> <p style="text-align: center;">Typed or printed name Telephone Number</p> <p>NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.</p> <p>☐ * Total of _____ forms are submitted.</p>				<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>		☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____	☐ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____	☒ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ <u>700</u>	☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>																													
☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____																												
☐ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____																												
☒ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ <u>700</u>																												
☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____																												
☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																												

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Denise Marvel		
Attorney Docket Number:		100972.000002		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Notice of Appeal	2401	1	400	400
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Extension - 3 months with \$0 paid	2253	1	700	700
Miscellaneous:				
Total in USD (\$)				1100

Electronic Acknowledgement Receipt	
EFS ID:	21555121
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Denise Marvel
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	100972.000002
Receipt Date:	20-FEB-2015
Filing Date:	04-APR-2012
Time Stamp:	14:04:29
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1100
RAM confirmation Number	302
Deposit Account	233050
Authorized User	
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

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	Notice of Appeal Filed	Notice_of_Appeal_filed_2-20-15.PDF	211253	no	2
			c7fc67a7f519c5dc1a62d50bb2a01edb298b23ad		
Warnings:					
Information:					
2	Extension of Time	Extension_filed_2-20-15.PDF	187157	no	2
			0eb5f9d89bbe9e37c6e3c51f4db2fc3e1d1296f		
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	31976	no	2
			07a00ae1248fec8065a46a41a216726a7852f2e		
Warnings:					
Information:					
Total Files Size (in bytes):			430386		

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.
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002	8456

23377	7590	02/11/2015
BAKER & HOSTETLER LLP CIRA CENTRE 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
02/11/2015	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):

cofficeonitor@woodcock.com

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002	8456

23377	7590	10/07/2014
BAKER & HOSTETLER LLP		
CIRA CENTRE 12TH FLOOR		
2929 ARCH STREET		
PHILADELPHIA, PA 19104-2891		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
10/07/2014	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):

coffice@woodcock.com

Advisory Action Before the Filing of an Appeal Brief	Application No. 13/439,305	Applicant(s) KELLEY ET AL.	
	Examiner JASON YEN	Art Unit 3716	AIA (First Inventor to File) Status No

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

THE REPLY FILED 22 September 2014 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
NO NOTICE OF APPEAL FILED

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires _____ months from the mailing date of the prior Advisory Action or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.

Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANT'S FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

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

NOTICE OF APPEAL

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

AMENDMENTS

3. ☐ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because

a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

b) ☐ They raise the issue of new matter (see NOTE below);

c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☒ Applicant's reply has overcome the following rejection(s): 35 U.S.C. 103.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): (a) ☐ will not be entered, or (b) ☒ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

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

9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

14. ☐ Other: _____

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 43-57, 59-73, 75-86, 88-90.

Claim(s) withdrawn from consideration: _____

/JASON YEN/ Examiner, Art Unit 3716	
--	--

Continuation of 11. does NOT place the application in condition for allowance because: The amended claims and newly added claims are rejected under 35 U.S.C. 101. In response, Applicant argues that the claims are not directed to the abstract idea. The Examiner respectfully disagrees. In the instant application, claims as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea of providing an academic contest between different players. The additional element(s) or combination of elements in the claim(s) other than the abstract idea per se amount(s) to no more than: (i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry. Viewed as a whole, these additional claim element(s) do not provide meaningful limitation(s) to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to significantly more than the abstract idea itself. Applicant further argues that the claims are allowable since directed to one for the four statutory categories of invention. The Examiner respectfully disagrees. Although the claim(s) are drawn to at least one of the four statutory categories of invention (i.e. process, machine, manufacture, or composition), which would normally be considered within an appropriate statutory category, as has been noted in the recent Supreme Court decisions *Bilski v. Kappos*, 130 S. Ct. at 3227, *Alice Corp. Pty. Ltd. V. CLS Bank International*, and the Court of Appeals for the Federal Circuit in *CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366 (Fed. Cir. 2011), *Bancorp Services, L. L. C v Sun Life Assur. Co. of Canada (U.S.)*, -- F.3d ---, 2012 WL 3037176 (Fed. Circ. 2012) one must look beyond whether the claim falls within a statutory category and determine whether or not the claim is an attempt to patent ineligible subject matter which the courts have proclaimed judicially excepted, specifically, laws of nature, physical phenomena and abstract ideas. The Supreme Court noted that said decisions are instructive on how to investigate issues of subject matter eligibility and that the question underlying such an investigation is whether or not the claim is an attempt to claim subject matter which has been judicially excepted.

DOCKET NO.: 100972.000002
Application No.: 13/439,305
Office Action Dated: August 21, 2014

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Timothy J. Kelley

Confirmation No.: 8456

Application No.: 13/439,305

Group Art Unit: 3716

Filing Date: April 4, 2012

Examiner: Jason Tahai Yen

For: System and Method for On-Line Academic Competition

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

Dear Commissioner:

REPLY PURSUANT TO 37 CFR § 1.116

In response to the Official Action dated **August 21, 2014**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- ☐ **Amendments to the Specification** begin on page of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- ☐ **Amendments to the Drawings** begin on page of this paper and include an attached replacement sheet.
- ☒ **Remarks** begin on page 16 of this paper.
- ☒ The Commissioner is hereby authorized to charge any fee deficiency, charge any additional fees, or credit any overpayment of fees, associated with this application in connection with this filing, or any future filing, submitted to the U.S. Patent and Trademark Office during the pendency of this application, to Deposit Account No. 23-3050.

CONSIDERED: /J.Y./

OK TO ENTER: /J.Y./

DOCKET NO.: 100972.000002
Application No.: 13/439,305
Office Action Dated: August 21, 2014

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Timothy J. Kelley

Confirmation No.: 8456

Application No.: 13/439,305

Group Art Unit: 3716

Filing Date: April 4, 2012

Examiner: Jason Tahai Yen

For: System and Method for On-Line Academic Competition

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

Dear Commissioner:

REPLY PURSUANT TO 37 CFR § 1.116

In response to the Official Action dated **August 21, 2014**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- ☐ **Amendments to the Specification** begin on page of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- ☐ **Amendments to the Drawings** begin on page of this paper and include an attached replacement sheet.
- ☒ **Remarks** begin on page 16 of this paper.
- ☒ The Commissioner is hereby authorized to charge any fee deficiency, charge any additional fees, or credit any overpayment of fees, associated with this application in connection with this filing, or any future filing, submitted to the U.S. Patent and Trademark Office during the pendency of this application, to Deposit Account No. 23-3050.

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

Listing of Claims:

1.-42. (Canceled)

43. (Currently Amended) A system for on-line academic competition, comprising:
- a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
 - a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants for participation in an academic competition;
 - presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; ~~and~~
 - providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and
 - enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated

in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

44. (Previously Presented) A system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. (Previously Presented) A system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. (Previously Presented) A system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. (Previously Presented) A system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. (Currently Amended) A system as in claim ~~88~~ 43, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

50. (Previously Presented) A system as in claim 49, wherein the processor enables a team to search for and then challenge another team of common time availability to an academic competition and enables said team to be divided into multiple teams for an intra-team academic competition.

51. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

52. (Previously Presented) A system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and

divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

53. (Currently Amended) A system as in claim ~~88~~ 43, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.

54. (Previously Presented) A system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. (Previously Presented) A system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

56. (Previously Presented) A system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. (Previously Presented) A system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (Canceled)

59. (Currently Amended) A method for on-line academic competition, comprising:
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;
presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition; ~~and~~
providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and
enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

60. (Previously Presented) A method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. (Previously Presented) A method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. (Previously Presented) A method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

63. (Previously Presented) A method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. (Currently Amended) A method as in claim ~~89~~ 59, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (Previously Presented) A method as in claim 59, further comprising the processor enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

66. (Previously Presented) A method as in claim 65, further comprising the processor enabling a team to search for and then challenge another team of common time availability to an academic competition and enabling said team to be divided into multiple teams for an intra-team academic competition.

67. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

68. (Previously Presented) A method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. (Currently Amended) A method as in claim ~~89~~ 59, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

70. (Previously Presented) A method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. (Previously Presented) A method as in claim 70, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

72. (Previously Presented) A method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. (Previously Presented) A method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (Canceled)

75. (Currently Amended) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition; ~~and~~

providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition; and

enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

76. (Previously Presented) A storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. (Currently Amended) A storage device as in claim 90 ~~75~~, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

80. (Previously Presented) A storage device as in claim 79, further comprising instructions for enabling a team to search for and then challenge another team of common time availability to

an academic competition and for enabling said team to be divided into multiple teams for an intra-team academic competition.

81. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

82. (Previously Presented) A storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. (Currently Amended) A storage device as in claim 90 ~~75~~, further comprising instructions for creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
- whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and
- whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

84. (Previously Presented) A storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. (Previously Presented) A storage device as in claim 84, wherein the instructions enable the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

86. (Previously Presented) A storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (Canceled)

88. (New) A system for on-line academic competition, comprising:
a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and
a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:
enabling the creation of teams of individual contestants for participation in an academic competition;
presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition;
providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the

time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;

creating a league of teams, in which separate teams can be merged to form one team;

creating a cycle of academic competitions amongst the league of teams;

enabling a team to search for and then challenge another team of common time availability to an academic competition; and

enabling said team to be divided into multiple teams for an intra-team academic competition.

89. (New) A method for on-line academic competition, comprising:

enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;

presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;

creating a league of teams, in which separate teams can be merged to form one team;

creating a cycle of academic competitions amongst the league of teams;

enabling a team to search for and then challenge another team of common time availability to an academic competition; and

enabling said team to be divided into multiple teams for an intra-team academic competition.

90. (New) A non-transitory computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

- enabling the creation of teams of individual contestants for participation in an academic competition;

- presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition;

- providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition;

- creating a league of teams, in which separate teams can be merged to form one team;

- creating a cycle of academic competitions amongst the league of teams;

- enabling a team to search for and then challenge another team of common time availability to an academic competition; and

- enabling said team to be divided into multiple teams for an intra-team academic competition.

REMARKS

Claim Amendments

Claim 43 has been amended to include the features of claim 58 and claim 58 has been canceled. Claim 88 has been added place claim 50 into independent form by incorporating the features of claims 43, 49 and 50. Claims 48 and 53 have been amended to depend from new claim 88.

Claim 59 has been amended to include the features of claim 74 and claim 74 has been canceled. Claim 89 has been added place claim 66 into independent form by incorporating the features of claims 59, 65 and 66. Claims 64 and 69 have been amended to depend from new claim 89.

Claim 75 has been amended to recite “non-transitory” media and to include the features of claim 87. Claim 87 has been canceled. Claim 90 has been added place claim 80 into independent form by incorporating the features of claims 75, 79 and 80. Claims 78 and 83 have been amended to depend from new claim 90.

No new matter has been entered by these amendments. Also, no new issues are entered by these amendments after Final Rejection as Applicant is amending the claims to accept the subject matter that the examiner has previously examined and indicated to be allowable over the prior art of record. Upon entry of these amendments, claims 43-57, 59-73, and 75-90 will be pending.

Claim Rejections – 35 USC §101

Claims 43-87 stand rejected under 35 USC §101 as allegedly being directed to ineligible subject matter. In particular, the examiner alleges that the claims are directed to the abstract idea of an online academic competition and that the additional claim features purportedly do not provide meaningful limitations to transform the abstract idea into a patent eligible application of the abstract idea. These rejections are traversed.

On June 19, 2014, the Supreme Court issued a unanimous decision in *Alice Corporation Pty. Ltd. v. CLS Bank International, et al.* holding that patent claims directed to a scheme for mitigating settlement risk are nonstatutory under 35 U.S.C. §101 as directed to an abstract idea.

The Supreme Court determined that Alice's claims to methods were ineligible because "the claims at issue amount to 'nothing significantly more' than an instruction to apply the abstract idea of intermediated settlement using some unspecified, generic computer." Alice's claims to computer systems and computer-readable storage media were held to be ineligible for substantially the same reasons in that the generically-recited computers in the claims added nothing of substance to the underlying abstract idea.

On June 25, 2014, The Deputy Commissioner for Patent Examination Policy issued Preliminary Examination Instructions in view of the Supreme Court's Decision in *Alice Corporation Pty. Ltd. v. CLS Bank International, et al.* Those instructions were effective June 25, 2014 and established a two-part test for determining subject matter eligibility under 35 U.S.C. §101. First, the examiner is to determine whether the claim is directed to one of the four statutory categories of invention (process, machine, manufacture, or composition of matter). If not, the claim is rejected as being directed to non-statutory subject matter. Second, if the claim does fall within one of the statutory categories, the examiner is to determine whether the claim is directed to a judicial exception (law of nature, natural phenomenon, or abstract idea) and, if so, to determine whether the claim is a patent-eligible application of the judicial exception.

The Instructions also set forth a two-part test for abstract ideas:

Part 1: Determine whether the claim is directed to an abstract idea. Examples of abstract ideas identified in the instructions include fundamental economic practices, certain methods of organizing human activities, an idea itself, and mathematical relationships/formulas.

Part 2: If an abstract idea is present in the claim, determine whether any element, or combination of elements, in the claim is sufficient to ensure that the claim amounts to significantly more than the abstract idea itself. In particular, are there other limitations in the claim that indicate more than a mere instruction to apply the abstract idea? The examiner is to consider the claim as a whole by considering all claim elements, both individually and in combination. Examples of "significantly more" when recited in a claim with an abstract idea identified in the Instructions include improvements to another technology or technical field, improvements to the functioning of a computer itself, and meaningful limitations beyond

generally linking the use of an abstract idea to a particular technological environment. Examples that are not enough to qualify as “significantly more” when recited in a claim with an abstract idea identified in the Instructions include adding the words “apply it” or an equivalent with an abstract idea, mere instructions to implement an abstract idea on a computer, and requiring no more than a generic computer to perform generic computer functions that are well-understood, routine, and conventional activities known in the industry.

Using this two part abstract idea test, if there are no meaningful limitations in the claim that transform the exception into a patent eligible application such that the claim amounts to “significantly more” than the exception itself, the claim should be rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Otherwise, the claims should not be rejected under 35 U.S.C. §101. In either case, the examiner should proceed with examination of the claim to determine patentability in accordance with the other requirements of the patent statute.

In applying these Instructions to pending claims 43-90, Applicant first observes that claims 43-90 are directed to systems, methods, and storage devices containing instructions for on-line academic competition. Accordingly, claims 43-90 are clearly within one of the four statutory categories of invention (process or system) and the examiner is to apply the two-part test for abstract ideas.

In applying Part 1 of the abstract idea test, the examiner has alleged that the claims are directed to the abstract idea of an online academic competition. In response, Applicant notes that the claims are not directed to the broad concept or abstract idea of an online academic competition but are instead directed to specific techniques for providing academic competitions in real-time or non-real time while enabling a contestant to track the progress of his/her opponent with respect to their own progress through test questions. In particular, a real time scoreboard is provided to each contestant processing device that permits each individual contestant to track his/her and his/her opponent’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an on-line academic competition. The claims are thus not directed to the abstract idea of an academic competition but to a particular type of academic competition including real time progress

tracking. For at least these reasons, independent claims 1, 5, and 9 are not directed to abstract ideas under Part 1 of the abstract idea test.

In any case, the claims as amended clearly fail Part 2 of the abstract idea test in that the claims amount to “significantly more” than the “abstract idea” of an online academic competition. A cursory read of the independent claims shows that the claims clearly include limitations that provide a patent-eligible application of any “abstract idea.”

In particular, independent claims 43, 59, and 75 as amended recite the features of “providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition” and “enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant’s team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.” These features amount to “significantly more” than a generic “online academic competition” as the examiner alleges.

Similarly, new independent claims 88-90 include the features of “providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an

academic competition,” “creating a league of teams, in which separate teams can be merged to form one team,” “creating a cycle of academic competitions amongst the league of teams,” “enabling a team to search for and then challenge another team of common time availability to an academic competition,” and “enabling said team to be divided into multiple teams for an intra-team academic competition.” These features also amount to “significantly more” than a generic “online academic competition.”

The recited claim limitations are quite specific and clearly do not preempt any abstract idea or simply recite applying an abstract idea on a computer. On the contrary, the claimed system, method and computer readable media requires the programming of a computer to provide the claimed real time scoreboard so that real time progress of the contestants may be monitored during the competition. Such an application is far from purely conventional, as exemplified by the fact that the claimed limitations have not been found by the examiner in the examiner’s prior art search.

For at least these reasons, claims 43-57, 59-73, and 75-90 satisfy the requirements of 35 U.S.C. §101. Withdrawal of the rejections of claims 43-57, 59-73, and 75-90 under 35 U.S.C. §101 is thus appropriate and is requested.

Claims 75-87 stand further rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter “wherein the claim recites a processing program that is not embodied in a non-transitory storage medium.” Applicant has amended independent claim 75 and new claim 90 to recite a “non-transitory” computer readable storage device as requested by the examiner in order to overcome the rejections. In view of these amendments, withdrawal of rejections of claims 75-87 under 35 U.S.C. §101 is appropriate and is requested.

For at least the reasons set forth above, all pending claims satisfy the requirements of 35 U.S.C. §101. If the examiner has any further questions or issues relating to the eligibility of the pending claims under 35 U.S.C. §101, the examiner is encouraged to contact Applicant’s undersigned representative to promptly resolve any remaining issues.

Claim Rejections – 35 USC §103(a)

Claims 43-47, 49, 59-63, 65, 75-77, and 79 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over U.S. Patent Pub. No. 2009/0104591 (“Panetta”) in view of U.S. Patent Pub. No. 2005/0101386 (“Lavanchy”). Also, claims 51, 67, and 81 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Patent Pub. No. 2008/0010106 (“Bourne”); claims 52, 68, and 82 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Patent Pub. No. 2012/0302332 (“Buhr”); claims 54-55, 70-71, and 84-85 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Patent No. 6,086,381 (“Downs”); claims 56 and 72 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Patent Pub. No. 2007/0038931 (“Allaire”); and claims 57, 73, and 86 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of Youth Basketball (NPL: Pre-Game Conference with Coaches and Captains). Independent claims 43, 59, and 75 have been amended to include the features of claims 58, 74, and 87, respectively, thereby obviating these rejections. Withdrawal of all of these prior art rejections is appropriate and is requested.

Allowable Subject Matter

Applicant appreciates the examiner’s indication that the subject matter of claims 48, 50, 53, 58, 64, 66, 69, 74, 78, 80, 83, and 87 is allowable over the art of record and would be allowable if rewritten in independent form. Applicant does not acquiesce in the propriety of the rejections of independent claims 43, 59, and 74. However, Application would like to take this opportunity to place certain allowed claims in condition for immediate allowance. Applicant has accordingly amended independent claim 43 to include the features of claim 58, independent claim 59 to include the features of claim 74, and independent claim 75 to include the features of claim 87. The subject matter of claims 50, 66, and 80 has been placed into independent form as new independent claims 88, 89, and 90, respectively. Immediate allowance of these claims is

DOCKET NO.: 100972.000002
Application No.: 13/439,305
Office Action Dated: August 21, 2014

PATENT

requested. Applicant reserves the right to pursue non-allowed claims in a continuation application.

Conclusion

In view of the amendments and remarks set forth above, all pending claims are in condition ready for issuance. A Notice of Allowability is requested.

Date: September 22, 2014

/Michael P. Dunnam/
Michael P. Dunnam
Registration No. 32,611

Baker & Hostetler LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Denise Marvel		
Attorney Docket Number:		100972.000002		
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	3	210	630
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:				
Total in USD (\$)				630

Electronic Acknowledgement Receipt	
EFS ID:	20207095
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Denise Marvel
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	100972.000002
Receipt Date:	22-SEP-2014
Filing Date:	04-APR-2012
Time Stamp:	16:12:41
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$630
RAM confirmation Number	3092
Deposit Account	233050
Authorized User	
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

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	Transmittal Letter	100972_000002_Transmittal_f or_Amd_filed_9-22-14.PDF	262339	no	2
			c25d96e813f7840390ed2cc2fc3be023b17b7778		
Warnings:					
Information:					
2		100972_000002_Amd_filed_9- 22-14.PDF	179091	yes	22
			f6d21ba77e3854b26138c5644480f29fbdc6728		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Response After Final Action		1	1	
	Claims		2	15	
	Applicant Arguments/Remarks Made in an Amendment		16	22	
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30131	no	2
			9474ffb8189638d4d6c42e99d52c5e1aac1a33df		
Warnings:					
Information:					
Total Files Size (in bytes):			471561		

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.

Doc Code: TRAN.LET

Document Description: Transmittal Letter

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	13/439,305	
	Filing Date	April 4, 2012	
	First Named Inventor	Timothy J. Kelley	
	Art Unit	3716	
	Examiner Name	Jason Tahai Yen	
Total Number of Pages in This Submission	24	Attorney Docket Number	100972.000002

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form	☐ Drawing(s)	☐ After Allowance Communication to TC
☐ Fee Attached	☐ Licensing-related Papers	☐ Appeal Communication to Board of Appeals and Interferences
☒ Amendment/Reply	☐ Petition	☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☒ After Final	☐ Petition to Convert to a Provisional Application	☐ Proprietary Information
☐ Affidavits/declaration(s)	☐ Power of Attorney, Revocation	☐ Status Letter
☐ Extension of Time Request	☐ Change of Correspondence Address	☐ Other Enclosure(s) (please identify below):
☐ Express Abandonment Request	☐ Terminal Disclaimer	
☐ Information Disclosure Statement	☐ Request for Refund	
☐ Certified Copy of Priority Document(s)	☐ CD, Number of CD(s) _____	
☐ Reply to Missing Parts/Incomplete Application	☐ Landscape Table on CD	
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Baker & Hostetler LLP		
Signature	/Michael P. Dunnam/		
Printed name	Michael P. Dunnam		
Date	September 22, 2014	Reg. No.	32,611

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

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 13/439,305		Filing Date 04/04/2012		☐ To be Mailed	
---	--	--	--	---	--	----------------------------------	--	---------------------------------------	--

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

APPLICATION AS AMENDED – PART II							
(Column 1)		(Column 2)		(Column 3)			

AMENDMENT	09/22/2014	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 45	Minus	** 45	= 0	x \$40 =	0
	Independent (37 CFR 1.16(h))	* 6	Minus	*** 3	= 3	x \$210 =	630
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE						630	

(Column 1)		(Column 2)		(Column 3)			
------------	--	------------	--	------------	--	--	--

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

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

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

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

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

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	100972.000002	8456

23377	7590	08/21/2014
BAKER & HOSTETLER LLP		
CIRA CENTRE 12TH FLOOR		
2929 ARCH STREET		
PHILADELPHIA, PA 19104-2891		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
08/21/2014	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):

cofficeonitor@woodcock.com

Office Action Summary	Application No. 13/439,305	Applicant(s) KELLEY ET AL.	
	Examiner JASON YEN	Art Unit 3716	AIA (First Inventor to File) Status No

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

Period for Reply

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

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

Status

- 1) ☒ Responsive to communication(s) filed on 4/16/2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 43-87 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 43-87 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date 3/7/2014, 6/4/2014.
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 4) ☐ Other: ____.

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

DETAILED ACTION

Response to Amendment

Applicant's submission of a response was received on 4/16/2014.

In the response Applicant canceled claims 1-42.

Claims 43-87 are added.

Currently, claims 43-87 are pending.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 3/7/2014, 6/4/2014 was acknowledged. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 101

3. 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.

Based upon consideration of all the relevant factors with respect to the claims as a whole, **Claims 43-87** are rejected under 35 U.S.C. 101 as being directed to ineligible subject matter. Although the claim(s) are drawn to at least one of the four statutory

categories of invention (i.e. process, machine, manufacture, or composition), which would normally be considered within an appropriate statutory category, as has been noted in the recent Supreme Court decisions *Bilski v. Kappos*, 130 S. Ct. at 3227, *Alice Corp. Pty. Ltd. V. CLS Bank International*, and the Court of Appeals for the Federal Circuit in *CyberSource Corp. v. Retail Decisions, Inc.*, 654 F.3d 1366 (Fed. Cir. 2011), *Bancorp Services, L. L. C v Sun Life Assur. Co. of Canada (U.S.)*, -- F.3d ---, 2012 WL 3037176 (Fed. Circ. 2012) one must look beyond whether the claim falls within a statutory category and determine whether or not the claim is an attempt to patent ineligible subject matter which the courts have proclaimed judicially excepted, specifically, laws of nature, physical phenomena and abstract ideas. The Supreme Court noted that said decisions are instructive on how to investigate issues of subject matter eligibility and that the question underlying such an investigation is whether or not the claim is an attempt to claim subject matter which has been judicially excepted.

The recently published USPTO interim guidelines (http://www.uspto.gov/patents/announce/interim_alice_guidance.jsp) outline a two part analysis which must be undertaken as it pertains to the concept of an abstract idea.

Part 1 - A determination of whether the claim(s) is/are directed to an abstract idea must be performed.

- Examples of abstract ideas include:
 - o Fundamental economic practices;
 - o Certain methods of organizing human activities;
 - o An idea of itself; and,
 - o Mathematical relationships/formulas.

Part 2 - A determination of whether the claim(s) amounts to significantly more than the abstract idea itself.

- Non-limiting or non-exclusive examples of limitations which qualify as “significantly more” include:
 - o Improvements in another technology or technical field;
 - o Improvements in the functioning of the computer itself;
 - o Meaningful limitations beyond generally linking the use of an abstract idea to a particular technological environment.
- Non-limiting or non-exclusive examples of limitations which fail to qualify as “significantly more” include:
 - o Adding the words “apply it” (or equivalent) with an abstract idea, or mere instructions to implement an abstract idea on a computer;
 - o Requiring no more than a generic computer to perform generic computer functions that are well-understood, routine and conventional activities previously known to the industry.

In the instant application, Claim43-87 are directed to non-statutory subject matter because the claim(s) as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea. The claim(s) is/are directed to the abstract idea of an online academic competition. The additional element(s) or combination of elements in the claim(s) other than the abstract idea per se amount(s) to no more than: *(i) mere instructions to implement the idea on a computer, and/or (ii) recitation of generic computer structure that serves to perform generic computer functions that are well-understood, routine, and conventional activities previously known to the pertinent industry*. Viewed as a whole, these additional claim element(s) do not provide meaningful limitation(s) to transform the abstract idea into a patent eligible application of the abstract idea such that the claim(s) amounts to

significantly more than the abstract idea itself. Therefore, the claim(s) are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

4. 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 75-87 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter wherein the claim recites a processing program that is not claimed as embodied in a non-transitory storage medium. Because Applicant's disclosure is not limited solely to tangible embodiments, the claimed subject matter, given the broadest reasonable interpretation, may be a carrier wave comprising of instructions and is, therefore, non-statutory. The United States Patent and Trademark Office (USPTO) is obliged to give claims their broadest reasonable interpretation consistent with the specification during proceedings before the USPTO. See *In re Zletz*, 893 F.2d 319 (Fed. Cir. 1989) (during patent examination the pending claims must be interpreted as broadly as their terms reasonably allow). The broadest reasonable interpretation of a claim drawn to a computer readable storage medium typically covers forms of non-transitory tangible media and transitory propagating signals per se in view of the ordinary and customary meaning of computer readable storage media, particularly when the specification is silent. (See MPEP 2111.01). When the broadest reasonable interpretation of a claim covers a signal per se, the claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter (See *In re*

Nuijten, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter) and Interim Examination Instructions for Evaluating Subject Matter Eligibility under 35 U.S.C. § 101, Aug. 24, 2009; p. 2).

To overcome this type of rejection, the claim need to be amended to include only the physical computer storage media unassociated with any intangible or non-functional transmission media. Examiner suggests adding the word – non-transitory – to the claim. Other word choices will be considered but the one proposed shall overcome the rejection. Appropriate attention is required.

Claim Rejections - 35 USC § 103

5. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

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

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 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 negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating

obviousness or nonobviousness.

8. Claims 43-47, 49, 59-63, 65, 75-77, 79 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386).

Re Claims 43, 59, 75,

Panetta discloses a system for on-line academic competition (Fig 1, ¶¶0005, 0022; playing the math game requires at least two linked computers), comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants (Fig 1-8, ¶¶0022, 0024-0025, 0034; database 10, 20 provides test questions, team name and individual student's profile such as name, ID, in addition, each student's game statistics throughout the game session and league standings for each team are stored in the database); and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of (Fig 1, 7, ¶¶0022, 0033; each student login to play the game):

enabling the creation of teams of individual contestants for participation in an academic competition (Fig 1, 4, ¶¶0024-0025, 0029, 0042; teacher sets up team and selects students for the team);

presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition (¶¶0040, 0042, 0059, 0068, 0072; a set of questions is presented in a predetermined order where the game answer clock can be either 30 seconds or extended to 35, 40 or 45 seconds); and

providing a real time scoreboard to each contestant processing device (Fig 14, ¶¶0034, 0040; a scorecard is provided throughout the game).

Panetta does not explicitly disclose permitting each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition.

However, Lavanchy teaches permitting each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition (Fig 4, ¶¶0074-0075, 0080-0084, 0087-0088; GUI 250 displays the current score of the match where score for each player is updated as each correct answer or incorrect answer is added to the total within an allocated time). It would have been obvious to one of ordinary skill in the art at the time the invention was

made to utilize a real time scoreboard taught by Lavanchy into the online competition of Panetta in order to provide instant feedback to the players.

Re Claims 44, 60, 76,

Panetta discloses calculating a winner of the academic competition between teams or between respective individual contestants (Fig 8, 14, ¶¶0034, 0040; league standing displays each team's win/loss record where the team with the most wins is considered as a winner; also see Lavanchy, ¶0090).

Re Claims 45, 61, 77,

Panetta discloses all limitations as set forth above but is silent on enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant. However, Lavanchy teaches enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant (Fig 8, ¶¶0041, 0058-0059, 0083). Lavanchy further teaches such a configuration adds excitement for a player (¶0072). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Lavanchy into the competition game of Panetta in order to add excitement for the players.

Re Claims 46, 62,

Panetta discloses all limitations as set forth above including the scoreboard but does not explicitly disclose presenting a clock face component. However, Lavanchy teaches presenting with a clock face component that alerts the contestant as to whether

he/she is on pace to finish the test questions in the allocated time frame (Fig 4, ¶¶0080-0082, 0084, 0087-0088). See claim 43 for motivation.

Re Claims 47, 63,

Panetta discloses all limitations as set forth above including the scoreboard but does not explicitly disclose displaying an individual score or a team score. However, Lavanchy teaches displaying an individual score, as determined by a number of questions answered correctly by each of matched individual contestants, or a team score, as determined by taking a running average of all individual contestant scores from the respective teams and rounding to the nearest whole number (Fig 4, ¶¶0080-0082, 0084, 0087-0088). See claim 43 for motivation.

Re Claims 49, 65, 79,

Panetta discloses all limitations as set forth above including enabling the creation of leagues of teams but does not explicitly disclose separate teams can be merged to form one team. However, Lavanchy teaches separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams (¶0069; existing matches may be combined, i.e. merging teams from different matches). Lavanchy further teaches such a configuration facilitates more interesting gameplay and communications between players (¶¶0069, 0097). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to merging teams into one team as taught by Lavanchy into the competition of Panetta in order to facilitate more interesting gameplay and communications between players.

9. Claims 51, 67, 81 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Bourne et al. (2008/0010106).

Re Claims 51, 67, 81,

Panetta as modified by Lavanchy discloses all limitations as set forth above including enables the creation of a live competition event between two teams by enabling the coach to: select a date, time, and length for an academic competition; select a question set for the academic competition (§§0022-0024, 0029, 0046-54) but does not explicitly disclose selecting a team from a list of teams having a common time availability. However, Bourne teaches selecting a team from a list of teams having a common time availability (§0030). Bourne further teaches such a configuration provides a better, more timely and effective process of communication to schedule and coordinate events (§0006). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to team scheduling technique taught by Bourne into the competition of Panetta as modified by Lavanchy in order to provide a better, more timely and effective process of communication to schedule and coordinate events.

10. Claims 52, 68, 82 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Buhr (2012/0302332).

Re Claims 52, 68, 82,

Panetta as modified by Lavanchy discloses all limitations as set forth above including enables the creation of a live competition event within one team by enabling the coach to: select a date, time, and length for an academic competition; select a question set for the academic competition (§§0022-0024, 0029, 0046-54) but does not explicitly disclose dividing the team into two or more opposing teams. However, Buhr teaches dividing the team into two or more opposing teams by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team (§§0030-0031; the system determines the number opposing teams for the tournament, in addition, the system allows players to group up and enter a desired game together, to then be split apart on opposite sides). Buhr further teaches such a configuration increases probability of the players coming head to head later in the tournament. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Buhr into the competition of Panetta as modified by Lavanchy in order to enhance the game play by increases probability of the players coming head to head later in the game.

11. Claims 54-55, 70-71, 84-85 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Downs et al. (6086381).

Re Claims 54, 70, 84

Panetta as modified by Lavanchy discloses all limitations as set forth above but does not explicitly disclose enabling the coach to create and save questions. However,

Downs teaches enabling the coach to create and save questions including the assignment of images to them, or to choose questions from a database of questions submitted by other coaches for utilization in an academic competition (col 7, Ln 16-50). Downs further teaches such a configuration offers the capability for the teacher to specifically suit his or her lesson plans by altering the content of a competition (col 7, Ln 19-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Downs into the competition of Panetta as modified by Lavanchy in order to offers the capability for the teacher to specifically suit his or her lesson plans by altering the content of a competition.

Re Claims 55, 71, 85,

Panetta as modified by Lavanchy discloses all limitations as set forth above but does not explicitly disclose enabling the coach to create a question set. However, Downs teaches enabling the coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories (col 7, Ln 16-50). See claim 54 for motivation.

12. Claims 56, 72 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Allaire et al. (2007/0038931).

Re Claims 56, 72,

Panetta as modified by Lavanchy discloses all limitations as set forth above but does not explicitly disclose enabling an individual contestant to upload a background photo. However, Allaire teaches enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display (¶0198). It would have been obvious to one of ordinary skill in the art at time the invention was made to allow player to upload his or her background photo as taught by Allaire into the competition display of Panetta as modified by Lavanchy in order to enhance the game attractiveness for the player.

13. Claims 57, 73, 86 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Youth Basketball (NPL: Pre-Game Conference with Coaches and Captains).

Re Claims 57, 73, 86,

Panetta as modified by Lavanchy discloses all limitations as set forth above including facilitating the introduction of contestants to contestants (Lavanchy, ¶¶0056, 0072, 0083) but does not explicitly disclose the introduction of coaches. However, Youth Basketball teaches the introduction of coaches (pg 1). Youth Basketball further teaches such a configuration avoids problem during the game by allowing players and coaches to interact with the officials during the game (pg 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the introduction of coaches taught by Youth Basketball with the introduction of players

of Panetta as modified by Lavanchy in order to avoid problem during the game by allowing players and coaches to interact with the officials during the game play.

Allowable Subject Matter

14. **Claims 48, 50, 53, 58, 64, 66, 69, 74, 78, 80, 83, 87** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and to correct any 35 U.S.C. 101 issues.

The following is a statement of reasons for the indication of allowable subject matter: allowance of claims 48, 64, 78 are indicated because none of the prior art of record teaches or fairly suggests teaching of an online academic competition with all of the limitations of dependent claims 48, 64, 78, particularly at least the limitations of evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules: limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

The following is a statement of reasons for the indication of allowable subject matter: allowance of claims 50, 66, 80 are indicated because none of the prior art of record teaches or fairly suggests teaching of an online academic competition with all of the limitations of dependent claims 50, 66, 80, particularly at least the limitations of enabling a team to search for and then challenge another team of common time availability to an academic competition and enables said team to be divided into multiple teams for an intra-team academic competition.

The following is a statement of reasons for the indication of allowable subject matter: allowance of claims 58, 74, 87 are indicated because none of the prior art of record teaches or fairly suggests teaching of an online academic competition with all of the limitations of dependent claims 58, 74, 87, particularly at least the limitations of enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in

real time, and a final score between teams being determined after both teams have played at their respective preferred times.

Response to Arguments

15. Claims 2, 8, 16, 22, 30, 36 were previously rejected under 35 U.S.C. 112(b). The rejection has been withdrawn in view of the canceled claim.

16. Newly added claims 43-87 are rejected under 35 U.S.C. 101 for the reasons stated above.

17. Applicant's arguments filed 4/16/2014 have been fully considered but they are not persuasive.

Re Claims 43, 59, 75,

Applicant argues that neither Panetta nor Lavanchy teaches the limitations of "*permitting each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition*". The Examiner respectfully disagrees. Lavanchy teaches the user interface 250 displays each player's individual performance statistics where the statistic format is x/y (number of questions answered correctly/number of questions seen) and the roster is dynamically sort in order of percentage of correct answers, with the top percentage players for each side being at the top of the roster, i.e. each player can view his/her and his/her opponent's progress by clicking his/her name, in addition, players are required to answer a predetermined number of questions in succession where players are given a

predetermined period of time to answer each question, i.e. players are required to answers all predetermined questions within a time frame, for example, if there are eight questions and each question is allocated 30 seconds then the time frame is 4 minutes (Fig 4, ¶¶0074-0075, 0080-0084, 0087-0088). Furthermore, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., an undivided time period to all players to answer the entire series of questions where the players may answer each question in any order and allot as much time to each question as they wish) are not recited in the rejected independent claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Re Claims 44, 60, 76,

Applicant argues that neither Panetta nor Lavanchy teaches the limitations of “calculating a winner of the academic competition between teams or between respective individual contestants”. The Examiner respectfully disagrees. Panetta discloses displaying each team’s win/loss record in league standing where the team with the most wins is considered as a winner (Fig 8, ¶¶0034, 0040). In addition, Lavanchy teaches awarding a predetermined amount of tickets based on a player’s winning team or individual player’s score (¶0090).

For the reasons as set forth above, the rejection for claims 3-47, 49, 51-52, 54-57, 59-63, 65, 67-68, 70-73, 75-77, 79, 81-82, 84-86 has been maintained.

Conclusion

18. **THIS ACTION IS MADE FINAL.** 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 mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON YEN whose telephone number is (571)270-1777. The examiner can normally be reached on 7am - 3pm PST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. 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.

/JASON YEN/
Examiner, Art Unit 3716

/DMITRY SUHOL/
Supervisory Patent Examiner, Art Unit 3716

Notice of References Cited	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination KELLEY ET AL.	
	Examiner JASON YEN	Art Unit 3716	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0197753 A1	10-2004	Kirsch, Warren J.	434/237
*	B	US-7,072,863 B1	07-2006	Phillips et al.	705/36R
	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.

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/439,305
				Filing Date	April 4, 2012
				First Named Inventor	Kelley et al.
				Art Unit	3716
Examiner Name	Yen, Jason Tahai				
Sheet	1	of	1	Attorney Docket Number	100972.000002

U. S. PUBLICATION AND PATENT DOCUMENTS				
Examiner Initials	Cite No.	Document Number	Publication or Grant Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number – Kind Code (if known)		
	1	2007/0156267 A1	07-05-2007	Nozaki
	2	2007/0293322 A1	12-20-2007	Horowitz et al.
	3	2008/0091692 A1	04-17-2008	Keith et al.
	4	2009/0099924 A1	04-16-2009	Lensch et al.
	5	2009/0149234 A1	06-11-2009	Van Luchene
	6	2011/0099210 A1	04-28-2011	Woodson II et al.
	7	5,762,503 A	06-09-1998	Hoo et al.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author, 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
	8	QuizNet, "Questions Unlimited, Announcing Our Winter 2012 QuizNet tournament", January 26, 2012, http://web.archive.org/web/20120224204136/http://www.gunlimited.com/quiznet1.html , accessed June 26, 2013, 6 pages	

Examiner Signature	/Jason Yen/	Date Considered	08/02/2014
-------------------------------	-------------	----------------------------	------------

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.Y./

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/439,305
				Filing Date	April 4, 2012
				First Named Inventor	Kelley et al.
				Art Unit	3716
Examiner Name	Yen, Jason Tahai				
Sheet	1	of	1	Attorney Docket Number	100972.000002

U. S. PUBLICATION AND PATENT DOCUMENTS				
Examiner Initials	Cite No.	Document Number	Publication or Grant Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number – Kind Code (if known)		
	9	2005/0101386 A1	05-12-2005	Lavanchy et al.
	10	2007/0038931 A1	02-15-2007	Allaire et al.
	11	2008/0010106 A1	01-10-2008	Bourne et al.
	12	2009/0104591 A1	04-23-2009	Panetta
	13	2012/0302332 A1	11-29-2012	Buhr
	14	6,086,381	07-11-2000	Downs et al.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author, 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
	15	"Youth Basketball: Pre-Game Conference with Coaches and Captains", http://youth.usab.com/training-room/officials/officials-guide-section-10-your-pregame-conference-with-coaches-and-captains.htm , March 1, 2003, accessed June 3, 2014, 2 pages	

Examiner Signature	/Jason Yen/	Date Considered	08/02/2014
---------------------------	-------------	------------------------	------------

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.Y./

Search Notes 	Application/Control No. 13439305	Applicant(s)/Patent Under Reexamination KELLEY ET AL.
	Examiner JASON YEN	Art Unit 3716

CPC- SEARCHED		
Symbol	Date	Examiner
G07F17/3276, 3295 (combined with text search).	8/13/14	jy
A63F9/18 (combined with text search).	8/13/14	jy
G09B7/00, 02 (combined with text search).	8/13/14	jy

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
434	322, 350, 352, 362 (combined with text search).	8/13/14	jy
463	9, 29, 42 (combined with text search).	8/13/14	jy
705	7.18 (combined with text search).	8/13/14	jy
707	803 (combined with text search).	8/13/14	jy
715	206 (combined with text search).	8/13/14	jy
725	59 (combined with text search).	8/13/14	jy

SEARCH NOTES		
Search Notes	Date	Examiner
inventor search, east.	1/9/13	jy
search history, east.	8/13/14	jy
internet search, ref cited.	1/9/13	jy

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

/JASON YEN/ Examiner.Art Unit 3716	
---------------------------------------	--

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S5	79	((TIMOTHY) near2 (KELLEY)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S6	51	((MICHAEL) near2 (PERRONE)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S7	45	((JOSEPH) near2 (NAPOLI)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S8	1	(S5 S6 S7) and academic with competition	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:12
S9	1	((INNOKENTY) near2 (MIHALOV)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S10	22145597	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:13
S11	136	S10 and (online internet virtual network\$3 on near line) near20 (school academic collegiate college scholastic) near20 (contest competition tournament challenge match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:51
S12	21	S10 and (online internet virtual network\$3 on near line) near20 (school academic collegiate college scholastic education\$2) near20 (contest competition tournament challenge match) same (coach teacher mentor instructor)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:53
S13	372	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S14	68	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (select\$3 choos\$3 form\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S15	55475	S10 and ("463"/\$.ccls. "434"/\$.ccls.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:35
S16	194	S15 and (educational academic) near10	US-	OR	ON	2014/01/08

		(competition contest tournament match)	US-PGPUB; USPAT; EPO; JPO			10:36
S17	11	S15 and (educational academic) near10 (competition contest tournament match) same team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:36
S18	28	("2562179" "2654163" "3763577" "4079365").PN. OR ("4767335").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:01
S19	22145597	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S20	55475	S19 and ("463"/\$.ccls. "434"/\$.ccls.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S21	5	S20 and (live real near time) near10 (educational academic) near10 (competition contest tournament match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S22	27	("4768087" "4793813" "5273437" "5303042" "5437555").PN. OR ("6086381").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:13
S23	3	S22 and (competition contest tournament)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:18
S25	34	S20 and (online network\$3 internet on near line) near10 (knowledge question quiz) near10 (competition contest tournament match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:21
S27	150	S20 and (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S28	14	S20 and (trivia knowledge academic education\$3 scholastic) same (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S29	83	("4572509" "4592546" "4877408" "5114155" "5359510" "5462275" "5586257" "5586937" "5593349" "5637844" "5679075" "5695400" "5697844" "5730654" "5748731" "5759101" "5779549" "5796952" "5813006" "5823879" "5846132" "5855516" "5890906" "5890963"	US-PGPUB; USPAT; USOCR	OR	ON	2014/01/08 13:06

		"5894556" "5917725" "5941774" "5947747" "6009458" "6023729" "6080063" "6082887" "6102797" "6126547" "6292780" "RE37957").PN. OR ("6758754").URPN.				
S30	3	S29 and (online network\$3 internet on near line) same team near5 (competition contest match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 13:07
S31	4	S20 and (trivia knowledge academic education\$3 scholastic) same (interactive) same team near5 (competition contest match)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 13:24
S32	22145597	@ad<="20120404"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S33	112	S32 and (poker card) near10 (tournament competition contest) with team	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S34	7	S32 and (poker card) near10 (tournament competition contest) with team same coach	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:57
S35	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13
S36	16	S32 and (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13
S37	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:14
S38	20	S32 and (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:15
S39	3	((("5035625") or ("5695400") or ("20070231780"))).PN.	US- PGPUB; USPAT; USOCR	OR	OFF	2014/01/08 20:35
S40	22146841	@ad<="20120404"	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07

S41	110	S40 and upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07
S42	0	S40 and (contest competition) same upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:08
S43	11	S40 and player near20 upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:08
S44	3	S40 and (contest competition) same introduc\$5 near10 (coach instructor teacher)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:16
S45	5	S40 and (contest competition) same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:19
S46	20	S40 and sports same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
S47	0	S40 and sports same display\$3 with coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
S48	2	S40 and pre near game near10 introduc\$7	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:27
S49	3	S40 and display near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:37
S50	114	S40 and coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
S51	10	S40 and game same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
S52	6	S40 and (click select) near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:03

S53	1922	S40 and (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S54	74	S40 and game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S55	3	S40 and tournament same game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
S56	5	S40 and tournament same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:31
S57	8	((("20070293322") or ("20090149234") or ("5762503") or ("20080091692") or ("20110099210") or ("20070156267") or ("20080010106") or ("20090099924")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/03/19 12:36
S58	22335499	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:14
S59	404	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:15
S60	1	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) near20 team same statistic	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S61	207	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S62	22	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic and team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:17
S63	2	S58 and (virtual online network\$2 interactive internet) same (academic\$3 scholastic education\$3) near10 (competition contest compet\$3) and (contestant participant student user individual) same statistic and team and scoreboard	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:18

EAST Search History

S64	174	S58 and (virtual online network\$2 interactive internet) with (academic\$3 scholastic education\$3) near10 (competition contest compet\$3)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 16:48
S65	12	S64 AND ((G07F17/3276 OR G07F17/3295 OR A63F9/18 OR G09B7/00 OR G09B7/02).CPC.)	US- PGPUB; USPAT; EPO; JPO	OR	ON	2014/08/12 17:07

EAST Search History (Interference)

< This search history is empty >

8/ 13/ 2014 7:23:34 PM**C:\ Users\ jyen\ Documents\ EAST\ Workspaces\ 13439305.wsp**

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/439,305
				Filing Date	April 4, 2012
				First Named Inventor	Kelley et al.
				Art Unit	3716
Examiner Name	Yen, Jason Tahai				
Sheet	1	of	1	Attorney Docket Number	100972.000002

U. S. PUBLICATION AND PATENT DOCUMENTS				
Examiner Initials	Cite No.	Document Number	Publication or Grant Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number – Kind Code (if known)		
	9	2005/0101386 A1	05-12-2005	Lavanchy et al.
	10	2007/0038931 A1	02-15-2007	Allaire et al.
	11	2008/0010106 A1	01-10-2008	Bourne et al.
	12	2009/0104591 A1	04-23-2009	Panetta
	13	2012/0302332 A1	11-29-2012	Buhr
	14	6,086,381	07-11-2000	Downs et al.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author, 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
	15	"Youth Basketball: Pre-Game Conference with Coaches and Captains", http://youth.usab.com/training-room/officials/officials-guide-section-10-your-pregame-conference-with-coaches-and-captains.htm , March 1, 2003, accessed June 3, 2014, 2 pages	

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

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Nicole Spencer		
Attorney Docket Number:		100972.000002		
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:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$)				90

Electronic Acknowledgement Receipt	
EFS ID:	19205056
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Nicole Spencer
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	100972.000002
Receipt Date:	04-JUN-2014
Filing Date:	04-APR-2012
Time Stamp:	10:51:12
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 90
RAM confirmation Number	8028
Deposit Account	233050
Authorized User	

File Listing:

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

1	Transmittal Letter	100972-000002_SIDS_Trans_6-4-14.PDF	104667 69592aaabb9df78ec594b018a8f808b512e2087	no	4
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	100972-000002_SIDS_1449_6-4-14.PDF	124549 77af92ed088871a00e8e31f96d80c976b26ce66	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Non Patent Literature	YouthBasketball_PreGameConference_2003_2pgs.PDF	347962 20dd8bcd420f28508e3f01eff381471d075f41ff	no	2
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30227 d6c81550e9a2ca2093f9e0350ed464c389e02de4	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			607405		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

DOCKET NO.: 100972.000002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Kelley et al.

Confirmation No.: 8456

Application No.: 13/439,305

Group Art Unit: 3716

Filing Date: April 4, 2012

Examiner: Yen, Jason Tahai

For: System And Method For On-Line Academic Competition

Filed Via EFS

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

☐ **IDS Filed Under 37 CFR 1.97(b)**

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☒ **IDS filed Under 37 CFR 1.97(c)**

In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☒ The fee of ☐ **\$180.00** (Undiscounted)

☒ **\$90.00** (Small entity)

☐ **\$45.00** (Micro entity) as set forth in § 1.17(p) is attached.

☐ **IDS filed Under 37 CFR 1.97(d)**

In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission of ☐ **\$180.00** (Undiscounted) ☐ **\$90.00** (Small entity) ☐ **\$45.00** (Micro entity) as set forth in § 1.17(p).

CONTENT OF IDS PURSUANT TO 37 CFR 1.98

- ☒ Copies of reference numbers 9-14 listed on the attached Form 1449/PTO or Substitute for Form 1449/PTO are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(iii).
- ☒ A copy of reference number 15 listed on the attached Form 1449/PTO or Substitute for Form 1449/PTO is enclosed herewith.
- ☐ Copies of reference numbers _____ are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number _____, filed _____ for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.
- ☐ The month of publication for reference numbers _____ is not available. However, the year of publication for these references is sufficiently earlier than the effective US filing date and any foreign priority date so that the particular month of publication is not in issue pursuant to 37 CFR § 1.98(b).

REFERENCES IN A LANGUAGE OTHER THAN ENGLISH

- ☐ The following documents are not in the English language. Accordingly, a concise explanation of the relevance of the document was incorporated in the specification passages identified below, the document was identified in a foreign communication as identified below or an English language counterpart application has been provided as indicated below.

Foreign Language Document	Cite No.	Pages of Reference in Specification or Relevance of Document

Foreign Language Document	Cite No.	English Language Counterpart	Cite No.

☐ **CERTIFICATION IN ACCORDANCE WITH § 1.97(c)**

I hereby certify that:

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure 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 the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

DOCKET NO.: 100972.000002

PATENT

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Date: June 4, 2014

/Michael P. Dunnam/

Michael P. Dunnam

Registration No. 32,611

Baker & Hostetler LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

DOCKET NO.: 100972.000002 (formerly TKEL-0002)

PATENT

Application No.: 13/439,305

Amendment Dated: April 16, 2014

Reply to Office Action Dated: January 16, 2014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Timothy J. Kelley

Confirmation No.: **8456**

Application No.: **13/439,305**

Group Art Unit: **3716**

Filing Date: **April 4, 2012**

Examiner: **Jason Tahai Yen**

For: **SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Commissioner:

REPLY PURSUANT TO 37 C.F.R. § 1.111

In response to the Official Action dated **January 16, 2014**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- ☐ **Amendments to the Specification** begin on page of this paper.
- ☒ **Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- ☐ **Amendments to the Drawings** begin on page of this paper and include an attached replacement sheet.
- ☒ **Remarks** begin on page 13 of this paper.
- ☒ The Commissioner is hereby authorized to charge any fee deficiency, charge any additional fees, or credit any overpayment of fees, associated with this application in connection with this filing, or any future filing, submitted to the U.S. Patent and Trademark Office during the pendency of this application, to Deposit Account No. 23-3050.

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

Listing of Claims:

1.-42. (Canceled)

43. (New) A system for on-line academic competition, comprising:

a database that stores test questions, team and individual contestant profiles, and test response statistics for the teams and individual contestants; and

a processor programmed to interact with the database and with individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to the contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard to each contestant processing device that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition.

44. (New) A system as in claim 43, wherein the processor calculates a winner of the academic competition between teams or between respective individual contestants.

45. (New) A system as in claim 43, wherein the processor enables a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

46. (New) A system as in claim 43, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

47. (New) A system as in claim 43, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or by taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

48. (New) A system as in claim 43, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

- limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

- leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

- setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

- allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

49. (New) A system as in claim 43, wherein the processor enables the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

50. (New) A system as in claim 49, wherein the processor enables a team to search for and then challenge another team of common time availability to an academic competition and enables said team to be divided into multiple teams for an intra-team academic competition.

51. (New) A system as in claim 43, wherein the processor enables the creation of a live competition event between two teams by enabling an administrator or a coach to:
- select a date, time, and length for an academic competition;
 - select a question set for the academic competition; and
 - select a team from a list of teams having a common time availability.
52. (New) A system as in claim 43, wherein the processor enables the creation of a live competition event within an original team of individual contestants by enabling an administrator or a coach to:
- select a date, time, and length for an academic competition;
 - select a question set for the academic competition; and
 - divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.
53. (New) A system as in claim 43, wherein the processor enables the creation of a league of competition amongst a plurality of teams by enabling an administrator or a coach to:
- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
 - whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and
 - whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and a final team score is determined after all players for both teams have played.
54. (New) A system as in claim 43, wherein the processor further enables an administrator or a coach to create and save questions including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

55. (New) A system as in claim 54, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

56. (New) A system as in claim 43, wherein a contestant processing device enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

57. (New) A system as in claim 43, wherein the processor is programmed to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

58. (New) A system as in claim 43, wherein the processor further enables two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

59. (New) A method for on-line academic competition, comprising:
enabling, using a processing device, the creation of teams of individual contestants for participation in an academic competition;

presenting, using the processing device, a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition; and

providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition.

60. (New) A method as in claim 59, further comprising the processing device calculating a winner of the academic competition between teams or between respective individual contestants.

61. (New) A method as in claim 59, further comprising the processing device enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

62. (New) A method as in claim 59, wherein each contestant processing device presents the scoreboard with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

63. (New) A method as in claim 59, wherein each contestant processing device displays on the scoreboard an individual score as determined by a number of questions answered correctly by each of matched individual contestants, a team score as determined by calculating a total number of individual victories or taking a running average of all or a predetermined number of individual contestant scores from the respective teams, or both the individual score and the team score.

64. (New) A method as in claim 59, further comprising the processor evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

65. (New) A method as in claim 59, further comprising the processor enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

66. (New) A method as in claim 65, further comprising the processor enabling a team to search for and then challenge another team of common time availability to an academic competition and enabling said team to be divided into multiple teams for an intra-team academic competition.

67. (New) A method as in claim 59, further comprising the processor creating a live competition event between two teams by enabling an administrator or coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

select a team from a list of teams having a common time availability.

68. (New) A method as in claim 59, further comprising the processor creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and
divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

69. (New) A method as in claim 59, further comprising the processor creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;

whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and

whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

70. (New) A method as in claim 59, further comprising the processor enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

71. (New) A method as in claim 70, wherein the processor enables the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

72. (New) A method as in claim 59, further comprising a contestant processing device enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

73. (New) A method as in claim 59, further comprising the processor facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

74. (New) A method as in claim 59, wherein enabling the creation of teams comprises enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, in the providing step as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score in the presenting step, the real time scoreboard displaying in the providing step individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

75. (New) A computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants for participation in an academic competition;

presenting a series of predetermined test questions to contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for an academic competition; and

providing at each contestant processing device a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition.

76. (New) A storage device as in claim 75, further comprising instructions for calculating a winner of the academic competition between teams or between respective individual contestants.

77. (New) A storage device as in claim 75, further comprising instructions for enabling a contestant to elect to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

78. (New) A storage device as in claim 75, further comprising instructions for evenly matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1 based on past performance, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

79. (New) A storage device as in claim 75, further comprising instructions for enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

80. (New) A storage device as in claim 79, further comprising instructions for enabling a team to search for and then challenge another team of common time availability to an academic competition and for enabling said team to be divided into multiple teams for an intra-team academic competition.

81. (New) A storage device as in claim 75, further comprising instructions for creating a live competition event between two teams by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- select a team from a list of teams having a common time availability.

82. (New) A storage device as in claim 75, further comprising instructions for creating a live competition event within an original team of individual contestants by enabling an administrator or coach to:

- select a date, time, and length for an academic competition;
- select a question set for the academic competition; and
- divide the original team of individual contestants into two or more opposing teams of individual contestants by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team of individual contestants.

83. (New) A storage device as in claim 75, further comprising instructions for creating a league of competition amongst a plurality of teams by enabling an administrator or coach to:

- create a cycle for a league by selecting a start date, end date, match length, a frequency of rounds, question sets for each round, and a preferred time to play in each round;
- whereby when two matched teams in a given round share a same preferred time, the processor facilitates live play between the two matched teams; and
- whereby when two matched teams in a given round do not share a preferred time, the processor enables each contestant to play against a personal best score and then determines a final team score after all players for both teams have played.

84. (New) A storage device as in claim 75, further comprising instructions for enabling an administrator or a coach to create and save questions, including the assignment of images to the questions, or to choose questions from a database of questions submitted by other administrators or coaches for utilization in an academic competition.

85. (New) A storage device as in claim 84, wherein the instructions enable the administrator or coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

86. (New) A storage device as in claim 75, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

87. (New) A storage device as in claim 75, wherein instructions for enabling the creation of teams comprises instructions for enabling two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, in the providing step as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score in the presenting step, the real time scoreboard displaying in the providing step individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.

REMARKS

Explanation of Amendments

Claims 1-42 have been canceled and replaced by new claims 43-87. Claims 43-87 substantially correspond to claims 1-42 as follows: claims 43-52 correspond to claims 1-10; claims 54-57 correspond to claims 11-14; claims 59-68 correspond to claims 15-24; claims 70-73 correspond to claims 25-28; claims 75-77 correspond to claims 29-31; claims 78-82 correspond to claims 34-38; claims 84-85 correspond to claims 39-40; and claim 86 corresponds to claim 42. Claims 53, 58, 69, 74, 83, and 87 are new. Claims 43-87 have been drafted to address the objections and rejections set forth in the official action as will be explained in further detail below. Upon entry of these amendments, claims 43-87 will be pending.

Claim Objections

Claims 10, 15, 24, and 38 were objected to as containing informalities. These claims have been canceled, thereby obviating these objections. Corresponding claims 52, 59, 68, and 82 have been written to address these objections. Withdrawal of the objections to claims 10, 15, 24, and 38 is solicited.

Claim Rejections – 35 USC §112(b)

Claims 2, 8, 16, 22, 30, and 36 were rejected under 35 USC §112(b) as allegedly being indefinite for use of “and/or” and references to “one team” and “another team,” respectively. These claims have been canceled, thereby obviating these rejections. Corresponding claims 44, 50, 60, 66, 76, and 80 have been written to address these rejections. Withdrawal of the rejections of claims 2, 8, 16, 22, 30, and 36 is solicited.

Claim Rejections - 35 USC §101

Claims 15-24 and 28 are rejected under 35 USC §101 as allegedly being directed to an abstract idea and claims 29-42 are rejected under 35 USC §101 as allegedly being non-statutory as broad enough to cover a transitory storage medium. Claims 15-24 and 28-42 have been canceled, thereby obviating these rejections. Corresponding claims 59-68, 73, 75-82, and 84-86 have been written to obviate these rejections. In particular, independent claim 59 and claims 60-74 dependent thereon recite a “processing device” as a “machine” for performing the recited steps, and independent claim 75 and claims 76-87 dependent thereon recite a “device” as

opposed to a “medium” and thus do not encompass a non-transitory signal. Applicant finds it inappropriate to add “non-transitory” to the claim as a “device” cannot be “transitory.”

Withdrawal of the rejections of claims 15-24 and 28-42 is solicited.

Claim Rejections - 35 USC §103(a)

Claims 1-5, 7, 15-19, 21, 29-33, and 35 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over U.S. Pat. Pub. No. 2009/0104591 (“Panetta”) in view of U.S. Pat. Pub. No. 2005/0101386 (“Lavanchy”). Also, claims 9, 23, and 37 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Pat. Pub. No. 2008/0010106 (“Bourne”), claims 10, 24, and 38 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Pat. Pub. No. 2012/0302332 (“Buhr”), claims 11-12, 25-26, and 39-40 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Pat. No. 6,086,381 (“Downs”), claims 13, 27, and 41 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of U.S. Pat. Pub. No. 2007/0038931 (“Allaire”), and claims 14, 28, and 42 stand rejected under 35 USC §103(a) as allegedly being unpatentable as obvious over Panetta and Lavanchy in view of Youth Basketball (NPL: Pre-Game Conference with Coaches and Captains). Claims 1-42 have been canceled, thereby rendering all of these rejections moot. New claims 43-87 are believed to distinguish over these references for at least the reasons recited below.

Exemplary claim 59 recites a computerized method for on-line academic competition that enables the creation of teams of individual contestants for participation in an academic competition where the contestants are presented with a series of predetermined test questions at contestant processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition. The contestants are provided at their contestant processing devices with a real time scoreboard that permits each individual contestant to track his/her and his/her opponent’s progress with respect to both the time frame for answering questions and questions answered correctly while answering the series of questions during an academic competition. The method is thus characterized by its ability to allow

contestants to compete head to head in real time or to compete against the clock in the context of an academic competition.

The exemplary method also includes steps for allowing administrators or coaches to organize teams and to arrange competitions amongst teams within a school or between schools. By way of example, as recited in claim 74, two teams of 1 or more individual contestants may be created to compete over a series of test questions “for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, in the providing step as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score in the presenting step, the real time scoreboard displaying in the providing step individual score or team score of the individual contestant’s team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times.”

System claims 43-58 and computer readable device claims 75-87 include corresponding features. Such features are not believed to be shown or suggested by the cited prior art.

In rejecting independent claims 1, 15, and 29, the examiner alleged that Panetta discloses a method, system and computer readable storage device for providing an on-line academic competition as claimed except for the use of a real-time scoreboard, which the examiner alleges is taught by Lavanchy. Applicant submits that the teachings of Panetta and Lavanchy, even if combined as proposed by the examiner, fail to teach the claimed method, system and computer readable storage device for providing an on-line academic competition.

Panetta discloses question-and-answer-based learning aids that use a competitive sport such as baseball as a basis for answering questions. The students may compete in teams over the internet or compete in a class activity. Play advances based on the students’ answers to test questions selected by a teacher. Like in a quiz bowl, the respective teams are asked questions

and the system waits for both teams to lock in their answers or wait for 30 seconds, whichever first occurs. As acknowledged by the examiner, Panetta does not disclose a real-time scoreboard that tracks individual contestants as claimed. For such teachings, the examiner cites Lavanchy.

Lavanchy discloses a system and method for interactive on-line game play scheduled based on real-life events. The examiner alleges that Lavanchy teaches the claimed real-time scoreboard. Applicant disagrees. Applicant notes that Lavanchy expressly states at paragraph [0080] that all players see the same question at the same time and are given a predetermined amount of time to answer each question. As noted at paragraph [0082], a full allotment of time must expire before a player is advanced to the answer screen. As the questions are answered, a listing of the number of questions correctly answered out of the questions presented may be maintained for each contestant on a match scoreboard 258 and/or a game scoreboard 259.

Applicant submits that neither Panetta nor Lavanchy provides at each contestant processing device a real time scoreboard that “permits each individual contestant to track his/her and his/her opponent’s progress *with respect to both the time frame for answering questions* and questions answered correctly *while answering the series of questions during an academic competition.*” Rather, Panetta and Lavanchy relate to systems where students are presented questions at the same time and compete head-to-head in answering that particular question. Contestants are not given a “series of questions” in an academic competition whereby the contestants not only need to follow the number of questions answered correctly by themselves and their opponent(s) but also how much time remains in the contest. Both Panetta and Lavanchy teach conventional quiz bowl approaches where a single question is presented at a time and thus teach away from this type of scoreboard presentation whereby students may track in real time while the clock is running where they stand with respect to their opponent regarding the number of questions answered correctly and time remaining. In Panetta and Lavanchy, a separate time component operates for each question. After the time to answer the question expires, there is a pause in the competition. By contrast, the claimed academic competition allocates an undivided time period to all players to answer the entire series of questions. The players may answer each question in any order and allot as much time to each question as they wish. Also, there is no delay in both the individual and team score updates. Such an approach is

not taught or suggested by Panetta or Lavanchy taken separately or together. Applicant further notes that Panetta and Lavanchy do not calculate individual winners but sequentially tally the responses from the individual team members to determine a team score. Neither Panetta nor Lavanchy contemplate matching individuals from opposing teams against each other for head-to-head individual scores.

In addition, neither Panetta nor Lavanchy provide teachings of providing:

two teams of 1 or more individual contestants each to compete over a series of test questions for an allotted time period in an online format including both a test item presentation area and the real time scoreboard with time clock, either (1) live, if both teams share a common preferred time, in which case individual contestants from opposing teams may be matched against each other, the real time scoreboard displaying individual score, or share a team score, as determined by taking a running average or sum of all or a predetermined number of individual contestant scores from the respective teams, the individual and team scores being updated in real time, or (2) non-live, if both teams do not share a common preferred time, in which case individual contestants may be matched against a personal best score, the real time scoreboard displaying individual score or team score of the individual contestant's team updated in real time, and a final score between teams being determined after both teams have played at their respective preferred times

as recited in dependent claim 74, for example.

Bourne, Buhr, Downs, Allaire, and Youth Basketball were all cited against features of dependent claims and are not believed to provide teachings that address the above-mentioned shortcomings in the teachings of Panetta and Lavanchy. Accordingly, even if the teachings of one or more of these references were combined with the teachings of Panetta and Lavanchy as the examiner contemplates, the claimed method, system, and computer readable storage device would not have resulted. Allowance of claims 43-87 is thus appropriate and is solicited.

Allowable Subject Matter

Applicant appreciates the examiner's indication that claims 6, 20, and 34 (now claims 48, 64, and 78, respectively) and that claims 8, 22, and 36 (now claims 50, 66, and 80, respectively) contain allowable subject matter. Applicant submits that the respective independent claims 43, 59, and 75 from which these claims depend also include allowable subject matter and that, accordingly, claims 48, 50, 64, 66, 78, and 80 have not been placed into independent form at this

DOCKET NO.: 100972.000002
Application No.: 13/439,305
Office Action Dated: January 16, 2014

PATENT

time. Applicant reserves the right to place these claims in independent form at a later time as appropriate to advance prosecution.

Conclusion

New claims 43-87 overcome all rejections of record. A Notice of Allowability is solicited.

Date: April 16, 2014

/Michael P. Dunnam/
Michael P. Dunnam
Registration No. 32,611

Baker & Hostetler LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Denise Marvel		
Attorney Docket Number:		TKEL-0002		
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:				
Claims in excess of 20	2202	5	40	200
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:				
Total in USD (\$)				200

Electronic Acknowledgement Receipt	
EFS ID:	18786146
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Denise Marvel
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	TKEL-0002
Receipt Date:	16-APR-2014
Filing Date:	04-APR-2012
Time Stamp:	21:43:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$200
RAM confirmation Number	11492
Deposit Account	233050
Authorized User	
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

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	Transmittal Letter	Transmittal.pdf	261992 2263e0f3e42deff54edc22a686c627f6ab503acb	no	2

Warnings:**Information:**

2		Amendment.pdf	170169 3da9d7c10c7130b224ecc21828039f31cab4da8b	yes	18
---	--	---------------	--	-----	----

Multipart Description/PDF files in .zip description

	Document Description	Start	End
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	12
	Applicant Arguments/Remarks Made in an Amendment	13	18

Warnings:**Information:**

3	Fee Worksheet (SB06)	fee-info.pdf	29924 84e06147fe09ee1c25dd6b844c66a9ac02e5f3ee	no	2
---	----------------------	--------------	---	----	---

Warnings:**Information:**

Total Files Size (in bytes):			462085
-------------------------------------	--	--	--------

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.

Doc Code: TRAN.LET

Document Description: Transmittal Letter

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	13/439,305
	Filing Date	April 4, 2012
	First Named Inventor	Timothy J. Kelley
	Art Unit	3716
	Examiner Name	Jason Tahai Yen
	Attorney Docket Number	100972.000002
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form	☐ Drawing(s)	☐ After Allowance Communication to TC
☐ Fee Attached	☐ Licensing-related Papers	☐ Appeal Communication to Board of Appeals and Interferences
☒ Amendment/Reply	☐ Petition	☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ After Final	☐ Petition to Convert to a Provisional Application	☐ Proprietary Information
☐ Affidavits/declaration(s)	☐ Power of Attorney, Revocation	☐ Status Letter
☐ Extension of Time Request	☐ Change of Correspondence Address	☐ Other Enclosure(s) (please identify below):
☐ Express Abandonment Request	☐ Terminal Disclaimer	
☐ Information Disclosure Statement	☐ Request for Refund	
☐ Certified Copy of Priority Document(s)	☐ CD, Number of CD(s) _____	
☐ Reply to Missing Parts/Incomplete Application	☐ Landscape Table on CD	
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Baker & Hostetler LLP		
Signature	/Michael P. Dunnam/		
Printed name	Michael P. Dunnam		
Date	April 16, 2014	Reg. No.	32,611

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

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/439,305	Filing Date 04/04/2012	☐ To be Mailed
---	---	----------------------------------	---------------------------------------

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	(Column 1)	(Column 2)	(Column 3)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	04/16/2014	CLAIMS REMAINING AFTER AMENDMENT					
	Total (37 CFR 1.16(i))	* 45	Minus	** 42	= 3	x \$40 =	120
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	x \$210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
TOTAL ADD'L FEE							120

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

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

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

LIE
/CAROL BARNES/

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

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

Substitute for Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	13/439,305
				Filing Date	April 4, 2012
				First Named Inventor	Kelley et al.
				Art Unit	3716
				Examiner Name	Yen, Jason Tahai
Sheet	1	of	1	Attorney Docket Number	100972.000002

U. S. PUBLICATION AND PATENT DOCUMENTS				
Examiner Initials	Cite No.	Document Number	Publication or Grant Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number – Kind Code (if known)		
	1	2007/0156267 A1	07-05-2007	Nozaki
	2	2007/0293322 A1	12-20-2007	Horowitz et al.
	3	2008/0091692 A1	04-17-2008	Keith et al.
	4	2009/0099924 A1	04-16-2009	Lensch et al.
	5	2009/0149234 A1	06-11-2009	Van Luchene
	6	2011/0099210 A1	04-28-2011	Woodson II et al.
	7	5,762,503 A	06-09-1998	Hoo et al.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author, 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
	8	QuizNet, "Questions Unlimited, Announcing Our Winter 2012 QuizNet tournament", January 26, 2012, http://web.archive.org/web/20120224204136/http://www.gunlimited.com/quiznet1.html , accessed June 26, 2013, 6 pages	

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

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Nicole Spencer		
Attorney Docket Number:		TKEL-0002		
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:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$)				90

Electronic Acknowledgement Receipt	
EFS ID:	18398961
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Nicole Spencer
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	TKEL-0002
Receipt Date:	07-MAR-2014
Filing Date:	04-APR-2012
Time Stamp:	10:26:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 90
RAM confirmation Number	8902
Deposit Account	233050
Authorized User	

File Listing:

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

1	Transmittal Letter	100972-000002_IDS_Trans_3-7-14.PDF	104437 f9beae42d8ea365d0855d0838e64a9f322338e38	no	4
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	100972-000002_IDS_1449_3-7-14.PDF	126034 e2d746debc8757dca29454189728eba9c74b8269	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Non Patent Literature	QuizNet_QuestionsUnlimited_2012_6pgs.PDF	271373 6d2392693a6730a3322d1c2f4797dc7f8d2b8359	no	6
Warnings:					
The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30200 ffa5dfc7eaa74d810d3143fc2451882af04c0c3e	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			532044		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

DOCKET NO.: 100972.000002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Kelley et al.

Confirmation No.: 8456

Application No.: 13/439,305

Group Art Unit: 3716

Filing Date: April 4, 2012

Examiner: Yen, Jason Tahai

For: System And Method For On-Line Academic Competition

Filed Via EFS

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

☐ **IDS Filed Under 37 CFR 1.97(b)**

In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☒ **IDS filed Under 37 CFR 1.97(c)**

In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☒ The fee of ☐ **\$180.00** (Undiscounted)

☒ **\$90.00** (Small entity)

☐ **\$45.00** (Micro entity) as set forth in § 1.17(p) is attached.

☐ **IDS filed Under 37 CFR 1.97(d)**

In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission of ☐ **\$180.00** (Undiscounted) ☐ **\$90.00** (Small entity) ☐ **\$45.00** (Micro entity) as set forth in § 1.17(p).

CONTENT OF IDS PURSUANT TO 37 CFR 1.98

- ☒ Copies of reference numbers 1-7 listed on the attached Form 1449/PTO or Substitute for Form 1449/PTO are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(iii).
- ☒ A copy of reference number 8 listed on the attached Form 1449/PTO or Substitute for Form 1449/PTO is enclosed herewith.
- ☐ Copies of reference numbers _____ are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number _____, filed _____ for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.
- ☐ The month of publication for reference numbers _____ is not available. However, the year of publication for these references is sufficiently earlier than the effective US filing date and any foreign priority date so that the particular month of publication is not in issue pursuant to 37 CFR § 1.98(b).

REFERENCES IN A LANGUAGE OTHER THAN ENGLISH

- ☐ The following documents are not in the English language. Accordingly, a concise explanation of the relevance of the document was incorporated in the specification passages identified below, the document was identified in a foreign communication as identified below or an English language counterpart application has been provided as indicated below.

Foreign Language Document	Cite No.	Pages of Reference in Specification or Relevance of Document

Foreign Language Document	Cite No.	English Language Counterpart	Cite No.

- ☐ **CERTIFICATION IN ACCORDANCE WITH § 1.97(c)**

I hereby certify that:

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure 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 the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

DOCKET NO.: 100972.000002

PATENT

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

Date: March 6, 2014

/Michael P. Dunnam/
Michael P. Dunnam
Registration No. 32,611

Baker & Hostetler LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



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.
13/439,305	04/04/2012	Timothy J. Kelley	TKEL-0002	8456

23377	7590	01/16/2014
BAKER & HOSTETLER LLP		
CIRA CENTRE 12TH FLOOR		
2929 ARCH STREET		
PHILADELPHIA, PA 19104-2891		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
01/16/2014	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):

cofficeonitor@woodcock.com

Office Action Summary	Application No. 13/439,305	Applicant(s) KELLEY ET AL.	
	Examiner JASON YEN	Art Unit 3716	AIA (First Inventor to File) Status No

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

Period for Reply

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

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

Status

- 1) ☒ Responsive to communication(s) filed on 4/4/2012.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 1-42 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-5, 7-19, 21-33 and 35-42 is/are rejected.
- 8) ☒ Claim(s) 6, 20 and 34 is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 4/4/12 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

- | | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____. | 4) ☐ Other: ____. |

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

DETAILED ACTION

Claim Objections

2. Claim 15 is objected to because of the following informalities: "the processing devices" and "the academic competition" lacks antecedent basis.
3. Claims 10, 24, 38 are objected to because of the following informalities: "one team" lacks antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of 35 U.S.C. 112(b):

(B) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2, 8, 16, 22, 30, 36 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention.

Re Claims 2, 16, 30,

The phrase "and/or" is unclear. The above phrase renders the claim indefinite as the metes and bounds of what is being claimed cannot be determined. For purposes of examination it is assumed that "or" is used in the instant claim.

Re Claim 8, 22, 36,

"...enables a team to be divided into multiple teams for an intra-team academic competition" is unclear. It is not clear if *a team* refers to one team, i.e. team merged from separate teams, or another team, i.e. opposing team. In addition, it is not clear if *another team*, i.e. opposing team will need to be divided into multiple teams for an intra-team academic competition. For purpose of examination, Examiner interprets a team refers to the one team and the another team will need to be divided into multiple teams for an intra-team academic competition.

Claim Rejections - 35 USC § 101

6. 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.

7. Based upon consideration of all the relevant factors with respect to the claim as a whole, Claims 15-24, 28 held to claim an abstract idea, and are rejected as ineligible subject matter under 35 U.S.C. 101.

The rationale for this finding is explained below, which is a result of careful consideration of the listed factors when analyzing the claim(s) as a whole to evaluate

whether a method claim is directed to an abstract idea. These factors are not intended to be exclusive or exhaustive.

I. Factors weighing toward eligibility are:

a) Recitation of a machine or transformation: In particular, machine or transformation meaningfully limits the execution of the steps, a machine implements the claimed steps, the article being transformed is particular, an object or substance, the article undergoes a change in state or thing (objectively different function or use);

b) Practically applying a law of nature to meaningfully limit the execution of the steps; or

c) The claim is more than a mere statement of a concept: It describes a particular solution of the problem to be solved; implements a concept in a tangible way, Performance of steps are observable and verifiable.

II. Factors weighing against eligibility are:

a) No recitation or insufficient recitation of a machine or transformation:

+ Insufficient involvement of the machine or transformation, merely nominally, insignificantly, or intangibly related to the performance of the steps, (e.g., data gathering, or merely recites a field in which the method is intended to be applied).

+ Machine is generically recited such that it covers any machine capable of performing the claimed step(s) or merely an object on which the method operates.

+ Transformation involves only a change in position or location of the article.

b) Improperly applying a law of nature that would monopolize a natural force or patent a scientific fact (e.g., by claiming every mode of producing an effect of that law of nature); or applied in a merely subjective determination or merely nominally, insignificantly, or tangentially related to the performance of the steps; or

c) The claim is a mere statement of a general concept: Use of the concept, as expressed in the method, would effectively grant a monopoly over the concept; or both known and unknown uses of the concept are covered, and can be performed through any existing or future-devised machinery, or even without any apparatus; or states only a problem to be solved; or general concept is disembodied; or mechanism by which the step(s) are implemented is subjective or imperceptible.

+ Examples of general concepts: Basic economic practices or theories, basic legal theories, mathematical concepts, mental activity, interpersonal relations or relationships, teaching concepts, human behavior, and instructing how business should be conducted.

Independent Claim 15 is illegible subject matter because the claimed limitations are a method of academic competition include no recitation or insufficient recitation of a machine or transformation, or not directed to a proper application of a law of nature, or just a mere statement of a general concept. For example, the steps enabling the creation of teams and providing a real time scoreboard can be performed by a person instead of a machine.

Dependent Claims 16-24, 28, when analyzed as a whole is/are held to be ineligible subject matter and are rejected under 35 U.S.C. 101 because the additional

recited limitations(s) fail(s) to establish that the claim is not directed to an abstract idea as detailed below:

Additional limitations such as further elaboration of the method recited in dependent Claims 16-24, 28 are no more than a field of use or merely involve insignificant extra-solution activity or intangibly related to the performance of the steps.

Claims 29-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter wherein the claim recites a processing program that is not claimed as embodied in a non-transitory storage medium. Because Applicant's disclosure is not limited solely to tangible embodiments, the claimed subject matter, given the broadest reasonable interpretation, may be a carrier wave comprising of instructions and is, therefore, non-statutory. The United States Patent and Trademark Office (USPTO) is obliged to give claims their broadest reasonable interpretation consistent with the specification during proceedings before the USPTO. See *In re Zletz*, 893 F.2d 319 (Fed. Cir. 1989) (during patent examination the pending claims must be interpreted as broadly as their terms reasonably allow). The broadest reasonable interpretation of a claim drawn to a computer readable storage medium typically covers forms of non-transitory tangible media and transitory propagating signals per se in view of the ordinary and customary meaning of computer readable storage media, particularly when the specification is silent. (See MPEP 2111.01). When the broadest reasonable interpretation of a claim covers a signal per se, the claim must be rejected under 35 U.S.C. § 101 as covering non-statutory subject matter (See *In re*

Nuijten, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter) and Interim Examination Instructions for Evaluating Subject Matter Eligibility under 35 U.S.C. § 101, Aug. 24, 2009; p. 2).

To overcome this type of rejection, the claim need to be amended to include only the physical computer storage media unassociated with any intangible or non-functional transmission media. Examiner suggests adding the word – non-transitory – to the claim. Other word choices will be considered but the one proposed shall overcome the rejection. Appropriate attention is required.

Claim Rejections - 35 USC § 103

8. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

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

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 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 negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating

obviousness or nonobviousness.

11. Claims 1-5, 7, 15-19, 21, 29-33, 35 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386).

Re Claims 1, 15, 29,

Panetta discloses a system, a method, a computer readable storage device for on-line academic competition (Fig 1, ¶¶0005, 0022), comprising:

a database that stores test questions; team, coach, and individual contestant profiles; and test response statistics for the teams and individual contestants (Fig 1-4, ¶¶0022, 0024-0025); and

a processor programmed to interact with the database and with coach and individual contestant processing devices (Fig 1) to perform the steps of:

enabling the creation of teams of individual contestants by the coach for participation in academic competition (Fig 1, 4, ¶¶0024-0025, 0029, 0042; teacher creates team and selects students as players for the team);

presenting predetermined test questions to the processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition (¶¶0022-0024, 0040, 0042, 0059, 0068, 00072; predetermined questions are given to teams, in addition, the answer clock is used for teams to lock in answer before time expires); and providing a real time scoreboard (Fig 14, ¶¶0034, 0040).

Panetta does not explicitly disclose providing a real time scoreboard that tracks individual contestant.

However, Lavanchy teaches providing a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly (Fig 4, ¶¶0074-0075, 0080-0082, 0084, 0087-0088; a timer indicates an allocated time for response, in addition, score for each player is updated as each correct answer or incorrect answer is added to the total). It would have been obvious to one of ordinary skill in the art at time the invention was made to provide a real time scoreboard for instant feedback as taught by Lavanchy into the academic competition of Panetta in order to enhance the excitement for the game.

Re Claims 2, 16, 30,

Panetta discloses calculating a winner of an academic competition between teams and/or between respective individual contestants (Fig 8, 14, ¶¶0034, 0040).

Re Claims 3, 17, 31,

Panetta discloses all limitations as set forth above but does not explicitly disclose enabling a contestant to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant. However, Lavanchy teaches enabling a contestant to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant (Fig 8, ¶¶0041, 0058-0059, 0083). Lavanchy further teaches such a configuration adds excitement for a player (¶0072). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Lavanchy into the competition of Panetta in order to add excitement for a player.

Re Claims 4, 18, 32,

Panetta discloses all limitations as set forth above including the scoreboard but does not explicitly disclose presenting a clock face component. However, Lavanchy teaches presenting with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame (Fig 4, ¶¶0080-0082, 0084, 0087-0088). See claim 1 for motivation.

Re Claims 5, 19, 33,

Panetta discloses all limitations as set forth above including the scoreboard but does not explicitly disclose displaying an individual score or a team score. However, Lavanchy teaches displaying an individual score, as determined by a number of questions answered correctly by each of matched individual contestants, or a team score, as determined by taking a running average of all individual contestant scores

from the respective teams and rounding to the nearest whole number (Fig 4, ¶¶0080-0082, 0084, 0087-0088). See claim 1 for motivation.

Re Claims 7, 21, 35,

Panetta discloses all limitations as set forth above including enabling the creation of leagues of teams but does not explicitly disclose separate teams can be merged to form one team. However, Lavanchy teaches separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams (¶0069; existing matches may be combined, i.e. merging teams from different matches). Lavanchy further teaches such a configuration facilitates more interesting gameplay and communications between players (¶¶0069, 0097). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to merging teams into one team as taught by Lavanchy into the competition of Panetta in order to facilitate more interesting gameplay and communications between players.

12. Claims 9, 23, 37 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Bourne et al. (2008/0010106).

Re Claims 9, 23, 37,

Panetta as modified by Lavanchy discloses all limitations as set forth above including enables the creation of a live competition event between two teams by enabling the coach to: select a date, time, and length for an academic competition; select a question set for the academic competition (¶¶0022-0024, 0029, 0046-54) but

does not explicitly disclose selecting a team from a list of teams having a common time availability. However, Bourne teaches selecting a team from a list of teams having a common time availability (§0030). Bourne further teaches such a configuration provides a better, more timely and effective process of communication to schedule and coordinate events (§0006). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to team scheduling technique taught by Bourne into the competition of Panetta as modified by Lavanchy in order to provide a better, more timely and effective process of communication to schedule and coordinate events.

13. Claims 10, 24, 38 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Buhr (2012/0302332).

Re Claims 10, 24, 38,

Panetta as modified by Lavanchy discloses all limitations as set forth above including enables the creation of a live competition event within one team by enabling the coach to: select a date, time, and length for an academic competition; select a question set for the academic competition (§§0022-0024, 0029, 0046-54) but does not explicitly disclose dividing the team into two or more opposing teams. However, Buhr teaches dividing the team into two or more opposing teams by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team (§§0030-0031; the system determines the number opposing

teams for the tournament, in addition, the system allows players to group up and enter a desired game together, to then be split apart on opposite sides). Buhr further teaches such a configuration increases probability of the players coming head to head later in the tournament. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Buhr into the competition of Panetta as modified by Lavanchy in order to enhance the game play by increases probability of the players coming head to head later in the game.

14. Claims 11-12, 25-26, 39-40 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Downs et al. (6086381).

Re Claims 11, 25, 39

Panetta as modified by Lavanchy discloses all limitations as set forth above but does not explicitly disclose enabling the coach to create and save questions. However, Downs teaches enabling the coach to create and save questions including the assignment of images to them, or to choose questions from a database of questions submitted by other coaches for utilization in an academic competition (col 7, Ln 16-50). Downs further teaches such a configuration offers the capability for the teacher to specifically suit his or her lesson plans by altering the content of a competition (col 7, Ln 19-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Downs into the competition of

Panetta as modified by Lavanchy in order to offers the capability for the teacher to specifically suit his or her lesson plans by altering the content of a competition.

Re Claims 12, 26, 40

Panetta as modified by Lavanchy discloses all limitations as set forth above but does not explicitly disclose enabling the coach to create a question set. However, Downs teaches enabling the coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories (col 7, Ln 16-50). See claim 11 for motivation.

15. Claims 13, 27, 41 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Allaire et al. (2007/0038931).

Re Claims 13, 27, 41,

Panetta as modified by Lavanchy discloses all limitations as set forth above but does not explicitly disclose enabling an individual contestant to upload a background photo. However, Allaire teaches enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display (¶0198). It would have been obvious to one of ordinary skill in the art at time the invention was made to allow player to upload his or her background photo as taught by Allaire into the competition display of Panetta as modified by Lavanchy in order to enhance the game attractiveness for the player.

16. Claims 14, 28, 42 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Panetta (2009/0104591) in view of Lavanchy et al. (2005/0101386), further in view of Youth Basketball (NPL: Pre-Game Conference with Coaches and Captains).

Re Claims 14, 28, 42,

Panetta as modified by Lavanchy discloses all limitations as set forth above including facilitating the introduction of contestants to contestants (Lavanchy, ¶¶ 0056, 0072, 0083) but does not explicitly disclose the introduction of coaches. However, Youth Basketball teaches the introduction of coaches (pg 1). Youth Basketball further teaches such a configuration avoids problem during the game by allowing players and coaches to interact with the officials during the game (pg 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the introduction of coaches taught by Youth Basketball with the introduction of players of Panetta as modified by Lavanchy in order to avoid problem during the game by allowing players and coaches to interact with the officials during the game play.

Allowable Subject Matter

17. Claims 6, 20, 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and to correct any 112, 2nd paragraph issues.

The following is a statement of reasons for the indication of allowable subject matter: allowance of claims 6, 20, 34 are indicated because none of the prior art of record teaches or fairly suggests teaching of an academic competition with all of the limitations of dependent claims 6, 20, 34, particularly at least the limitations of evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules: limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

18. **Claims 8, 22, 36** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and to correct any 112, 2nd paragraph issues.

The following is a statement of reasons for the indication of allowable subject matter: allowance of claims 8, 22, 36 are indicated because none of the prior art of record teaches or fairly suggests teaching of an academic competition with all of the

limitations of dependent claims 8, 22, 36, particularly at least the limitations of enabling a team to be divided into multiple teams for an intra-team academic competition.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is provided in Notice of Reference Cited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON YEN whose telephone number is (571)270-1777. The examiner can normally be reached on Mon - Fri: 7:00 am to 4 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on (571) 272-4430. 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.

Application/Control Number: 13/439,305
Art Unit: 3716

Page 18

/JASON YEN/
Examiner, Art Unit 3716

/DMITRY SUHOL/
Supervisory Patent Examiner, Art Unit 3716

Notice of References Cited	Application/Control No. 13/439,305		Applicant(s)/Patent Under Reexamination KELLEY ET AL.	
	Examiner JASON YEN		Art Unit 3716	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-4,767,335 A	08-1988	Curt, Walter M.	434/352
*	B	US-5,092,779 A	03-1992	Piwonka et al.	434/352
*	C	US-6,086,381 A	07-2000	Downs et al.	434/322
*	D	US-2005/0101386 A1	05-2005	Lavanchy et al.	463/042
*	E	US-2007/0038931 A1	02-2007	Allaire et al.	715/526
*	F	US-2007/0072675 A1	03-2007	Hamano et al.	463/042
*	G	US-2008/0010106 A1	01-2008	Bourne et al.	705/008
*	H	US-2009/0104591 A1	04-2009	Panetta, Joseph	434/350
*	I	US-2009/0150940 A1	06-2009	St.John-Larkin, David Christopher	725/59
*	J	US-2009/0181740 A1	07-2009	Tsutsui et al.	463/9
*	K	US-2010/0227306 A1	09-2010	Lofthus et al.	434/350
*	L	US-2010/0291529 A1	11-2010	Carter et al.	434/362
*	M	US-2012/0197947 A1	08-2012	TOCCI et al.	707/803

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	Questions Unlimited, Quiznet Tournament, 3/12/2011, http://www.qunlimited.com/quiznet1.html
	V	Questions Unlimited, Coach's Corner, 11/26/2011, http://www.qunlimited.com/coach.html
	W	Questions Unlimited, National Academic Championship, 12/13/2011, http://www.qunlimited.com/index.html
	X	Youth Basketball On-Line, Official's Guide: Your Pre-Game Conference with Coaches and Captains, 3/1/2003, http://youth.usab.com/training-room/officials/officials-guide-section-10-your-pregame-conference-with-coaches-and-captains.htm

*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.

Notice of References Cited	Application/Control No. 13/439,305	Applicant(s)/Patent Under Reexamination KELLEY ET AL.	
	Examiner JASON YEN	Art Unit 3716	Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2012/0302332 A1	11-2012	Buhr, Brian Douglas	463/29
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Search Notes 	Application/Control No. 13439305	Applicant(s)/Patent Under Reexamination KELLEY ET AL.
	Examiner JASON YEN	Art Unit 3716

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
434	322, 350, 352, 362	1/9/13	jy
463	9, 29, 42	1/9/13	jy
705	7.18	1/9/13	jy
707	803	1/9/13	jy
715	206	1/9/13	jy
725	59	1/9/13	jy

SEARCH NOTES		
Search Notes	Date	Examiner
inventor search, east.	1/9/13	jy
search history, east.	1/9/13	jy
internet search, ref cited.	1/9/13	jy

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

/JASON YEN/ Examiner.Art Unit 3716	
---------------------------------------	--

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	22146841	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07
L2	110	L1 and upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:07
L3	0	L1 and (contest competition) same upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:08
L4	11	L1 and player near20 upload near5 background near5 (image picture photo)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:08
L5	3	L1 and (contest competition) same introduc\$5 near10 (coach instructor teacher)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:16
L6	5	L1 and (contest competition) same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:19
L7	20	L1 and sports same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
L8	0	L1 and sports same display\$3 with coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:21
L9	2	L1 and pre near game near10 introduc\$7	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:27
L10	3	L1 and display near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:37

L11	114	L1 and coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
L12	10	L1 and game same coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 20:40
L13	6	L1 and (click select) near10 coach near5 (profile biography)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:03
L14	1922	1 and (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
L15	74	1 and game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
L16	3	1 and tournament same game same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:26
L17	5	1 and tournament same (split\$4 divid\$3) near5 (team group) near20 (oppos\$3 against\$3)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/09 21:31
S5	79	((TIMOTHY) near2 (KELLEY)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S6	51	((MICHAEL) near2 (PERRONE)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S7	45	((JOSEPH) near2 (NAPOLI)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S8	1	(S5 S6 S7) and academic with competition	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:12
S9	1	((INNOKENTY) near2 (MIHALOV)).INV.	US-PGPUB; USPAT	OR	ON	2014/01/08 09:12
S10	22145597	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:13
S11	136	S10 and (online internet virtual network\$3 on near line) near20 (school	US-PGPUB;	OR	ON	2014/01/08 09:51

		academic collegiate college scholastic) near20 (contest competition tournament challenge match)	USPAT; EPO; JPO			
S12	21	S10 and (online internet virtual network\$3 on near line) near20 (school academic collegiate college scholastic education\$2) near20 (contest competition tournament challenge match) same (coach teacher mentor instructor)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 09:53
S13	372	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S14	68	S10 and (school academic collegiate college scholastic education\$2) near5 (contest competition tournament challenge match) same (select\$3 choos\$3 form\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:17
S15	55475	S10 and ("463"/\$.ccls. "434"/\$.ccls.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:35
S16	194	S15 and (educational academic) near10 (competition contest tournament match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:36
S17	11	S15 and (educational academic) near10 (competition contest tournament match) same team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 10:36
S18	28	("2562179" "2654163" "3763577" "4079365").PN. OR ("4767335").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:01
S19	22145597	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S20	55475	S19 and ("463"/\$.ccls. "434"/\$.ccls.)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S21	5	S20 and (live real near time) near10 (educational academic) near10 (competition contest tournament match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:11
S22	27	("4768087" "4793813" "5273437" "5303042" "5437555").PN. OR ("6086381").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/01/08 12:13
S23	3	S22 and (competition contest tournament)	US-PGPUB; USPAT;	OR	ON	2014/01/08 12:18

			EPO; JPO			
S25	34	S20 and (online network\$3 internet on near line) near10 (knowledge question quiz) near10 (competition contest tournament match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:21
S27	150	S20 and (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S28	14	S20 and (trivia knowledge academic education\$3 scholastic) same (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 12:40
S29	83	("4572509" "4592546" "4877408" "5114155" "5359510" "5462275" "5586257" "5586937" "5593349" "5637844" "5679075" "5695400" "5697844" "5730654" "5748731" "5759101" "5779549" "5796952" "5813006" "5823879" "5846132" "5855516" "5890906" "5890963" "5894556" "5917725" "5941774" "5947747" "6009458" "6023729" "6080063" "6082887" "6102797" "6126547" "6292780" "RE37957").PN. OR ("6758754").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/01/08 13:06
S30	3	S29 and (online network\$3 internet on near line) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 13:07
S31	4	S20 and (trivia knowledge academic education\$3 scholastic) same (interactive) same team near5 (competition contest match)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 13:24
S32	22145597	@ad<="20120404"	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S33	112	S32 and (poker card) near10 (tournament competition contest) with team	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:50
S34	7	S32 and (poker card) near10 (tournament competition contest) with team same coach	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 14:57
S35	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13

EAST Search History

S36	16	S32 and (contest competition tournament) same coach near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:13
S37	1	S32 and (academic collegiate scholastic educational) near5 (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:14
S38	20	S32 and (contest competition tournament) same (coach instructor faculty teacher professor) near10 (select\$3 choos\$3 form\$3 assembl\$3) near10 (team group)	US-PGPUB; USPAT; EPO; JPO	OR	ON	2014/01/08 15:15
S39	3	((("5035625") or ("5695400") or ("20070231780")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/01/08 20:35

EAST Search History (Interference)

< This search history is empty >

1/ 9/ 2014 9:56:10 PM**C:\ Users\ jyen\ Documents\ EAST\ Workspaces\ 13439305.wsp**



UNITED STATES PATENT AND TRADEMARK OFFICE

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

BIB DATA SHEET

CONFIRMATION NO. 8456

SERIAL NUMBER 13/439,305	FILING or 371(c) DATE 04/04/2012 RULE	CLASS 463	GROUP ART UNIT 3716	ATTORNEY DOCKET NO. TKEL-0002		
APPLICANTS INVENTORS Timothy J. Kelley, Chicago, IL; Michael J. Perrone, Chicago, IL; Joseph T. Napoli, Chicago, IL; Innokenty Y. Mihailov, Kiev, UKRAINE; ** CONTINUING DATA ***** ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 04/19/2012						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and Acknowledged <u>/JASON TAHAI YEN/</u> Examiner's Signature		☐ Met after Allowance Initials	STATE OR COUNTRY IL	SHEETS DRAWINGS 115	TOTAL CLAIMS 42	INDEPENDENT CLAIMS 3
ADDRESS Baker & Hostetler LLP CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891 UNITED STATES						
TITLE SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION						
FILING FEE RECEIVED 1410	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit			



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/439,305	04/04/2012	Timothy J. Kelley	TKEL-0002

CONFIRMATION NO. 8456

PUBLICATION NOTICE



OC00000064323482

23377
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Title:SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Publication No.US-2013-0267285-A1

Publication Date:10/10/2013

NOTICE OF PUBLICATION OF APPLICATION

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

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

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

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

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/439,305	04/04/2012	Timothy J. Kelley	TKEL-0002	8456

23377	7590	08/08/2013
WOODCOCK WASHBURN LLP		
CIRA CENTRE, 12TH FLOOR		
2929 ARCH STREET		
PHILADELPHIA, PA 19104-2891		

EXAMINER	
YEN, JASON TAHAI	

ART UNIT	PAPER NUMBER
3716	

NOTIFICATION DATE	DELIVERY MODE
08/08/2013	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):

coffice@woodcock.com

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/439,305	
APPLICATION AS FILED - PART I							
(Column 1)		(Column 2)		SMALL ENTITY		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	98		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	310		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	42	minus 20 = * 22	x 31 =	682			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	x 125 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			160			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	1375		TOTAL	
APPLICATION AS AMENDED - PART II							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)
	Total (37 CFR 1.16(i))	*	**	=	x	=	x
	Independent (37 CFR 1.16(h))	*	***	=	x	=	x
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)
	Total (37 CFR 1.16(i))	*	**	=	x	=	x
	Independent (37 CFR 1.16(h))	*	***	=	x	=	x
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
<div style="font-size: x-small;"> * If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1. </div>							



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/439,305	04/04/2012	3711	1410	TKEL-0002	42	3

CONFIRMATION NO. 8456

UPDATED FILING RECEIPT



OC000000058505554

23377

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Date Mailed: 01/11/2013

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

Inventor(s)

Timothy J. Kelley, Chicago, IL;
Michael J. Perrone, Chicago, IL;
Joseph T. Napoli, Chicago, IL;
Innokenty Y. Mihailov, Kiev, UKRAINE;

Applicant(s)

Timothy J. Kelley, Chicago, IL;
Michael J. Perrone, Chicago, IL;
Joseph T. Napoli, Chicago, IL;
Innokenty Y. Mihailov, Kiev, UKRAINE;

Power of Attorney: The patent practitioners associated with Customer Number 23377

Domestic Applications for which benefit is claimed - None.

A proper domestic benefit claim must be provided in an Application Data Sheet in order to constitute a claim for domestic benefit. See 37 CFR 1.76 and 1.78.

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 04/19/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/439,305**

Projected Publication Date: 10/10/2013

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Preliminary Class

273

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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

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

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

NOT GRANTED

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

SelectUSA

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/439,305	04/04/2012	Timothy J. Kelley	TKEL-0002

CONFIRMATION NO. 8456

POA ACCEPTANCE LETTER

23377
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891



Date Mailed: 01/11/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 06/20/2012.

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

/ylueng/

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

POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	13/439,305
	Filing Date	April 4, 2012
	First Named Inventor	Timothy J. Kelley
	Title	System and Method for On-Line...
	Art Unit	3711
	Examiner Name	Not yet assigned.
	Attorney Docket Number	TKEL-0002

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.
OR
☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith: 23377

OR
☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.
OR
☒ The address associated with Customer Number: 23377

OR
☐ Firm or Individual Name

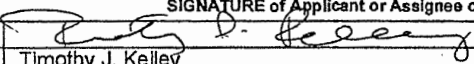
Address

City	State	Zip
Country		
Telephone	Email	

I am the:

☒ Applicant/Inventor.
OR
☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____.

SIGNATURE of Applicant or Assignee of Record

Signature		Date	6/4/12
Name	Timothy J. Kelley	Telephone	
Title and Company	Inventor		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 4 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	13/439,305
	Filing Date	April 4, 2012
	First Named Inventor	Timothy J. Kelley
	Title	System and Method for On-Line...
	Art Unit	3711
	Examiner Name	Not yet assigned.
	Attorney Docket Number	TKEL-0002

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

23377

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☒ The address associated with Customer Number:

23377

OR

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

I am the:

☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____.

SIGNATURE of Applicant or Assignee of Record

Signature	Date
Name	June 4, 2012
Title and Company	Telephone
Inventor	312-285-3381

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 4 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	13/439,305
	Filing Date	April 4, 2012
	First Named Inventor	Timothy J. Kelley
	Title	System and Method for On-Line...
	Art Unit	3711
	Examiner Name	Not yet assigned.
	Attorney Docket Number	TKEL-0002

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

23377

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☒ The address associated with Customer Number:

23377

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature

Date

Name

Telephone

Title and Company

Inventor

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 4 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	13/439,305
	Filing Date	April 4, 2012
	First Named Inventor	Timothy J. Kelley
	Title	System and Method for On-Line...
	Art Unit	3711
	Examiner Name	Not yet assigned.
	Attorney Docket Number	TKEL-0002

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

23377

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☒ The address associated with Customer Number:

23377

OR

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

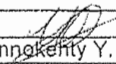
I am the:

☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature		Date	
Name	Innokenty Y. Mihailov	Telephone	
Title and Company	Inventor		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 4 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Electronic Patent Application Fee Transmittal				
Application Number:		13439305		
Filing Date:		04-Apr-2012		
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Gina Clausz		
Attorney Docket Number:		TKEL-0002		
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:				
Late filing fee for oath or declaration	2051	1	65	65
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				65

Electronic Acknowledgement Receipt	
EFS ID:	13062204
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Gina Clausz
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	TKEL-0002
Receipt Date:	20-JUN-2012
Filing Date:	04-APR-2012
Time Stamp:	15:23:39
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	2021
Deposit Account	233050
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 1.19 (Document supply fees)	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	transmittal.PDF	262726	no	2
			9f48a524e5c95943d8bee8cad7013964050cbfd2		
Warnings:					
Information:					
2	Oath or Declaration filed	executeddeclaration.PDF	141246	no	4
			9143d02a2e122128b6cfc3ef6b516e414f8e0bc		
Warnings:					
Information:					
3	Power of Attorney	executedpowerofattorney.PDF	207036	no	4
			3fe245c5022ce703b702109f881bd04bd6db0e08		
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30159	no	2
			7ee5aa0da5a4e08d45c91dcbd2952a88b5eb4ec0		
Warnings:					
Information:					
Total Files Size (in bytes):			641167		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	13/439,305
	Filing Date	April 4, 2012
	First Named Inventor	Timothy J. Kelley
	Art Unit	3711
	Examiner Name	Not yet assigned.
Total Number of Pages in This Submission	Attorney Docket Number	TKEL-0002

ENCLOSURES <i>(Check all that apply)</i>		
☐ Fee Transmittal Form ☐ Fee Attached ☐ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☒ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☐ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☒ Other Enclosure(s) (please identify below): In response to the Notice to File Missing Parts dated 04/26/2012, attached are the executed Declaration and Power of Attorney documents.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Woodcock Washburn LLP		
Signature	/Michael P. Dunnam/		
Printed name	Michael P. Dunnam		
Date	June 20, 2012	Reg. No.	32,611

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

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

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

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

Title of Invention	System and Method For On-Line Academic Competition
-----------------------	--

As the below named inventor(s), I/we declare that:

This declaration is directed to: ☐ The attached application, or
☒ United States application or PCT international application number 13/439,305
filed on April 4, 2012
☐ As amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

WARNING:

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

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Timothy J. Kelley Date: 6/4/2012

Signature: [Signature] Citizen of: United States

Inventor two: Michael J. Perrone Date: Jun. 4, 2012

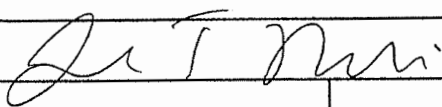
Signature: [Signature] Citizen of: United States

☒ Additional inventors or a legal representative are being named on 1 additional form(s) attached hereto.

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

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

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
Page <u>2</u> of <u>2</u>	

Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Joseph T.		Napoli	
Inventor's Signature 			Date
Residence: City	State	Country	United States Citizenship
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Innokenty Y.		Mihailov	
Inventor's Signature			Date
Residence: City	State	Country	UA Citizenship
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

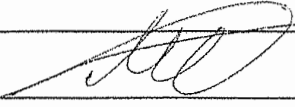
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 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 (1-800-786-9199) and select option 2.

DECLARATION**ADDITIONAL INVENTOR(S)**

Supplemental Sheet

Page 2 of 2

Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Joseph T.		Napoli	
Inventor's Signature		Date	
Residence: City	State	Country	United States Citizenship
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Innokenty Y.		Mihallov	
Inventor's Signature 		Date	
Residence: City	State	Country	UA Citizenship
Mailing Address			
City	State	Zip	Country
Name of Additional Joint Inventor, if any:		☐ A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 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 (1-800-786-9199) and select option 2.

Electronic Acknowledgement Receipt	
EFS ID:	13062204
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Gina Clausz
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	TKEL-0002
Receipt Date:	20-JUN-2012
Filing Date:	04-APR-2012
Time Stamp:	15:23:39
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	2021
Deposit Account	233050
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 1.19 (Document supply fees)	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	transmittal.PDF	262726 9f48a524e5c95943d8bee8cad7013964050cbfd2	no	2
Warnings:					
Information:					
2	Oath or Declaration filed	executeddeclaration.PDF	141246 9143d02a2e122128b6cfc3ef6b516e414f8e0bc	no	4
Warnings:					
Information:					
3	Power of Attorney	executedpowerofattorney.PDF	207036 3fe245c5022ce703b702109f881bd04bd6db0e08	no	4
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30159 7ee5aa0da5a4e08d45c91dcbd2952a88b5eb4ec0	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			641167		
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/439,305	04/04/2012	3711	1345	TKEL-0002	42	3

CONFIRMATION NO. 8456

23377

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

FILING RECEIPT



OC000000053817462

Date Mailed: 04/26/2012

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

Applicant(s)

Timothy J. Kelley, Chicago, IL;
Michael J. Perrone, Chicago, IL;
Joseph T. Napoli, Chicago, IL;
Innokenty Y. Mihailov, Kiev, UKRAINE;

Power of Attorney: None

Domestic Priority data as claimed by applicant

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

If Required, Foreign Filing License Granted: 04/19/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/439,305**

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

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

Preliminary Class

273

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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

LICENSE FOR FOREIGN FILING UNDER**Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

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

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

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

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

NOT GRANTED

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

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage, facilitate, and accelerate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/439,305	
APPLICATION AS FILED - PART I							
(Column 1)		(Column 2)		SMALL ENTITY		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	95		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	310		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	42	minus 20 = * 22	x 30 =	660			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	x 125 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			155			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	1345		TOTAL	
APPLICATION AS AMENDED - PART II							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)
	Total (37 CFR 1.16(i))	*	**	=	x	=	x
	Independent (37 CFR 1.16(h))	*	***	=	x	=	x
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)
	Total (37 CFR 1.16(i))	*	**	=	x	=	x
	Independent (37 CFR 1.16(h))	*	***	=	x	=	x
	Application Size Fee (37 CFR 1.16(s))						
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
<div style="font-size: x-small;"> * If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1. </div>							



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/439,305	04/04/2012	Timothy J. Kelley	TKEL-0002

CONFIRMATION NO. 8456

FORMALITIES LETTER



23377
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

Date Mailed: 04/26/2012

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

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

- The oath or declaration is missing.

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

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

The applicant needs to satisfy supplemental fees problems indicated below.

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

- A surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of **\$65** for a small entity in compliance with 37 CFR 1.27, must be submitted.

SUMMARY OF FEES DUE:

Total fee(s) required within **TWO MONTHS** from the date of this Notice is **\$65** for a small entity

- **\$65** Surcharge.

Replies should be mailed to:

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

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

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

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

/ldvan/

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

Electronic Acknowledgement Receipt

EFS ID:	12468683
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
<div style="font-family: monospace; font-size: 0.8em;"> 04/19/2012 CCETIN 00000011 233050 13439305 01 FC:2081 155.00 DA </div> Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Denise Marvel
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	TKEL-0002
Receipt Date:	04-APR-2012
Filing Date:	
Time Stamp:	15:36:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1190
RAM confirmation Number	2299
Deposit Account	233050
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)	

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	TKEL-0002
	First Inventor	Timothy J. Kelley
	Title	SYSTEM AND METHOD FOR ON-LINE AC
	Express Mail Label No.	

APPLICATION ELEMENTS <i>See MPEP chapter 600 concerning utility patent application contents.</i>	ADDRESS TO: Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
1. ☐ Fee Transmittal Form (e.g., PTO/SB/17) 2. ☒ Applicant claims small entity status. <i>See 37 CFR 1.27.</i> 3. ☒ Specification [Total Pages <u>73</u>] <i>Both the claims and abstract must start on a new page</i> <i>(For information on the preferred arrangement, see MPEP 608.01(a))</i> 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets <u>115</u>] 5. Oath or Declaration [Total Sheets _____] a. ☐ Newly executed (original or copy) b. ☐ A copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. ☒ Application Data Sheet. See 37 CFR 1.76 7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) ☐ Landscape Table on CD 8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, items a. – c. are required)</i> a. ☐ Computer Readable Form (CRF) b. ☐ Specification Sequence Listing on: i. ☐ CD-ROM or CD-R (2 copies); or ii. ☐ Paper c. ☐ Statements verifying identity of above copies	ACCOMPANYING APPLICATION PARTS 9. ☐ Assignment Papers (cover sheet & document(s)) Name of Assignee _____ 10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney <i>(when there is an assignee)</i> 11. ☐ English Translation Document <i>(if applicable)</i> 12. ☐ Information Disclosure Statement (PTO/SB/08 or PTO-1449) ☐ Copies of citations attached 13. ☐ Preliminary Amendment 14. ☐ Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. ☐ Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. 17. ☒ Other: Authorization for Extension for all replies

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 _____ Art Unit: _____

19. CORRESPONDENCE ADDRESS					
☒ The address associated with Customer Number: <u>23377</u> OR ☐ Correspondence address below					
Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	
Signature		/Michael P. Dunnam/		Date April 4, 2012	
Name (Print/Type)		Michael P. Dunnam		Registration No. (Attorney/Agent) 32611	

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

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

Privacy Act Statement

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

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

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

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	TKEL-0002
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.</p> <p>This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

Secrecy Order 37 CFR 5.2

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

Applicant Information:

Applicant 1					Remove
Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	☐ Party of Interest under 35 U.S.C. 118
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Timothy	J.	Kelley		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Chicago	State/Province	IL	Country of Residence i	US
Citizenship under 37 CFR 1.41(b) i		US			
Mailing Address of Applicant:					
Address 1	6117 N. Kirkwood				
Address 2					
City	Chicago	State/Province	IL		
Postal Code	60646	Country i	US		
Applicant 2					Remove
Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	☐ Party of Interest under 35 U.S.C. 118
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Michael	J.	Perrone		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Chicago	State/Province	IL	Country of Residence i	US
Citizenship under 37 CFR 1.41(b) i		US			
Mailing Address of Applicant:					
Address 1	400 N. Racine				
Address 2	Unit 209				
City	Chicago	State/Province	IL		
Postal Code	60642	Country i	US		
Applicant 3					Remove
Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	☐ Party of Interest under 35 U.S.C. 118
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Joseph	T.	Napoli		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Chicago	State/Province	IL	Country of Residence i	US

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	TKEL-0002
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		

Citizenship under 37 CFR 1.41(b) i		US	
Mailing Address of Applicant:			
Address 1	445 E. North Water Street		
Address 2	Unit 2405		
City	Chicago	State/Province	IL
Postal Code	60611	Countryⁱ	US
Applicant 4			<input type="button" value="Remove"/>
Applicant Authority ☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	
		☐ Party of Interest under 35 U.S.C. 118	
Prefix	Given Name	Middle Name	Family Name
	Innokenty	Y.	Mihailov
Residence Information (Select One) ☐ US Residency ☒ Non US Residency ☐ Active US Military Service			
City	Kiev	Country Of Residenceⁱ	UA
Citizenship under 37 CFR 1.41(b) i		UA	
Mailing Address of Applicant:			
Address 1	Naberezhno-Kreschatitskaya 10a		
Address 2	building B		
City	Kiev	State/Province	
Postal Code	04070	Countryⁱ	UA
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.			<input type="button" value="Add"/>

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).	
☐ An Address is being provided for the correspondence Information of this application.	
Customer Number	23377
Email Address	dunnam@woodcock.com
	<input type="button" value="Add Email"/> <input type="button" value="Remove Email"/>

Application Information:

Title of the Invention	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
Attorney Docket Number	TKEL-0002	Small Entity Status Claimed ☒	
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	115	Suggested Figure for Publication (if any)	24

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	TKEL-0002
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		

Publication Information:

☐	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☐	Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)
Customer Number	23377		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.			
Prior Application Status		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			Add

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).			
Remove			
Application Number	Country ⁱ	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			☒ Yes ☐ No
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			Add

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.	
Assignee 1	Remove

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	TKEL-0002
		Application Number	
Title of Invention	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		

If the Assignee is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information:				
Address 1				
Address 2				
City		State/Province		
Country ⁱ		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee Data may be generated within this form by selecting the Add button.				<input type="button" value="Add"/>

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature	/Michael P. Dunnam/			Date (YYYY-MM-DD)	2012-04-04
First Name	Michael P.	Last Name	Dunnam	Registration Number	32611

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

Privacy Act Statement

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

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

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

SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

TECHNICAL FIELD

[0001] The present application relates to a web application that facilitates live academic competition between teams and individuals based on multiple choice or fill-in-the-blank questions and methods for fostering academic competition between students and schools.

BACKGROUND

[0002] We live in a highly competitive society. We are driven by competition in business and revel in the exploits of our favorite athletes. Competition is commonly used as a motivational tool in the business environment, the athletic environment, and even in the academic environment. Business and athletic competitions often foster teamwork and collective purpose in the context of team competitions. Unfortunately, this teamwork has not translated well to the academic environment. Typically, academic competitions are conducted amongst a handful of the top selected students who participate in math or spelling competitions, history or geography competitions, speech and debate competitions, and the like. A new approach to academic competition is desired that utilizes on-line technologies to foster academic competitions based on collaborative teamwork and collective purpose and that is not limited to a handful of selected students. The present invention is directed to this need.

SUMMARY

[0003] The invention provides an on-line academic competition system and method for students and teachers and other “contestants.” The process begins with the registration of a school or association in the system and the account activation of its members. Once active, an educator can access the site, complete his/her profile information, and immediately form virtual teams. These virtual teams might be composed of students from a particular class, *e.g.*, 8th Grade Biology Team, or from an after school club, *e.g.*, SAT Practice Team. The educator can arrange competition events for that team by dividing it into two or more opposing teams (here students can work independently or in small groups), or by challenging another team in the Interstellar Network on a specific date. These two competition formats are jointly referred to as Pick-Up Play. The educator can also enter the team into a cycle of regularly occurring contests organized

by Interstellar. This format is called League Play. When creating a Pick-Up Play event, the educator can easily create and save questions, and even add images to them, in order to fuel the competition. In addition, the educator can choose from the Interstellar Library, a database of questions submitted by fellow educators in the Interstellar Network as well as from Interstellar. For League Play events, Interstellar arranges the questions under the direction of the league's participants.

[0004] The experience of the student mirrors what would be found in sport. Prior to an academic competition event, an algorithm evenly matches students from opposing teams based on past performance, ensuring that competition is as fair as possible. If one team is larger than the other, a matching algorithm matches students 2:1, 3:1, etc., until all students have been matched. During the event, questions are presented in random order across students to mitigate the possibility of cheating. A scoreboard displays the name, photo, and score (as measured by questions answered correctly) of both the student and the matched opponent, unless the student has chosen to conceal his/her identity. If this selection is made, then the student's name and photo remain hidden from the opponent. Alternatively, at the educator's direction, team score can be displayed on the scoreboard. In this case individuals are not matched. Instead, score is determined by taking a running average of all student scores and rounding to the nearest whole number. Of particular value, a specialized clock not only keeps track of time remaining, but alerts the student as to whether he/she is on pace to finish the questions on time.

[0005] The student's domain is enhanced by several informative features. The Results page details all competition events of a particular team, highlighting the student's individual performance in each. Simple graphs allow the student to clearly keep track of progress. The calendar page lists all future events including the basic profiles of upcoming individual opponents, providing a unique medium for student interaction. Finally, the teammates page presents all students on a particular team, the educator associated with it, and any distinctions the student has received competing in Interstellar. The educator's domain largely follows the same ordering except that the Results page details the performance of every student on the team; the calendar page displays the basic profile of the educator of the opposing team; and the manage team page allows the educator to make changes to the team's composition.

[0006] In accordance with an exemplary embodiment of the invention, a system is provided for on-line academic competition including a database that stores test questions; team, coach, and individual contestant profiles; and test response statistics for the teams and individual contestants; and a processor programmed to interact with the database and with coach and individual contestant processing devices to perform the steps of:

enabling the creation of teams of individual contestants by the coach for participation in academic competition;

presenting predetermined test questions to the processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly.

[0007] In an exemplary embodiment of the system, the processor is programmed to calculate a winner of an academic competition between teams and/or between respective individual contestants. Also, the scoreboard is presented with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame. The scoreboard display individual score, as determined by a number of questions answered correctly by each of the matched individual contestants, or team score, as determined by taking a running average of all individual contestant scores from the respective teams and rounding to the nearest whole number.

[0008] In exemplary embodiments, the processor enables a contestant to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant. The processor also evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ..., N:1, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

[0009] The processor further enables the creation of leagues of teams and the creation of a cycle of academic competitions amongst a league of teams. The processor also enables one team to search for and then challenge another team of common time availability to an academic competition and enables a team to be divided into multiple teams for an intra-team academic competition. The processor further enables the coach to create and save questions, including the assignment of images to them, or to choose questions from a database of questions submitted by other coaches for utilization in an academic competition. The processor further enables the coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in the database in the predetermined list of categories. The processor also enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background to the questions presented in an academic competition and to facilitate the introduction of contestants to contestants and coaches to coaches from opposing teams.

[0010] In exemplary embodiments, the processor enables the creation of a live competition event between two teams by enabling the coach to select a date, time, and length for an academic competition; select a question set for the academic competition; and select a team from a list of teams having a common time availability. Additionally, the processor enables the creation of a live competition event within one team by enabling the coach to divide a team into two or more opposing teams by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team.

[0011] The invention further includes methods implemented by such systems as well as computer readable storage devices containing instructions that when processed by a processor enable the implementation of methods for on-line competition between teams of contestants as described herein. Embodiments within the scope of the invention as described in the following detailed description and claimed in the attached claims.

BRIEF DESCRIPTION OF THE DRAWINGS

[0012] The various novel aspects of the invention will be apparent from the following detailed description of the invention taken in conjunction with the accompanying drawings, of which:

[0013] Figure 1 illustrates a system for implementing the academic competition software of the invention.

[0014] Figure 2 illustrates the process of starting an academic competition by pushing a match event to contestant computers in accordance with the invention.

[0015] Figure 3 illustrates the match logic implemented by the academic competition software loaded onto the Interstellar Network server to implement testing in accordance with the invention.

[0016] Figure 4 illustrates the corresponding database tables for such a match using the algorithm of Figure 3.

[0017] Figure 5 illustrates the behavior of the Interstellar Network server during the match process of Figure 3.

[0018] Figure 6 illustrates the application flow for ending an on-line match in accordance with the invention.

[0019] Figure 7 illustrates the interaction of the system elements for the situation where the match is finished and all students have answered all questions.

[0020] Figure 8 illustrates the interaction of the system elements for the situation where the match is over by timer.

- [0021] Figure 9 provides an overview of the system components and the interactions among them in an exemplary embodiment.
- [0022] Figure 10 displays database tables for leagues functionality.
- [0023] Figure 11 illustrates the cycle database structure.
- [0024] Figure 12 illustrates the cycle creation flow for a League.
- [0025] Figure 13 illustrates a round-robin schema used to generate Round Pairs for each Cycle Round.
- [0026] Figure 14 illustrates an algorithm for Round Pair competitions scheduling.
- [0027] Figure 15 illustrates how to create pick-up play for inter-team and intra-team.
- [0028] Figure 16 illustrates pick-up play for multiple teams.
- [0029] Figure 17 illustrates a Question management database structure for a Question Manager.
- [0030] Figure 18 illustrates a graphical representation of a sample student matching problem as a graph.
- [0031] Figure 19 illustrates a possible path through the graph of Figure 18.
- [0032] Figure 20 illustrates a graph along with the length of each link for the matching example of Figure 18.
- [0033] Figure 21 illustrates a sample path with assigned lengths between each node.
- [0034] Figure 22 illustrates a graph for the sample problem with the shortest paths displayed beneath each node.
- [0035] Figure 23 illustrates the shortest path for the matching example of Figure 18.
- [0036] Figure 24 illustrates a user site map of a sample website (*e.g.*, Interstellar.com) implementing the system of the invention.

[0037] Figure 25 illustrates an e-mail invitation from the system of the invention to an Administrator, Coach, or Team Member.

[0038] Figure 26 illustrates a page where the Administrator, Coach, or Team Member can create a new password in order to access the Interstellar Network.

[0039] Figure 27 illustrates the Login screen where the Administrator, Coach, or Team Member can enter his/her Login ID and Password to access the Interstellar Network.

[0040] Figure 28 illustrates the screen presented if an Administrator, Coach, or Team Member has just clicked 'Forgot your password?' on the Login screen.

[0041] Figure 29 illustrates the page presented when the Administrator has just clicked the 'Profile' link on his/her navigation bar.

[0042] Figure 30 illustrates the page presented when the Administrator has just clicked the 'Questions' link.

[0043] Figure 31 illustrates the page presented when the 'Add Question Set' link on the 'Questions Area' page has just been clicked.

[0044] Figure 32 illustrates the page presented when the Administrator has just saved a question set to the system.

[0045] Figure 33 illustrates a page presented when the 'Write New Question' link has just been clicked.

[0046] Figure 34 illustrates a page presented when the Administrator has just saved a question he/she wrote.

[0047] Figure 35 illustrates a page presented when the cursor is placed above a question appearing in the 'Browse Interstellar Library' tab.

[0048] Figure 36 illustrates a page presented when a question appearing in a question set in the 'Question Sets' section, the 'Browse Interstellar Library' tab, or the 'Saved' tab has just been clicked.

[0049] Figure 37 illustrates a page presented when the '+' button next to a question is clicked, and the question is thereafter replicated in the 'Question Sets' section.

[0050] Figure 38 illustrates a page presented when the cursor is placed over a question in the 'Questions Sets' section.

[0051] Figure 39 illustrates a page presented when the Administrator has just clicked the 'Schools' link.

[0052] Figure 40 illustrates a page presented when the Administrator stores information pertaining to a new school into the system by filling the data fields and clicking 'Save'.

[0053] Figure 41 illustrates a page presented when the Administrator has just added a new school to the system.

[0054] Figure 42 illustrates a page presented through which the Administrator may add a new Coach to a school by filling in the 'First name', 'Last name', and 'E-mail' fields with that person's information, and then clicking the 'Save' button.

[0055] Figure 43 illustrates a page presented when the Administrator has just added a new Coach.

[0056] Figure 44 illustrates a page presented when the Administrator has just added a team by entering the relevant information and clicking the 'Save' button on the 'Coaches/Teams' page.

[0057] Figure 45 illustrates a page presented when the Administrator has just clicked a letter in the alphabetized list, with the cursor hovering over a school.

[0058] Figure 46 illustrates a page presented when the Administrator has just clicked a school listed on the 'Schools' page.

[0059] Figure 47 illustrates a page presented when the Administrator has just chosen a Coach from the 'Select existing Coach' dropdown.

[0060] Figure 48 illustrates a page presented when a link listed under 'Active Teams' has been clicked.

[0061] Figure 49 illustrates a page presented when the 'Start time' and 'Day of week' fields are filled in and saved by clicking 'Save.'

[0062] Figure 50 illustrates a page presented when the Administrator has just clicked the 'Leagues' link and has been brought to this page.

[0063] Figure 51 illustrates a page presented when the Administrator enters text in the 'League name' field and clicks 'Save.'

[0064] Figure 52 illustrates a page presented when the Administrator has just saved a league to the system.

[0065] Figure 53 illustrates a page presented when the cursor is placed above a team and a 'Remove' link appears.

[0066] Figure 54 illustrates a page presented when 'Save' is clicked and all teams that have been added to the list are now saved in the system as members of the league.

[0067] Figure 55 illustrates a page presented when the Administrator has just clicked the 'Cycles' button on the 'Add League' page.

[0068] Figure 56 illustrates a page presented when the Administrator chooses to add a new 'Cycle' to a league by entering a 'Start date', 'End date', a 'Frequency' setting (weekly, bi-weekly, tri-weekly, monthly), and a 'Match Length' and then clicking 'Save'.

[0069] Figure 57 illustrates a page presented when the Administrator has just saved a cycle to the system.

[0070] Figure 58 illustrates a page presented when the cursor is placed over a 'Round' line. A 'Remove' button appears allowing the Administrator to remove that list (only the most recent addition can be removed).

[0071] Figure 59 illustrates a page presented when 'Save' is clicked and all question sets that have been assigned to rounds are now saved in the system.

[0072] Figure 60 illustrates a page presented when the 'Save' under the question set/round section of the 'Cycles' page has just been clicked.

[0073] Figure 61 illustrates a page presented when a link under the 'Active Cycles in the League' has just been clicked.

[0074] Figure 62 illustrates a page presented when the Administrator has just clicked a letter in the alphabetized list, with the cursor hovering above a league.

[0075] Figure 63 illustrates a page presented when the Administrator has just clicked a league listed on the 'Leagues' page.

[0076] Figure 64 illustrates a page presented when a link under the 'Active Cycles in the League' has just been clicked.

[0077] Figure 65 illustrates a page presented when the Coach has just clicked the 'Profile' link listed in the dropdown.

[0078] Figure 66 illustrates a page presented when the Coach has just clicked the 'Team' dropdown.

[0079] Figure 67 illustrates a page presented when the Coach has just selected the '+Add Team' listing in the 'Team' dropdown.

[0080] Figure 68 illustrates a page presented when the Coach has successfully added a new team.

[0081] Figure 69 illustrates a page presented to enable the Coach to enter the e-mail addresses of all students he/she intends to add to his/her team in the field under 'Invite students to join your team'.

[0082] Figure 70 illustrates a page presented when the Coach has just listed a series of e-mails in the field on the right and clicked the 'Send invitation(s)' button.

[0083] Figure 71 illustrates a page presented when the e-mail recipients listed as 'Pending' in Figure 70 have all activated their accounts.

[0084] Figure 72 illustrates a page presented when the Coach has just clicked the 'Details' tab.

[0085] Figure 73 illustrates a page presented when the Coach has just added a time period of availability.

[0086] Figure 74 illustrates a page presented when the Coach selects the score to be displayed on the scoreboard.

[0087] Figure 75 illustrates a page presented when the Coach places the cursor over the team name and a 'Delete' button appears allowing the Coach to delete that team from the system.

[0088] Figure 76 illustrates a page presented when the Coach has just clicked the 'Create Match!' button.

[0089] Figure 77 illustrates that the first step in creating a Pick-Up Play match is to select the date and start time for the match, as well as the length of the match.

[0090] Figure 78 illustrates that the second step in creating a Pick-Up Play match is to select a question set from the dropdown on the left page.

[0091] Figure 79 illustrates a page presented when a question set (chain rule) has just been selected and the third step in creating a Pick-Up Play match is taken, choice of opponents.

[0092] Figure 80 illustrates a page presented when the Coach has chosen to divide his/her team into multiple teams.

[0093] Figure 81 illustrates a page presented when a number for the amount of teams has just been selected.

[0094] Figure 82 illustrates a page presented when the Coach has filled out all the teams and clicks the 'Save' button.

[0095] Figure 83 illustrates a page presented when the Coach has chosen to challenge another team.

[0096] Figure 84 illustrates a page presented when the Coach has just sent a challenge to another team or teams via an email invitation.

[0097] Figure 85 illustrates a page presented when the Coach has already sent a challenge to another team or teams, the invitation is accepted, and an email confirmation is produced.

[0098] Figure 86 illustrates a page presented when the Coach has sent a challenge to another team or teams but another Coach has accepted the challenge first.

[0099] Figure 87 illustrates a page presented when the Coach has selected a team from the 'Team' dropdown and clicked 'Schedule' (the order of these steps does not matter in the system).

[0100] Figure 88 illustrates a page presented when the Coach has clicked the 'Pick-Up Play' tab where the next match is a 'Pick-Up Play Intra-team' competition.

[0101] Figure 89 illustrates a page presented when the Coach has clicked the 'Pick-Up Play' tab where the next match is a 'Pick-Up Play Inter-team' competition, with the cursor hovering above a date of a pending match.

[0102] Figure 90 illustrates a page presented when the Coach has just clicked a 'Pending' 'Pick-Up Play Inter-team' competition on a 'Pick-Up Play' 'Schedule' page.

[0103] Figure 91 illustrates a page presented when a 'Pending' 'Pick-Up Play Inter-team' competition has just been canceled.

[0104] Figure 92 illustrates a page presented when the Coach has just clicked a 'Scheduled' 'Pick-Up Play Intra-team' competition on a 'Pick-Up Play' 'Schedule' page.

[0105] Figure 93 illustrates a page presented when the Coach has just clicked a 'Scheduled' 'Pick-Up Play Inter-team' competition on a 'Pick-Up Play' 'Schedule' page.

[0106] Figure 94 illustrates a page presented when the Coach has just canceled a 'Scheduled' 'Pick-Up Play Inter-team' competition and an email confirmation is sent.

[0107] Figure 95 illustrates a page presented when the Coach has selected a team from the 'Team' dropdown and clicked 'Results' (the order of these steps does not matter in the system).

[0108] Figure 96 illustrates a page presented when the Coach has just selected a Team Member from the 'Select a Team Member' dropdown on the 'Overall Progress' page.

[0109] Figure 97 illustrates a page presented when the Coach has just clicked the highlighted field.

[0110] Figure 98 illustrates a page presented when the Coach has just selected a Team Member from the 'Select a Team Member' dropdown on the 'Match Details' page.

[0111] Figure 99 illustrates a page presented when the Team Member has just clicked the 'Profile' link on his/her navigation bar.

[0112] Figure 100 illustrates a page presented when the Team Member has selected a team from the 'Team' dropdown and clicked 'Teammates' (the order of these steps does not matter in the system).

[0113] Figure 101 illustrates a page presented when the Team Member has selected a team from the 'Team' dropdown and clicked 'Results' (the order of these steps does not matter in the system).

[0114] Figure 102 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page.

[0115] Figure 103 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page.

[0116] Figure 104 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page.

[0117] Figure 105 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page.

[0118] Figure 106 illustrates a page presented when the Team Member has just clicked 'Schedule'.

[0119] Figure 107 illustrates a page presented when the Team Member has just clicked the 'Pick-Up Play' tab on the 'Schedule' tab, with the cursor hovering above a date of a scheduled match.

[0120] Figure 108 illustrates a page presented when either a 'League Play' or 'Pick-Up Play' competition is about to begin and the Team Member competitors have both logged into the system.

[0121] Figure 109 illustrates the scoreboard during a contest.

[0122] Figure 110 illustrates the scoreboard where the space between the leading edge of the grey area and the radius line in relation to the space between the mark at the leading edge of the grey area and the following mark represents the proportion of time that has elapsed for that particular question.

[0123] Figure 111 illustrates the scoreboard where the Team Member (represented by a chip) is behind the leading edge of the grey area.

[0124] Figure 112 illustrates the enlarged image when a point on an image appearing in the question field has been clicked.

[0125] Figure 113 illustrates a page presented when a Team Member has just answered a question correctly and the scoreboard lights up.

[0126] Figure 114 illustrates a page presented when the allotted time for the competition has elapsed.

[0127] Figure 115 illustrates a page presented when an Administrator, Coach, or Team Member has just clicked 'Sign out' within the Interstellar Network application.

DETAILED DESCRIPTION OF THE ILLUSTRATIVE EMBODIMENTS

[0128] The invention will be described in detail below with reference to Figures 1–115. Those skilled in the art will appreciate that the description given herein with respect to those figures is for exemplary purposes only and is not intended in any way to limit the scope of the invention. All questions regarding the scope of the invention may be resolved by referring to the appended claims.

OVERVIEW

[0129] The invention relates to a web application and a platform for same that facilitates live academic competition between teams and individuals based on multiple choice or fill-in-the-blank questions and methods for fostering academic competition between students and schools. Using the invention, a team's Coach may enter his/her team in a league of regular competition, schedule a single competition with another team, or organize a competition between the team's members by dividing the team into multiple teams. The layout and operation of the system of the invention will be provided below. In addition to an explanation of the operation of the system in general, numerous screen shots are shown in the figures that show operation of the system from the perspectives of an Administrator, the Coach, and individual Team Member, the three relevant users of the system. The illustrated examples trace a school from when it initially enters a network including the academic competition platform of the invention ("Interstellar Network") all the way down to the Team Member's experience of the competition event itself. First, the Administrator function of creating questions and question sets is discussed, followed by adding/editing a school. Next, the creation of a league of teams is described as well as the cycle of competition that can be organized amongst those teams. Following this, the Coach's abilities are detailed, from creating a team (adding/removing members) to scheduling a competition for it (intra-team or inter-team). The Team Member's web domain is then presented, including results pages, team roster, calendar, and opponent profiles. Finally, the experience of competing over test questions, including the scoreboard that keeps track of progress, is described.

DEFINITIONS

[0130] Interstellar Network: A computer network including the academic competition platform of the invention.

[0131] Administrator: An individual and/or the company that maintains the Interstellar Network implementing the live academic competitions in accordance with the invention.

[0132] Coach: A teacher or other person responsible for a group of individuals (K-12 students most likely) who are competing as a team in the Interstellar Network.

[0133] Team Member: An individual competing on a team in the Interstellar Network.

[0134] League Play: An Interstellar term for the specific type of competition created and scheduled by the Administrator. It signifies both the organization of teams in the Interstellar Network into leagues and the schedule of competition events between pairs of them (cycles). A league cycle may last any length of time and the frequency of competition events is variable (weekly, bi-weekly *etc.*). Competition is always live where possible. For example, if all teams in a league set aside the same block of time to compete (*e.g.*, Mondays 3-4 PM), then competition is always live between each pair of teams, every round. However, non-live competition is an option where logistical challenges exist: teams in the same league that do not share the same block of time may still compete by taking the exam for that round on their own. In this case, results are determined once each team has finished. In this scenario, each Team Member competes against his/her Personal Best Opponent (see definition below) since a live individual/team opponent is not available. Any team in the Interstellar Network may compete in League Play.

[0135] Pick-Up Play: An Interstellar term for the specific type of competition created and scheduled by the Coach. Pick-Up Play competition is always live. It may involve one team being split into two or more opposing teams, or one team challenging another team in the Interstellar Network. In creating the competition event, the Coach may upload his/her own questions to the system or select from questions already stored in the system. Any team in the Interstellar Network may compete in Pick-Up Play.

[0136] Interstellar Matching Team Member Algorithm: This algorithm matches all students from opposing teams for every *live* competition event, whether it be in League Play or Pick-up Play. Before the algorithm can be implemented, the system must first take a moving average of each Team Member's most recent scores (here score is defined as the percentage of questions answered correctly in an exam, whether in a League Play or Pick-Up Play competition event). The algorithm then matches Team Members from opposing teams as evenly as possible based on that moving average. It should be noted, however, that a moving average is only one type of input the algorithm may use. For example, most recent performance on an exam is an example of another, as is a projected performance based on trajectory. The algorithm serves a second purpose. If opponent teams do not have the same Team Member count, the algorithm creates 'N:1' matches, that is, it assigns multiple Team Members of one team to a single Team Member

of the opposing team so that all Team Members from both teams have an opportunity to compete against a live opponent. In this scenario, every 'N' Team Member is matched against the '1' opponent Team Member and all the relevant pages of his/her web domain reflect this (*e.g.* 'Results' page). Conversely, the '1' Team Member is only matched to one of the 'N' opponent Team Members, the one closest in rank, and all the relevant pages of his/her web domain reflect this. The algorithm can minimize the number of N:1 matches for any given competition event, or leave it unlimited. It can also create N:1 matches even when the '1' Team Member is a member of the larger team. The tradeoff in each scenario is one of maximizing connections between Team Member opponents and maximizing precision in matching Team Member opponents.

[0137] Personal Best Opponent: An opponent that a Team Member will only face in League Play, and only if it is a non-live competition event. Essentially, it is a fixed score representing the Team Member's best performance to date. The system calculates this number by first searching through the Team Member's results for his/her best percentage score to date, regardless of whether it occurred in League Play or Pick-Up Play. Then, it converts that percentage to a raw score by taking into account the number of questions of the upcoming competition event, rounding down. This figure is then displayed on the scoreboard as the score to beat.

[0138] Individual Score: A Team Member's individual score is calculated by adding together the number of questions answered correctly, assigning one point to each.

[0139] Team Score: A team score is calculated by averaging the individual score of all Team Members together. Only the scores of Team Members that answered at least one question in the exam are included in this average. 'Team Score' may refer to the final score of one team or two opposing teams.

SYSTEM DESCRIPTION

[0140] Figure 1 illustrates a system 10 for implementing the academic competition software described more fully below. As illustrated, an exemplary embodiment of applications makes up the system 10 including the Interstellar Network server 20 that implements the academic competition software and website interface described herein, an APE server 30, a database 40, a Redis server 50, Resque library 60, and student PCs 70. Redis server 50 and Resque library 60 provide all background processing so as to keep application secondary processes executed in the

background. Database 40, on the other hand, stores all data including profile information, student statistics, etc. Database 40 interacts with the Interstellar Network server 20 by database queries. Interstellar Network server 20 provides student PCs with requested data and interacts with the APE server 30 during the competitive match procedure. APE server 30 provides the ability to connect students with each other in channel and with the Interstellar Network server 20 and allows the exchange of data in real-time.

[0141] In typical web applications, a server is not able to initiate actions on a client. This is possible when using advanced, so-called comet, programming techniques (streaming, long-polling requests). In the Interstellar Network, to connect students with the Interstellar Network server 20 and with each other during an academic on-line competition, the open-source APE comet server 30 provides a bidirectional server-client data exchange in real-time. The operation of the APE comet server 30 is based on long-polling HTTP requests. When a server has no data for the client, it holds the request and waits. If data appears, the server immediately responds. The client should send long-polling requests one by one so that the server is always able to transmit data.

[0142] In an exemplary embodiment, an open-source MySQL database engine is used as persistent database 40. MySQL is one of the most reliable and powerful sql database servers based on the relational database model and allows data and data relations in the form of tables to be stored on a computer hard drive.

[0143] Redis server 50 is used to store the Resque library data. Redis server 50 is an open source, advanced key-value store and is often referred to as a data structure server since keys can contain strings, hashes, lists, sets and sorted sets.

[0144] The Resque library 60 and Resque scheduler enhances the on-line user experience by processing all time-consuming tasks in the background so that the user need not wait for task completion. For example, inviting multiple students to the team requires multiple emails to be sent. By putting email sending tasks in a background queue, the user may continue to use the Interstellar Network just after the "Add Students" button is clicked. In an exemplary embodiment, a Resque Ruby library (along with resque-scheduler add-on) is used to put arbitrary jobs in the prioritized queues or to schedule a particular job for execution at a particular time.

[0145] In an exemplary embodiment, the functionality described herein is implemented in software applications running on Interstellar Network server 20. In exemplary embodiments, the application software is implemented in object oriented programming language such as the Ruby programming language along with Ruby on Rails web framework to create the Interstellar Network functionality described herein. Ruby is a dynamic, reflective, general purpose object-oriented programming language, while Ruby on Rails is an open source web application framework for the Ruby programming language. The user experience on the client-side may also be enhanced through use of third party JavaScript libraries using techniques known to those skilled in the art. For example, jQuery is a fast and concise JavaScript Library that simplifies HTML document traversing, event handling, animating, and Ajax interactions for rapid web development. In addition, the Raphaël JavaScript Library makes it possible to easily create highly interactive parts of web applications. It uses SVG and VML as a base to create a vector graphics object on the web page. Each object is actually a DOM element and can be controlled using JavaScript. Raphaël's goal is to provide an adapter that will make drawing vector art compatible across browsers, and easy. As far as it supports all major browsers, Raphaël is an ideal graphical tool for use with the Interstellar Network server 20.

[0146] Several different deployment tools may be used to handle web requests to the Interstellar Network server 20. For example, a lightweight Nginx proxy server may be used along with a Fusion Passenger module for Ruby on Rails applications to handle web requests to the Interstellar Network server 20. All additional server processes (Resque, Redis, APE) may be monitored with God (Ruby monitoring system), which is aimed to track critical processes status and start/stop them if needed. Capistrano scripts may be used for automatic deployment.

DESCRIPTION OF ACADEMIC COMPETITION SOFTWARE

[0147] Figure 2 illustrates the interaction between components of Figure 1 as used to start an academic competition in accordance with the invention. When the scheduled time for academic competition or “match” arrives, Interstellar Network server 20 issues a start match command. APE server 30 simultaneously resends the start match command to each student PC 70 that has been invited to the match and is online at the time.

[0148] Figure 3 illustrates the match logic implemented by the academic competition software loaded onto Interstellar Network server 20 to implement testing in accordance with the invention. As illustrated, students are redirected to the waiting room 30 seconds before the time scheduled for the match at step 300. At step 302, the student receives the first chunk of questions (*e.g.*, three). Thus, when the match is started, the first few questions are already uploaded to the student's PC 70. When the waiting time has expired, the very first question is shown to the student at step 304. After the student answers the question at 306, the system checks at step 308 if that question should be the last question in the match. If not, the system retrieves the next question at step 310 so that the student may again answer the question at step 306. If the answered question is the last question in the match, the student has finished his/her match. The system checks at step 312 the status of other students to determine if they have finished answering their questions. If any other student is still working on the test, a "Waiting for opponents" page is displayed at step 414; otherwise the student will see his/her match results page at step 316. Figure 4 illustrates the corresponding database tables for such a match.

[0149] Figure 5 illustrates the behavior of the Interstellar Network server 20 during the match process of Figure 3. When the Interstellar Network server 20 receives a student answer at step 500, it stores the data into database 40 at step 502 and provides student progress data to APE server 30 (questions answered of total questions) at step 504. The system checks at step 506 if the answered question is the last one and, if so, sends empty data to the APE server 30 at step 508. Otherwise, the Interstellar Network server 20 fetches the next question from database 40 at step 510 and sends it to the student's PC 70 at step 512.

[0150] Figure 6 illustrates the application flow for ending an on-line match in accordance with the invention. There are two common cases: all students answered all questions or the match time is up. In the first case (all questions answered at 600), the Interstellar Network server 20 sends the last answer data to the database 40 at step 602 and gives a task to the rescue process to recalculate student statistics with new data received during the match. At the same time, the Interstellar Network server 20 sends a "Match finished" event to APE server 30 at step 604, and the APE sever 30 sends this event to all students on the match channel at step 606. After that, all participants get their match results page at step 608. On the other hand, in the second case (match time is up at 610), the Interstellar Network server 20 sends a command to recalculate

statistics to the database at step 612 and fires a “Match finished by timeout” event to the APE server 30 at step 614. APE server 30 resends the event to every student on the channel at step 616, and all participants are forced to go to the match results page at 618. In the special case of an N to 1 match, each virtual student pair receives its results just after both of them are finished, not when the whole match is over.

[0151] Figure 7 illustrates the interaction of the system elements for the situation where the match is finished and all students answered all questions, while Figure 8 illustrates the interaction of the system elements for the situation where the match is over by timer.

[0152] Outside of a match, the student’s PC 70 may interact with Interstellar server 20 in a conventional way to send student requests and receive requested data back to the student from the Interstellar server 20.

DESCRIPTION OF ADMINISTRATIVE SOFTWARE

[0153] The software application running on the Interstellar Network server 20 also provides for the administrative management of the Interstellar Network by handling enrollment of coaches and competitors, league creation, competition scheduling, and the like. As will be explained below, single table inheritance (STI) may be used to emulate object-oriented inheritance of the system data in a relational database. With STI, when mapping from a database table to an object in an object-oriented language, a field in the database identifies what class in the hierarchy the object belongs to. In Ruby on Rails, the field in the table called 'type' identifies the name of the class. An exemplary embodiment of the administrative software implemented herein also uses polymorphic association to provide relationships from one class to multiple classes. In particular, a polymorphic association as used herein is a term used in discussions of object-relational mapping with respect to the problem of representing in the relational database domain a relationship from one class to multiple classes.

[0154] The objects manipulated by the object-oriented administrative software application of the invention include at least the following objects:

- School - represents a school in the system;
- Team - represents a group of students in the system;

- User - represents a person in the system (Administrator, Coach or Student based on type);
- League - represents a group of Teams in the system used for League Play;
- Cycle - represents a group of rounds in the system using the STI model, for example:
 - SchoolCycle
 - TeamCycle;
- Round - represents a period (*e.g.*, one week) of competitions between teams or schools (for a merged League); a team (school) can either have one competition per round or no competitions at all (in case there is an odd number of teams (schools) in the league);
- RoundPair – in the STI model represents a membership of 2 teams (schools) in the Round, for example:
 - TeamRoundPair
 - SchoolRoundPair;
- RoundPlayer – in the STI model, an object used for storing competition results of a particular team (school), for example:
 - TeamPlayer
 - SchoolPlayer;
- QuestionsSet – a group of questions assigned to each round; and
- UserMembership - represents association between users (student, coach) and teams in the system.

[0155] Figure 9 provides an overview of the administrative software as implemented in an exemplary embodiment. As illustrated, the administrative software includes several software modules that work together to implement the functionality described herein. As illustrated, the general administrative software diagram includes a leagues manager (Figure 10), cycle creation logic (Figures 11 and 12), a round scheduler (Figure 13), a competition factory (Figure 14), a

coach inviter, an inter-team pick-up challenger, an intra-team pick-up builder (Figures 15 and 16), a questions bank (Figure 17), and a student matching algorithm (Figures 18-23).

ADMINISTRATOR FUNCTIONS

Create Competitors

[0156] Figure 10 displays database tables and the relations between them. To implement many-to-many associations between User (Student, Coach) and Team, the joint table UserMemberships is used. Each time a Student is added to a Team or a Coach adds a new Team, a UserMembership object is created. When a new Team is created, the system automatically adds a letter into the identifier column of the teams table. To define this letter, systems order Teams with the same school, grade and course by identifier and pick the next unused letter as the new Team identifier.

[0157] To create competitors, the Administrator can add a Coach to a school. Once a teacher's name/email is entered into the system, an email is sent to him/her. Once the teacher accepts the invitation, he/she is now a Coach in the system. In addition, the Administrator can create a Team for a Coach by selecting an existing Coach and naming the team by its grade level and course. The system automatically appends a letter(s) to the name starting with the letter A. This, in addition to the School's name, ensures that all team names in the Interstellar Network are unique. The Administrator can only create the entity of the team. The Coach of that team must invite students by email to populate the team.

Create League

[0158] As is apparent from Figure 10, each Team can be a member of only one League at the same time. A League can be either of a merged or non-merged type. In the case of a merged League, all teams from the same school are considered as units of their School, and the School itself stands for a player during the SchoolCycle.

[0159] The Administrator can create a league out of any teams in the Interstellar Network. For any given league, the Administrator can merge teams from one school/association into one team so that even though each "sub-team" takes the test at a different time, together they contribute to

one final team score (this feature is intended to overcome logistical challenges, especially for larger class/grade sizes).

Create Cycle for League

[0160] Figure 11 illustrates the cycle database structure, and Figure 12 illustrates the cycle creation flow for a League. To store cycle information in the system, a couple of database tables are used as illustrated in Figure 11. Cycle Rounds are built by a Round Robin Algorithm based on start_date, end_date, and the competition frequency entered by the Administrator. Based on the League type, either Schools or Teams represent the players in the Cycle. For each pair of players, a RoundPair object is created that is connected with its RoundPlayers. As illustrated in Figure 12, the process of creating a league includes determining whether the League type is merged (step 1200) and, if not, creating a team cycle at step 1202; otherwise, creating a school cycle at step 1204 and preparing schools from league teams at step 1206. Based on the teams or schools, the Round Robin Algorithm generates rounds for players at step 1208. The system then bundles questions groups at step 1210 and creates round pairs at step 1212.

[0161] As illustrated in Figure 11, each RoundPlayer is connected with its member (Team or School) via polymorphic association. A separate QuestionsSet is assigned to each round and used to create exams for competitions.

[0162] To generate Round Pairs for each Cycle Round, a round-robin schema is used such as that illustrated in Figure 13. As shown in Figure 13, the system starts at step 1300 and establishes at step 1302 if the players round is odd. If so, the system adds a fake player with a zero ID at step 1304 before the rounds are generated at step 1306. While generating the rounds, a second player is moved to the end of the players array at step 1308 and Round Pairs are generated at step 1310 until it is determined at step 1306 that all rounds have been generated. If so, all fake round pairs (if present) are removed at step 1312. Normalized rounds with round pairs are returned at step 1314 before the Round Robin Algorithm ends at step 1316.

Round Pair Competitions Scheduling

[0163] Figure 14 illustrates an algorithm for Round Pair competitions scheduling. The competitions creation logic depends on League type (merged or non-merged) at step 1400. In

the case of a non-merged League, the logic is simple, namely, to create live pairs based on the units' preferred time (step 1402), create live competitions for live pairs (step 1404), and create non-live competitions for unpaired units (step 1406). Appropriate competitions are generated as type (live / non-live) based on the team's preferred time. On the other hand, in the case of a merged League, the system creates as many as possible live competitions for units at step 1408. The process iterates over a bigger school trying to find a unit with shared preferred time in the opposite school. If a live pair is found, a live competition is created at step 1410. In other cases, a non-live competition is generated for a single unit without creating a pair (step 1412). The participants' events schedules are updated at step 1414.

League Play

[0164] The Administrator creates a league by first naming it and then populating it with existing teams. As just noted, a cycle of competition can then be created for the league by establishing the start date, the end date, the frequency of competition, the length of each competition, and then assigning a question set to each round of the competition, the number of rounds being determined by the start date, end date, and frequency of competition variables. The processor employs a round robin algorithm to match pairs of teams against each other for all rounds of competition. If two teams matched against each other in a round share a common time for competing, which may be changed from round to round, the processor automatically creates live competition between them in which case contestants either compete individually (contestants are matched by the algorithm and individual score is displayed on the scoreboard) or together as a team (team score is displayed on the scoreboard). If the two teams do not share a common time for competing, then contestants compete against themselves (personal best score is displayed on the scoreboard) and the winner between teams is determined after both teams have finished the exam. Teams in a league can be merged together to form one larger team in which case scores of each member team of the merged team are averaged together to determine the final score of the merged team. The processor creates live competition where possible between member teams of the merged team and the opponent team, whether the opponent team has also been merged or not.

COACH FUNCTIONS

Coach Profile

[0165] A Coach profile is a part of the general profile storage shown in Figure 10 at the database layer. On the other hand, in the Application layer the Coach profile is defined in a separate Coach class. A Coach can write a short biography of himself/herself. This is then displayed to the Coach of every opponent team.

Create Team

[0166] The Team management database layer is described in Figure 10. In particular, the User and Team models represent Students and Teams. UserMembership represents the relationships between them. A Coach can create a team in the same way as the Administrator. He/she may then invite students to that team. Once a student's name/email is entered into the system, an email is sent to him/her. Once the student accepts the invitation, he/she is now a Team Member in the system. Team availability is listed, which is what allows other teams to find and schedule competitions with that Coach's team.

Create a Match

[0167] A Coach can schedule a match by selecting a time, dividing his team into multiple teams that will compete against each other, or by challenging another team that is available during the time period he/she selects, and selecting a question set. A Coach also can choose to display either team score or individual score on the scoreboard for any team. This applies to every competition for that team.

Pick-up Play Creation Flow

[0168] There are two types of pick-up play:

- Inter-team pick-up play represents a challenge between teams from different schools; and
- Intra-team pick-up play represents a challenge between members of one team that has been divided into multiple teams.

Figure 15 illustrates how to create pick-up play for both types. As illustrated, it is first determined at step 1500 that the pick-up play is inter-team. In this case, a pick-up challenge

object is created at step 1502, pick-up challenge invitations are sent at step 1504, and then the system waits at step 1506 for the first invitation to be accepted. On the other hand, if the pick-up is intra-team, virtual teams are created at step 1508, competition objects are created at step 1510, and the events schedule is updated at step 1512.

Pick-Up Play Inter-Team

[0169] For inter-team pick-up play, the processor allows for the creation of a live competition event between two teams through a series of steps taken by the coach:

selecting a date, time, and length for the competition; and

selecting a question set to fuel the competition; and

selecting a team from a list of teams sorted by common grade level and course identity (both of which are embedded in every team's name), as well as common time availability as established by the coach of those teams.

Once all steps have been completed, an email invitation is sent to the coach or coaches of the other team or teams. The first to accept wins the challenge, the match is scheduled, and the calendar of all related participants is updated. Competition is always live between teams: contestants either compete individually (contestants are matched by the match algorithm and individual score is displayed on the scoreboard) or together as a team (team score is displayed on the scoreboard).

Pick-Up Play Intra-Team

[0170] For intra-team pick-up play, the processor allows for the creation of a live competition event within one team through a series of steps taken by the coach:

selecting a date, time, and length for the competition; and

selecting a question set to fuel the competition; and

dividing the team into two or more opposing teams by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team.

The competition is always live between teams. When the coach has divided his/her team into two teams, contestants either compete individually (contestants are matched by the match algorithm and individual score is displayed on the scoreboard) or together as a team (team score is displayed on the scoreboard). When the coach has divided his/her team into 3 or more teams, contestants compete together as a team (team score is displayed on the scoreboard), only in this case one person is assigned by the coach to answer questions on behalf of the team.

Multiple Teams Pick-up Creation Flow

[0171] Figure 16 illustrates pick-up play for multiple teams. As illustrated, when the number of virtual teams is more than two (step 1600), then the pick-up play creation flow becomes slightly different. Instead of creating matches for all students of the original team (steps 1602 and 1604), matches are created only for 'lead' students (step 1606) that are defined by the Coach during pick-up play creation. The lead students are separated at step 1608, and pick-up play competition for the teams is created at step 1610. At step 1612, matched people are marked as leads. The 'lead' students are responsible for posting answers on behalf of their small virtual teams. In this case, matches are created between them. Matched people for the matches are marked as 'lead'. This makes it possible to handle this particular case on the client side and show the best virtual team result on the scoreboard at step 1614.

TEAM MEMBER

[0172] A Team Member can write a short biography of himself/herself. This is then displayed if he/she is matched to an individual opponent unless the Team Member elects to conceal his identity, which can be done for any team of which he/she is part. The Team Member also may choose a background image for the competition area from Interstellar Network stock photos or upload his/her own photo.

SCOREBOARD AREA

[0173] The system calculates individual scores by assigning a point to every question answered correctly. When a team score has been chosen by a Coach, the system calculates the team average of questions answered correctly as the score (rounding up or down to the nearest whole number). The time mechanism shows where the Team Member is in relation to his/her

opponent, how much time has elapsed in the test and consecutively for each question, and whether he/she is on pace to finish on time.

[0174] To implement the scoreboard, Scalable Vector Graphics (SVG) may be used. SVG is an XML based file format for describing two-dimensional vector graphics, both static and dynamic. Each SVG element is a DOM element so each can be manipulated easily by JavaScript. RaphaelJS is an open source JavaScript library that is used to facilitate SVG. To create a scoreboard using SVG, first an html layout is created with the static elements of the scoreboard background. For example, a circular space may be spaced at the bottom and an opponent section at the top using html+css. To create the interactive part of the scoreboard, a “path” conception may be used. In RaphaelJS, a library “path” is an object that represents a graphical element on the page. Building this “path,” one can manipulate an element, like setting background color, rotating, etc. Using “paths,” a circular track, triangles and a clock hand may be created. For example, to rotate a clock-hand, one can use the build-in RaphaelJS “rotate” method. The same approach applies to a triangle’s rotation except that the circle center point is set as the rotation origin. Different animation effects may be used to make all transformations run smoothly.

[0175] The scoreboard area is composed of both a background photo uploaded by the individual contestant or selected by him/her from a collection of photos, and a scoreboard. A clock figure appears on the scoreboard. The radius line inside the clock figure marks the proportion of time remaining in the competition. The radius line rotates around the clock figure until no time remains. Each contestant is represented by a ‘chip’. Their placement in the circular ‘tube’ on the periphery of the clock figure tells the Team Member exactly where he/she and his/her opponent are with respect to questions already answered. The marks around the tube represent each question. As soon as the radius line reaches a mark in the tube, the area behind it fills in as grey. This signifies that the average amount of time allotted for a particular question has elapsed. The space between the leading edge of the grey area and the radius line in relation to the space between the mark at the leading edge of the grey area and the following mark represents the proportion of time that has elapsed for that particular question. As long as the contestant (represented by a chip) is even or ahead of the leading edge of the grey area, then the tube remains white, signifying to the contestant that he/she is on track to finish the competition

on time. If the contestant is behind the leading edge of the grey area, the tube fills in as red, signifying that the contestant is not on track to finish the competition in time. The scoreboard can display individual score, as determined by the number of questions answered correctly by each of the matched individual contestants, or team score, as determined by taking a running average of all individual contestant scores from the respective teams and rounding to the nearest whole number. When a contestant answers a question correctly, the scoreboard pulses with a flash of light/color, signifying that the question was answered correctly. Finally, the contestant can conceal his/her identity from a competing contestant or permit the display of his/her name and photo on the scoreboard of the competing contestant.

QUESTION MANAGER

[0176] Figure 17 illustrates a Question management database structure for a Question Manager. The Question Manager is a simple schema to store different question sets that can be played during a match. The Question Manager is common for both the Coach and the Administrator. It features questions belonging to many question sets (Figure 17). Both the Administrator and Coach can create a set of questions to fuel any competition by uploading his/her own questions (including images) or drawings from the pool of questions uploaded by Administrators/Coaches throughout the Interstellar Network community.

[0177] The Administrator or Coach may create a question set (a requirement for every competition event) by first naming it in accordance with a predetermined list of categories, adding an optional descriptor if desired, and then populating it with questions. The Administrator or Coach can populate a question set by composing questions specifically for it in a format where prompts and answers can be entered into fields, and images attached. When a question is created, it not only appears in the relevant question set, but also in a library which is organized according to the same predetermined list of categories. As such, questions submitted by other Administrators or Coaches can also be used to populate a question set. An Administrator or Coach can delete any question from his/her question sets. However, only the Administrator, or the Coach who originally composed it, can delete a question from the library. In addition, any question appearing in either a question set or the library can be edited by either the Administrator or Coach. However, the edited version only appears in the question set, not the library.

STUDENT MATCHING

[0178] During the course of a league, the system automatically facilitates live competition between opponent teams (normal teams or “sub-teams”) who have common ‘Preferred League Play times.’ The system also facilitates live competition between opponent teams in all competitions created by the Coach. The system also matches individuals using an Interstellar Matching Team Member Algorithm as will now be described with reference to Figures 18-23 by way of an example problem.

Example Problem:

[0179] Match the students in the two groups below such that the absolute difference of their scores is minimized.

Group 1		Group 2	
Student ID	Student Score	Student ID	Student Score
1	82	1	26
2	15	2	72
3	62	3	18
4	35		
5	17		
6	74		
7	41		

Figure 18 illustrates a graphical representation of this problem as a graph. The stages (bars) represent each student from Group 1. The first number in each node represents a student from Group 2. The first number in each node referred to as the node number and the second number is referred to as the number of consecutive visits.

Interpretation of a Particular Path:

[0180] There are many possible paths from the first node to the last node in the graph of Figure 18. In order to interpret a path, the score rank for each student must be defined. The students are ranked from *lowest* score to *highest* score as follows:

Group 1			Group 2		
Score Rank	Student ID	Student Score	Score Rank	Student ID	Student Score
1	2	15	1	3	18
2	5	17	2	1	26
3	4	35	3	2	72
4	7	41			
5	3	62			
6	6	74			
7	1	82			

As an example, Figure 19 illustrates a possible path through the graph of Figure 18. Each stage is the rank of a student from the larger group (Group 1). The node number is the rank of a student from the smaller group (Group 2). The number of consecutive visits is the number of consecutive times a student from the smaller group has been assigned. This path represents the following assignment:

Matches

Group 1			Group 2		
Score Rank	Student ID	Student Score	Score Rank	Student Score	Student ID
1	2	15	1	18	3
2	5	17	1	18	3
3	4	35	1	18	3
4	7	41	2	26	1
5	3	62	2	26	1
6	6	74	3	72	2
7	1	82	3	72	2

In this path, the node (2,1) appears in stage 5. Therefore, the student with score rank 5 from Group 1 is assigned to the student with score rank 2 from Group 2. It is the first consecutive time (or second time) that this student has been assigned. The boxed row is the tabular representation of stage 5. It is important to note that the graph represents all possible paths, i.e. all possible matches between students in Group 1 and Group 2.

Length of a Link:

[0181] The length of each link is the cost of assigning the student in the *terminating* node. The graph along with the length of each link is shown in Figure 20. For example, in Figure 20, the length of the link connecting node (2, 1) in stage 4 to (2, 2) in stage 5 is 36. The length is the cost of assigning the student with score rank 5 from Group 1 to the student with score rank 2 from Group 2. The absolute difference in their scores is $62 - 26 = 36$. Again, the length is determined solely by the terminating node, *i.e.* node (2,2) in stage 5.

Length of a Path:

[0182] The length of a path, plus a fixed cost, is the sum of the absolute differences of a particular match. For example, Figure 21 illustrates a sample path with the following lengths assigned: The path does not include the cost of assigning node (1, 0) in stage 1. This is the fixed cost and in this case its value is $18 - 15 = 3$. The total cost of this match is $3 + 1 + 17 + 15 + 36 + 2 + 10 = 84$.

Determining the Best Match:

[0183] A graph contains the set of all possible paths from the first to the last node and represents all possible ways to match students. Each path has a length that measures how well a particular match minimizes differences in scores. The path with the shortest length represents the best match between students of the two groups. The shortest path through the graph can be determined one stage at a time. At each stage, the shortest path to a node is the minimum over all links of the length of the link plus the shortest path of the preceding node. Figure 22 illustrates a graph for the above problem with the shortest paths displayed beneath each node. The shortest path 3 is assigned to (1, 0) in stage 1 and is the fixed cost of assigning the lowest scoring students to one another. A shortest path of 12 is assigned to node (2, 0) in stage 2. This

is the sum of the length of the incoming link, 9, and the shortest path of the preceding node, 3. The shortest path of node (1, 1) in stage 2 is calculated similarly. In fact, the shortest paths of all the nodes in stages 3 and 4 are similarly calculated in this simple example.

[0184] However, stage 5 is more complex. Node (3, 0) has three incoming nodes and a shortest path candidate is calculated for each link. The candidates for the links connected to nodes (2, 2), (2, 1), and (2, 0) of stage 4 are 46, 38, and 46 respectively. The minimum amongst these is 38 and the shortest path for node (3, 0) is assigned accordingly. Continuing through the graph iteratively, one can color links and assign shortest paths to every node. At the final stage, there will be a node for every possible consecutive visit, each with a node number equal to the number of students in the smaller group. The reason is that the highest scoring student from the larger group will always be matched to the highest scoring student of the smaller group. However, it may be that the student from the smaller group has been matched just once, or one consecutive time, or two consecutive times, *etc.*

[0185] All links to the final node, marked with an (*), have zero length. Thus, the shortest path through the graph will be the minimum shortest path amongst those in the final stage. To determine the minimum path, one starts at the node (*) and follows the selected links back to node (1, 0) at stage 1. For this problem the shortest path is shown in Figure 23, which corresponds to the following matches:

Matches							
Group 1			Group 2				
Score Rank	Student ID	Student Score	Score Rank	Student ID	Student Score	Score Difference	
1	2	15	1	3	18	3	
2	5	17	1	3	18	1	
3	4	35	2	1	26	9	
4	7	41	2	1	26	15	
5	3	62	3	2	72	10	
6	6	74	3	2	72	2	
7	1	82	3	2	72	10	

The first score difference corresponds to the fixed cost at node (1, 0) in stage 1. The subsequent score differences correspond to the links of the path. Finally, the sum of all score differences is the length of the shortest path (50).

Constructing the Graph:

[0186] Constructing a graph given two groups of students is non-trivial. The graph can be constructed iteratively, stage by stage. At each stage links that connect a valid node in the current stage to a valid link in the next stage are added to the graph.

Adding Nodes to the Current Stage of the Graph:

[0187] The lower (upper) bound of a stage is the node that has the minimum (maximum) node number and number of consecutive visits. As shown in Figure 18, the lower bound of stage 5 is node (2, 1) and the upper bound is node (3, 0). At each stage, all nodes between the lower and upper bounds of the stage are inserted into the graph unless they are dead nodes. Dead nodes are nodes that have no incoming link.

[0188] In the example problem, the lower and upper bound for stage 2 are the nodes (1, 1) and (2, 0) respectively. The nodes bounded by these nodes are (1, 1), (1, 2), and (2, 0). Node (1, 2) is a dead node because node (1, 0) of stage 1 has no link to it, so it is not added to the graph. In terms of the original problem statement, node (1, 0) of stage 1 represents pairing student 1 from the larger group to student 1 of the smaller group. Node (1, 1) of stage 2 represents pairing student 2 from the larger group to student 1 of the smaller group for a consecutive pairing. Node (1, 2) of stage 2 represents pairing student 2 from the larger group to student 1 of the smaller group for a second consecutive pairing, which is not possible. Therefore, this node is a dead node and not added to the graph. Node (2, 0) of stage 2 represents pairing student 2 from the larger group to student 2 of the smaller group.

Linking to the Next Stage:

[0189] Nodes in the current stage can be linked to the next stage in two different ways. Node (j, k) in the current stage can link to node (j, k+1) in the next stage or to node (j+1, 0) in the next stage. The links are referred to as Incrementing Consecutive Visits and Incrementing Node Number, respectively. They reflect the fact that the next student from the large group will either be matched with same student from the smaller group as the current student is (Incrementing Consecutive Visits) or to a new student from the smaller group (Incrementing Node Number). Before a link is added to the graph, it must be validated. A link is valid if the terminating node is

a valid node in the *next* stage. Essentially, this means that the terminating node must be between the lower and upper bounds of the *next* stage.

Calculating the Lower and Upper Bounds of a Stage:

[0190] Lower and upper bounds are necessary to prevent impractical solutions. For example, there is no link from node (2, 0) in stage 2 to node (3, 0) in stage 3. If one were allowed to assign the third student from the larger group to the third (and last!) student from the smaller group, then the four remaining students from the smaller group would have to be assigned to the last student as well. One can imagine scenarios in which almost all of the students from the larger group are assigned to just one student from the smaller group. For this reason, a maximum number of consecutive visits is imposed on the solution.

[0191] One can determine the lower and upper bound of a stage with the following formulas for the lower bound node number (*LBN*), lower bound consecutive visits (*LBCV*), upper bound node number (*UBN*), and upper bound consecutive visits (*UBCV*):

$$LBN = \begin{cases} \left\lceil \frac{stage}{mncv} \right\rceil & \text{if } n - stage \geq m - \left\lceil \frac{stage}{mncv} \right\rceil \\ LBN + 1 & \text{otherwise} \end{cases}$$

$$LBCV = \begin{cases} (stage - 1) \% mncv & \text{if } n - stage \geq m - \left\lceil \frac{stage}{mncv} \right\rceil \\ 0 & \text{otherwise} \end{cases}$$

$$UBN = \begin{cases} UBN + 1 & \text{if } mncv(m - UBN) \geq n - (stage - 1) \\ UBN & \text{otherwise} \end{cases}$$

$$UBCV = \begin{cases} 0 & \text{if } mncv(m - UBN) \geq n - (stage - 1) \\ (UBCV + 1) \% mncv & \text{otherwise} \end{cases}$$

In these formula, n is the number of students from the larger group, m is the number of students from the smaller group, and $mncv$ is the maximum number of consecutive visits.

Maximum Number of Consecutive Visits:

[0192] If groups of students each with 3 students were provided, then the students would be matched one to one. The maximum number of consecutive visits would be one. If one of the groups had four students, then there would be one student from the smaller group that was matched twice. The maximum number of consecutive visits would be two. The formula for the maximum number of consecutive visits is:

$$mncv = \left\lceil \frac{n}{m} \right\rceil$$

The maximum number of consecutive visits for the example problem is $mncv = \text{ceiling}(7/3) = 3$.

Variations of Algorithm

[0193] There are two variations of this algorithm worth noting. First, the maximum number of consecutive visits does not need to be constrained to $\text{ceiling}(n/m)$. The maximum number of consecutive visits can be any number between 1 and $n-m+1$. A second variation is to allow stages to be represented by not only a stage number, but by a number of consecutive visits as well. This would allow students in the larger group to be paired multiple times just as students in the smaller group are. The construction of the graph would differ only in extending the number of stages and adding their corresponding links. The solution of the graph would be identical. It should be noted that these variations can be applied simultaneously or independently.

SYSTEM OPERATION

[0194] Figure 24 illustrates a user site map of a sample website (*e.g.*, Interstellar.com) implementing the system of the invention. As illustrated, the Interstellar Network server 20 generates a home page with a login area 2402. Upon successful login, the user is directed to the dashboard 2404 that presents web pages giving the user (student) options for proceeding. For example, the user may opt to edit his/her profile at 2406, take a timed test at 2408, match up data at 2410, review an opponent profile at 2412, or review test statistics at 2414. As illustrated database 40 may store the different profiles (School, Student, and Administrative), as well as the

test questions and test statistics. Also, using the algorithm noted above, the system matches test opponents based on past test scores or performances and may also compile timed test questions based on the opponent's test history at 2416.

[0195] Operation of the academic competition platform of the invention will be described in connection with Figures 25-115 illustrating screen shots during access to the system by Administrators, Coaches, and Team Members. Those skilled in the art will appreciate that the screen layouts and text are merely exemplary.

[0196] Before an Administrator, Coach, or Team Member can access the Interstellar Network, he/she must first receive an e-mail invitation from the system as illustrated in Figure 25. The e-mail address to which the invitation was sent serves as the temporary Login ID.

[0197] Once an Administrator, Coach, or Team Member has received an e-mail invitation from the system (Figure 25), and the link therein has been clicked, he/she is brought to the page of Figure 26 where the Administrator, Coach, or Team Member may create a new password in order to access the Interstellar Network. The password must be entered twice. Once the 'Set Password' button is clicked, the password is saved into the system and the user is taken to the 'Profile' page.

[0198] Once an Administrator, Coach, or Team Member has just clicked 'Sign in' on the Interstellar home page, the Administrator, Coach, or Team Member can enter his/her Login ID and Password in the Login screen illustrated in Figure 27 to access the Interstellar Network.

[0199] If an Administrator, Coach, or Team Member has just clicked 'Forgot your password?' on the Login screen, then the screen of Figure 28 is presented so that the Administrator, Coach, or Team Member may enter a valid e-mail address into the field and click 'Send password instructions.' A link to the 'Please set your password below' page (see Figure 26) is sent to that e-mail address with relevant instructions.

Administrator Screens

[0200] Figure 29 illustrates the page presented when the Administrator has just clicked the 'Profile' link on his/her navigation bar. On the left hand side of the page, the Administrator uploads a profile photo, adds/edits his/her name, or enters a brief biographical description by

inputting the information and clicking the 'Save' button. The Administrator modifies his/her email address and password information by entering the information and on the right hand side of the page and clicking the 'Change ID/Password' button. Only a valid e-mail address may be used as a Login ID. The navigation bar at the top of the screen organizes the Administrator domain into 3 areas: Questions, Schools, and Leagues. When the Administrator clicks any of these three links, he/she is brought to that area of the system. The dropdown at the upper right lists 'Profile' and 'Sign out'. When 'Profile' is clicked the Administrator is brought to the present page. When 'Sign out' is clicked, the Administrator is logged out of the system and returned to the Interstellar Network home page. The photo that the Administrator uploads is used as the heading of the dropdown.

[0201] Figure 30 illustrates the page presented when the Administrator has just clicked the 'Questions' link. When the Administrator clicks 'Questions', the 'Question Area' page shown in Figure 30 appears. Figure 31 illustrates the page presented when the 'Add Question Set' link on the 'Questions Area' page has just been clicked. When the 'Add Question Set' link is clicked, a modal appears that allows the Administrator to create a new question set. The modal is programmed with a predetermined list of course topics which assists in sorting. As the Administrator begins to enter letters in the 'Course Topic' field, the field auto-populates with the closest related match and a field appears below listing all possibilities. If the Administrator clicks a return from the list, it automatically populates in the 'Course Topic' field. The Administrator must add a unique ID to the question set in the 'Unique ID' field. Though not shown, if a unique ID is not entered, an alert box appears on the screen prompting the Administrator to do so. When the Administrator clicks 'Save' after a course topic title has been chosen, the new question set is stored in the system. Though not shown, if the Administrator enters a course topic that is not listed in the predetermined list of course topics, an alert box appears prompting the Administrator to choose from the given set.

[0202] Figure 32 illustrates the page presented when the Administrator has just saved a question set to the system. When the Administrator successfully saves a question set to the system, he/she is immediately returned to the 'Questions Area' page which is now divided into two sections. In the 'Question Sets' section, a dropdown automatically appears listing the newly created question set. Though not displayed, when the dropdown is clicked, a list of all question

sets that have been saved to the system by the Administrator appears. When a question set is selected, all the questions of that set appear in a field immediately below. As illustrated, an 'Available Questions' section appears that includes two tabs and a link. The 'Saved' tab contains a repository of questions related to the selected question set which the Administrator assembles by either writing a new question (see Figure 33) or selecting from the Interstellar Network Library. The 'Browse Interstellar Library' tab contains a repository of questions which have been added to the system by either an Administrator or a Coach (see below).

[0203] Figure 33 illustrates a page presented when the 'Write New Question' link has just been clicked. When the 'Write New Question' link is clicked, a modal appears that allows the Administrator to enter a question and a list of answers to that question, and to choose the correct answer for that question. In addition, the Administrator may upload an image associated with that question. When the Administrator clicks 'Save', the question is saved to the system. The question now appears under all 'Saved' tabs with the same course topic of the question set that has been chosen. In addition, the question appears under the 'Browse Interstellar Library' tab, filed under the course topic of the question set that has been chosen (exact same questions only appear once).

[0204] Figure 34 illustrates a page presented when the Administrator has just saved a question he/she wrote. When the Administrator saves a question he/she wrote, the question modal disappears and he/she is returned to the Question Area where the question just saved now appears at the top of the list of the tab last chosen. If the Administrator closes the modal without saving a question, he/she is returned to the tab where he/she left off.

[0205] Figure 35 illustrates a page presented when the cursor is placed above a question appearing in the 'Browse Interstellar Library' tab. As illustrated, a 'Delete' button appears. When clicked, the question is deleted from all areas of the system.

[0206] Figure 36 illustrates a page presented when a question appearing in a question set in the 'Question Sets' section, the 'Browse Interstellar Library' tab, or the 'Saved' tab has just been clicked. When a question appearing in a question set in the 'Question Sets' section, the 'Browse Interstellar Library' tab, or the 'Saved' tab is clicked, a modal appears with the question appearing as previously saved. It is similar to the one which appears when the 'Write New

Question' link is clicked, except for one difference. Here, arrows appear at the lower right corner of the modal that allow the Administrator to scroll through questions in either direction. When the Administrator clicks 'Save' on a question modal connected to the 'Browse Interstellar Library' tab, the question is saved under all 'Saved' tabs with the same course topic of the question set that has been chosen, and placed at the top of the list. The question disappears from the modal and is replaced by the next question in line. When the Administrator closes the modal, he/she is returned to the Question Area where the 'Saved' tab is automatically selected and the question just saved now appears at the top of the list. If no question has been saved, the Administrator is returned to the tab where he/she left off.

[0207] Any question may be edited by making changes and clicking 'Save', regardless of whether the question modal is connected to a question set in the 'Question Sets' section, the 'Browse Interstellar Library' tab, or the 'Saved' tab. However, the edited version appears in the 'Browse Interstellar Library' tab only if the Administrator originally created it. It appears in the remaining two sections regardless. It appears under all 'Saved' tabs with the same course topic of the question set that has been chosen.

[0208] Figure 37 illustrates a page presented when the '+' button next to a question is clicked, and the question is replicated in the 'Question Sets' section above. When the cursor is placed over a question, a 'Delete' button appears. When the 'Delete' button is clicked, the question is removed from all 'Saved' tabs with the same course topic of the question set that has been chosen and from the 'Question Sets' section if it appears there, but not from the 'Browse Interstellar Library' tab if it appears there. The question which had been selected from the Interstellar Library in Figure 36 now appears under the 'Saved' tab.

[0209] Figure 38 illustrates a page presented when the cursor is placed over a question in the 'Questions Sets' section. As illustrated, a 'Delete' button appears. When clicked, the question is removed from the question set but not from 'Saved' tabs with the same course topic of the question set that has been chosen or from the 'Browse Interstellar Library' tab.

[0210] Figure 39 illustrates a page presented when the Administrator has just clicked the 'Schools' link. When the Administrator clicks the 'Schools' link in the navigation bar, the page defaults to schools that begin with the letter 'A'. The left page displays the 'Add School' button

which appears on all left pages connected to the ‘Schools’ link on the navigation bar. Whenever the Administrator clicks this link, the empty form displayed on the right page appears. The right page displays a ‘Choose File’ button that allows the Administrator to upload a mascot photo of the school which is being added to the system, and data fields which allow the Administrator to enter relevant school data.

[0211] Figure 40 illustrates a page presented when the Administrator stores information pertaining to a new school into the system by filling the data fields and clicking ‘Save’. All fields must be filled to add a new school in the system. All school names must be unique. This is one step in ensuring that all teams in the Interstellar Network have a unique identity. If a school name has already been taken, an alert box appears prompting the Administrator to make the correction. Also, though not shown, if mandatory fields have not been filled, an alert box appears prompting the Administrator to fill them.

[0212] Figure 41 illustrates a page presented when the Administrator has just added a new school to the system. When the Administrator successfully adds a new school to the system, he/she is brought immediately to the ‘Coaches/Teams’ page on the right hand side of Figure 41. The newly added school’s placement in the system is automatically presented in the alphabetized list on the left hand side of the page, and highlighted. On the right hand side of the page, an ‘Edit School’ link appears. When clicked, the Administrator is brought to the ‘Edit School’ page for that school (see below). The left hand side of the page remains the same.

[0213] Figure 42 illustrates a page presented through which the Administrator may add a new Coach to a school by filling in the ‘First name’, ‘Last name’, and ‘E-mail’ fields with that person’s information, and then clicking the ‘Save’ button.

[0214] Figure 43 illustrates a page presented when the Administrator has just added a new Coach. The Administrator may, but need not, create a team for the new Coach by filling out the ‘Grade level’ and ‘Course’ fields and clicking the ‘Save’ button. All team names in the Interstellar Network are created by combining grade level, course name, and a letter which the system automatically appends (working alphabetically starting from ‘A’). This ensures that each team in the Interstellar Network has a unique identity. If the Administrator does create a team, it appears in the ‘Active Teams’ list and in the Coach’s pages generally, once his/her account is

activated. The 'Start time' and 'Day of week' fields are required if that team is participating in 'League Play.' The 'Start time' and 'Day of week' fields may be changed at any time. However, changes to these fields do not go into effect until the next 'Round' of a 'Cycle' if a 'Cycle' is presently ongoing. The 'Start time' and 'Day of week' that are stored in the system at the end of a 'Round' are used for the next 'Round'.

[0215] Figure 44 illustrates a page presented when the Administrator has just added a team by entering the relevant information and clicking the 'Save' button on the 'Coaches/Teams' page. When the 'Save' button under the 'Add/Edit Team' section on the 'Coaches/Teams' page is clicked, information that has been added or edited is updated into the system and an empty 'Add/Edit Team' section appears. The left page continues to show the name of the school highlighted. As illustrated, a new team has just been added to the school, so it now appears in the 'Active Teams' list. However, all teams are not necessarily created on this page. For example, when a Coach has been activated in the system, he/she may create teams as well. Once he/she does, those teams appear in the 'Active Teams' list.

[0216] Figure 45 illustrates a page presented when the Administrator has just clicked a letter in the alphabetized list. The left hand side of the page displays the process by which the Administrator, when he/she clicks a letter in the alphabet line, is brought to a page that displays all the participating schools in the system that begin with that letter, arranged alphabetically. The left hand side of the page also shows that when the Administrator places the cursor over a school field, the entire field fills in color. The field remains filled in color so long as the cursor is over it. In addition, a 'Delete' button appears allowing the Administrator to delete a school from the system if clicked. Though not shown, when the 'Delete' button is clicked, an alert dialog box appears requiring the Administrator to confirm his/her decision by clicking 'OK'. If the Administrator does not wish to delete the school, he/she may close the box. If the Administrator clicks 'OK', the school is deleted and another alert dialog box appears confirming the school has been deleted.

[0217] Figure 46 illustrates a page presented when the Administrator has just clicked a school listed on the 'Schools' page. When a school on the left hand side of the page is clicked, its field fills in color (shade slightly darker than in the hover state) and remains this color so long as the Administrator is occupied by the present school. If the Administrator places the cursor over

another school, the field fills in the original hover color. The right hand side of the page automatically fills with a school's information when its field on the left page is clicked. The Administrator may edit information and store changes in the system by clicking 'Save'. Clicking 'Save' re-populates the fields with the updated information. On the right hand side of the page, a 'Coaches/Teams' link appears. When clicked, the Administrator is brought to the 'Coaches/Teams' page for that school (Figure 41). The left hand side of the page remains the same.

[0218] Figure 47 illustrates a page presented when the Administrator has just chosen a Coach from the 'Select existing Coach' dropdown. When a Coach is selected from the 'Select existing Coach' dropdown (which lists all Coaches for that school), his/her name appears therein. The three fields immediately below populate as well. This information may be edited and then updated to the system by clicking the 'Save' button. When the cursor is placed over an 'Active Team', a 'Delete' button appears, allowing the Administrator to delete the team from the system. Though not illustrated, when the 'Delete' button is clicked, an alert dialog box appears requiring the Administrator to confirm his/her decision by clicking 'OK'. If the Administrator does not wish to delete the team, he/she may close the box. If the Administrator clicks 'OK', the team is deleted and another alert dialog box appears confirming the team has been deleted.

[0219] Figure 48 illustrates a page presented when a link listed under 'Active Teams' has been clicked. When a link listed under the 'Active Teams' is clicked, the system returns this page with the relevant information of both the Coach and team. This information may be edited and then updated to the system by clicking the 'Save' button. This list includes all teams of the given Coach, whether created by the Administrator or Coach. The 'Start time' and 'Day of week' fields appear empty if the team has not been scheduled for League Play.

[0220] Figure 49 illustrates a page presented when the 'Start time' and 'Day of week' fields are filled in and saved by clicking 'Save.' The Administrator may now schedule this team for 'League Play' events.

[0221] Figure 50 illustrates a page presented when the Administrator has just clicked the 'Leagues' link and has been brought to this page. When the Administrator clicks the 'Leagues' link in navigation bar, the page defaults to schools that begin with the letter 'A'. The left page

displays an 'Add League' button which appears on all left pages connected to the 'Leagues' link on the navigation bar. Whenever the Administrator clicks this link, the empty 'League name' form displayed on the right page appears, just as it does when 'Leagues' is clicked.

[0222] Figure 51 illustrates a page presented when the Administrator enters text in the 'League name' field and clicks 'Save.' As illustrated, a new league is created in the system and appears on the left hand side of the page.

[0223] Figure 52 illustrates a page presented when the Administrator has just saved a league to the system. When a league is saved to the system, it is automatically presented in the alphabetized list on the left page, and highlighted. The 'Select teams to add to the league' scroll now appears which lists teams that can be added to the league. When a team is selected from the scroll and 'Add' is clicked, it automatically appears in the list below. Also, a 'Cycles' link appears. When clicked, the Administrator is brought to the 'Cycles' page for that league (see Cycles Figures below). The 'Merge intra-school teams into one team' checkbox also appears. If the Administrator checks the box, then, when a cycle is created for the league, multiple teams from the same school are treated as if they were one team. The system will arrange the series of competitions in any given cycle between schools, not teams. In this scenario, intra-school teams will not compete against each other during a cycle. Conversely, if the Administrator does not check the box, multiple teams from the same school will be treated as if they were separate teams from separate schools. The system will schedule the series of competitions in any given cycle between teams. In this scenario, intra-school teams may compete against each other during a cycle. When the Administrator clicks 'Save', all details are uploaded to the system.

Merged League Play Example

[0224] In this example, a 'Unit' is a team that is competing with other teams from the same school, all as a single team in the same league.

[0225] School A has 3 units with the following 'Start time'/'Day of week' entries:

A1: Mon 4PM

A2: Mon 5PM

TKEL-0002

A3: Mon 6PM

[0226] School B has 2 units with the following 'Start time'/'Day of week' entries:

B1: Mon 4PM

B2: Mon 5PM

[0227] School C has 1 team with the following 'Start time'/'Day of week' entries:

C1: Mon 4PM

[0228] Round 1: School A Versus School B (C gets a Bye). 1 hour exam.

4PM: A1 will compete live against B1

5PM: A2 will compete live against B2

6PM: A3 will compete alone against Personal Best Opponent.

[0229] The final results for each unit (from School A or B) are not recorded in the system, neither in the Coach's nor the Team Member's 'Results' pages. However, once all units have finished the exam (*i.e.* 7PM), a final 'Team Score' for School A is calculated by taking the average 'Team Score' of the 3 units from School A and comparing it to the average 'Team Score' of the 2 units from School B. This then appears in both the Coach's and the Team Member's 'Results' pages for both schools in the 'Overall Progress' (Team) page and in the 'Match Details' pages (see Coach/Team Member 'Results' pages generally).

[0230] Round 2: School B Versus School C (A gets a Bye). 1 hour exam.

4PM: B1 will compete against C1

5PM: B2 will compete alone against Personal Best Opponent.

[0231] The final results for each unit (from School B) are not recorded in the system, neither in the Coach's nor the Student's Results pages. However, once all units have finished the exam (*i.e.* 6PM), a final 'Team Score' for School B is calculated by taking the average 'Team Score' of the 2 units from School B and comparing it to the 'Team Score' of the team from School C. This

will appear in both the Coach's and the Student's Results pages for both schools in the 'Overall Progress' (Team) page and in the 'Match Details' pages (see Coach/Team Member 'Results' pages generally).

[0232] Figure 53 illustrates a page presented when the cursor is placed above a team and a 'Remove' link appears. When clicked, the team is removed from the league.

[0233] Figure 54 illustrates a page presented when 'Save' is clicked and all teams that have been added to the list are now saved in the system as members of the league. The Administrator may return to this page at any time and edit either the league name, the teams included in the league, or the 'merge' preference by making the changes and clicking 'Save'.

[0234] Figure 55 illustrates a page presented when the Administrator has just clicked the 'Cycles' button on the 'Add League' page. When the Administrator clicks the 'Cycles' button on the 'Add League' page, he/she is brought to the 'Cycles' page. On the right hand side of the page, an 'Edit League' link appears. When clicked, the Administrator is brought to the 'Edit League' page for that league. The left hand side of the page remains the same.

[0235] Figure 56 illustrates a page presented when the Administrator chooses to add a new 'Cycle' to a league by entering a 'Start date', 'End date', and a 'Frequency' setting (weekly, bi-weekly, tri-weekly, monthly) and then clicking 'Save'. The system generates a round-robin type schedule.

[0236] Figure 57 illustrates a page presented when the Administrator has just saved a cycle to the system. When a cycle is saved to the system, the 'Select from the available question sets' scroll appears which lists question sets that can be attached to each round of the league by clicking 'Assign'. When a question set is assigned, it appears under the last assigned set. 'Round' headings appear below the scroll, the number of which the system determines by a calculation dependent on the 'Start Date', 'End Date', and 'Frequency' variables. All 'Rounds' begin at 12 AM Sunday and conclude at 11:59:59 PM Saturday, not necessarily the same week depending on the 'Frequency' chosen. The 'Start date' calendar only lists Sunday dates and the 'End date' calendar only lists Saturday dates. The moment a 'Round' of a league begins, the system follows a two-step process. First, it identifies and links those teams scheduled to compete against each other during the present 'Round' that have the same 'Start time'/'Day of week' entries, that is,

those teams that will be competing live against each other. In 'Merged League Play' this involves linking 'Units' to 'Units' or 'Units' to teams that have the same 'Start time'/'Day of week'. On the rare occasion when two or more 'Units' competing as part of the same team share the same 'Start time'/'Day of week', only the largest in Team Member count is linked to the opponent 'Unit' or team. Second, the system runs an algorithm that evenly matches Team Members from opposing teams or 'Units' that have been linked using the Interstellar Matching Team Member Algorithm. If a link cannot be made between teams/'Units', then that team/'Unit' plays alone during that 'Round', that is, it still has an opponent, only the competition event is not live. The final score is determined and posted after the last team/'Unit' has completed the exam. This may occur in any instance of a league, whether in 'Merged League Play' or not.

[0237] Figure 58 illustrates a page presented when the cursor is placed over a 'Round' line, a 'Remove' button appears allowing the Administrator to remove that question set (only the most recent addition may be removed).

[0238] Figure 59 illustrates a page presented when 'Save' is clicked and all question sets that have been assigned to rounds are now saved in the system. The Administrator can return to this page at any time and edit either the cycle information or the question set/round information by making the changes and clicking 'Save'.

[0239] Figure 60 illustrates a page presented when the 'Save' under the question set/round section of the 'Cycles' page has just been clicked. When 'Save' under the question set/round section of the 'Cycles' page is clicked, the page empties allowing the Administrator to add another cycle if desired. When the cursor is placed over any cycle/date line, a 'Delete' button appears allowing the Administrator to delete that cycle. Though not displayed, when the 'Delete' button is clicked, an alert dialog box appears requiring the Administrator to confirm his/her decision by clicking 'OK'. If the Administrator does not wish to delete the cycle, he/she may close the box. If the Administrator clicks 'OK', the cycle is deleted and another alert dialog box appears confirming the cycle has been deleted.

[0240] Figure 61 illustrates a page presented when a link under the 'Active Cycles in the League' has just been clicked. When a 'Cycle'/date line has been clicked, this modal appears showing both the details of the 'Cycle' as well as the schedule that the system has automatically

generated. This can be closed by clicking the 'X' box. Because the Administrator did not check the box next to 'Merge intra-school teams into one team?' on the 'Edit League' page, the modal presents a schedule in which the two teams from the same school are not merged. Thus, they compete against the other schools AND against each other.

[0241] Figure 62 illustrates a page presented when the Administrator has just clicked a letter in the alphabetized list. The left hand side of the page displays process by which the Administrator, when he/she clicks a letter in the alphabet line, is brought to a page that shows all the leagues in the system that begin with that letter, arranged alphabetically. When the Administrator places the cursor over a league field, the entire field fills in color. The field remains filled in color so long as the cursor is over it. In addition, a 'Delete' button appears allowing Administrator to delete a league from the system. Though not displayed, when the 'Delete' button is clicked, an alert dialog box appears requiring the Administrator to confirm his/her decision to delete the league by clicking 'OK'. If the Administrator does not wish to delete the league, he/she may close the box. If the Administrator clicks 'OK', the league is deleted and another alert dialog box appears confirming the league has been deleted.

[0242] Figure 63 illustrates a page presented when the Administrator has just clicked a league listed on the 'Leagues' page. When a league on the left page is clicked, its field fills in color (shade slightly darker than in the hover state) and remains this color so long as the Administrator is interacting with the present league. If the Administrator places the cursor over another school, the field fills in the original hover color. The 'Edit League' page for this league automatically appears.

[0243] Figure 64 illustrates a page presented when a link under the 'Active Cycles in the League' has just been clicked. Because the Administrator did check the box next to 'Merge intra-school teams into one team?' on the 'Edit League' page, the modal presents a schedule in which the two teams from the same school are merged. Thus, they compete against the other schools as if they were one team, and never against each other.

Coach Screens

[0244] Figure 65 illustrates a page presented when the Coach has just clicked the 'Profile' link listed in the dropdown. On the left hand side of the page, the Coach uploads a profile photo,

adds/edits his/her name, or enters a brief biographical description by inputting the information and clicking the 'Save' button. The Coach modifies his/her email address and password information by entering the information and clicking the 'Change ID/Password' button. The navigation bar at the top of the screen organizes the Coach domain into 4 areas: 'Manage Team', 'Results', 'Schedule', and 'Create Match!'. The information/functionality that displays when any of these is clicked depends on the team selected/highlighted from the 'Team' dropdown (a team is always selected/highlighted in the dropdown). The process works as follows. When the Coach logs into the system, the first page to appear is the 'Schedule' page of his/her team that has the very next match, with the relevant 'League Play' or 'Pick-Up Play' tab selected. Both that team's name and 'Schedule' is highlighted in the navigation bar. The Coach can retrieve past results for this team by clicking 'Results'. The team's name remains highlighted, only now its 'Results' area is displayed instead of its 'Schedule' area. The Coach can retrieve past results for another team by selecting that team from the dropdown. 'Results' remains highlighted, only now the new team's name is highlighted and the information displayed relates to it. 'Results' is used for example, but the same 'pivoting' logic applies to the other areas. The dropdown at the upper right lists 'Profile' and 'Sign out'. When 'Profile' is clicked the Coach is brought to this page. When 'Sign out' is clicked, the Coach is logged out of the system and returned to the Interstellar home page. The photo that the Coach uploads is used as the heading of the dropdown.

[0245] Figure 66 illustrates a page presented when the Coach has just clicked the 'Team' dropdown. That the 'Schedule' page appears is not relevant as this dropdown could be accessed whether the Coach is on a 'Schedule' page, a 'Results' page, a 'Manage Team' page, the 'Create Match!' page, or his/her 'Profile' page. The 'Team' dropdown includes the option to '+Add Team'. Choosing this option brings the Coach to a modal that allows him/her to create a new team.

[0246] Figure 67 illustrates a page presented when the Coach has just selected the '+Add Team' listing in the 'Team' dropdown. The Coach can add a new team by filling out the 'Grade Level' and 'Course' fields and clicking the 'Save' button. This modal follows the team naming logic discussed above.

[0247] Figure 68 illustrates a page presented when the Coach has successfully added a new team. When a Coach adds a new team, he/she is immediately brought to the 'Manage Team' area

for the new team and the corresponding 'Manage Team' page. In the navigation bar the team name and 'Manage Team' are both highlighted.

[0248] Figure 69 illustrates a page presented to enable the Coach to enter the e-mail addresses of all students he/she intends to add to his/her team in the field under 'Invite students to join your team'.

[0249] Figure 70 illustrates a page presented when the Coach has just listed a series of e-mails in the field on the right and clicked the 'Send invitation(s)' button. When e-mail addresses are entered into the field on the right hand side of the page and the 'Send invitation(s)' button is clicked, the system automatically sends an invitation to join the Interstellar Network to each address. Those e-mail addresses then appear in the list immediately below as 'Pending' until the recipient activates his/her account.

[0250] Figure 71 illustrates a page presented when the e-mail recipients listed as 'Pending' in Figure 70 have all activated their accounts. The Coach has clicked the 'Team Members' tab. When the recipient of an invitation to join a team in the Interstellar Network accepts, his/her name and e-mail address appears in the alphabetized 'Team Members' list. When the Coach places the cursor over a Team Member, a 'Deactivate' button appears. When clicked, the Team Member is deactivated from the team. The Team Member still has access to the system, but cannot participate in future competitions.

[0251] Figure 72 illustrates a page presented when the Coach has just clicked the 'Details' tab. The Coach may enter multiple periods when his/her team is available to compete in the 'Team Availability' area by filling out the required fields and clicking the 'Add' button. Later, when a Coach is attempting to schedule a 'Pick-Up Play' match for his/her team and is searching for a team to compete against, the system automatically searches and display teams for the Coach to choose from that have common availability.

[0252] Figure 73 illustrates a page presented when the Coach has just added a time period of availability. When a Coach adds a time period of availability, it automatically appears in the list below the 'Team Availability' fields. A 'Delete' button appears when the cursor hovers above it. When the 'Delete' button is clicked, the time period is removed from the list.

[0253] Figure 74 illustrates a page presented where the Coach can either select 'Individual Score' or 'Team Score'. As illustrated below, when the Coach selects the former, the scoreboard displayed to the individual during any competition event for this team shows the score (number of questions answered correctly) of both the individual and of his/her matched opponent. Even though the system automatically matches Team Members, the results of this process may be overridden by the Coach if he/she selects 'Team Score.' In this case, the scoreboard displayed to the Team Member shows the 'Team Score' of his/her team and the 'Team Score' of his/her opponent's team. The ability to display 'Team Score' depends on two teams competing live. If they are not competing live (this scenario only occurs in League Play), the scoreboard displays the individual's score versus his/her Personal Best Opponent score, regardless of the Coach's score selection.

[0254] Figure 75 illustrates a page presented when the Coach places the cursor over the team name and a 'Delete' button appears allowing the Coach to delete that team from the system. Though not displayed, when the 'Delete' button is clicked, an alert dialog box appears requiring the Coach to confirm his/her decision to delete the team by clicking 'OK'. If the Coach does not wish to delete the team, he/she may close the box. If the Coach clicks 'OK', the team is deleted and another alert dialog box appears confirming the team has been deleted.

[0255] Figure 76 illustrates a page presented when the Coach has just clicked the 'Create Match!' button. When the Coach clicks 'Create Match!' he/she is brought to the Create Match page. On the left hand side of the page are 3 areas/steps, all of which must be completed to create a Pick-Up Play match. On the right page is the 'Question Area'. It follows the same logic as the 'Question Area' in the Administrator area, except that a Coach cannot delete a question from the Interstellar Network Library unless he/she created it originally. Figure 77 illustrates that the first step in creating a Pick-Up Play match is to select the date and start time for the match, as well as the length of the match. Figure 78 illustrates that the second step in creating a Pick-Up Play match is to select a question set from the dropdown on the left page. These question sets are identical to those that would be found in the question set dropdown on the right hand side of the page.

[0256] Figure 79 illustrates a page presented when a question set (chain rule) has just been selected. When a question set is selected, the ‘Question Area’ populates with the stored information relating to that question set.

[0257] Figure 80 illustrates a page presented when the Coach has chosen to divide his/her team into multiple teams, an option relating to the third step in creating a Pick-Up Play match. When a Coach has chosen to divide his/her team into multiple teams, three fields appear: the ‘Team Roster’ field, the team creation field, and the team number dropdown. The names of all the Team Members appear in the ‘Team Roster’ field (ordered by rank). The Coach can divide his/her team into a number of smaller teams by choosing the appropriate number from the dropdown.

[0258] Figure 81 illustrates a page presented when a number for the amount of teams has just been selected. When the number for the amount of teams is chosen, a list of teams appears corresponding to that number. Once a team is selected, the Coach can select a student for a particular team or return a particular student to the Team Roster field by highlighting the student and utilizing the two arrow buttons. If two teams have been chosen, the system requires that they be divided as evenly as possible. If one of the two teams has two or more students than the other, an alert box appears prompting the Coach to make the teams more even. If three or more teams have been chosen, a separate slot appears in the team creation field for the ‘team captain’. This slot is occupied by the last Team Member selected for a particular team. The ‘team captain’ is the only Team Member on each subdivided team that signs in for the competition event and completes the test. This functionality is intended for the Coach who wants his/her students to work together during the competition event, not independently. Only the results of the original team, not those of the teams that have been created by dividing the original team, are recorded in the Results pages of both the Coach and Team member.

[0259] Figure 82 illustrates a page presented when the Coach clicks the ‘Save’ button, and a selection is missing. As illustrated, an alert box appears directing the Coach to complete the selection. If the Coach clicks ‘Save’ and all the required selections have been made, the competition event becomes active and will take place unless canceled. The competition event appears on the ‘Schedule’ calendar of the Coach as ‘Scheduled’ and on the ‘Schedule’ calendar of every Team Member. If only two teams have been created, the system runs the Interstellar Matching Team Member Algorithm that evenly matches Team Members from the opposing two

teams for the competition event. Once the Coach has selected at least one Team Member for a team and clicks another team, “(complete)” appears next to the team to which the Team Member was added. “(complete)” will appear next to the team unless all Team Members are removed, in which case the area returns to being blank.

[0260] Figure 83 illustrates a page presented when the Coach has chosen to challenge another team, another option relating to the third step in creating a Pick-Up Play match. When a Coach chooses to challenge another team, a list of possible teams to challenge appears in a new field. By selecting the teams in the dropdown, the Coach may invite multiple teams for a competition. The system sorts teams first by grade level and then by course. Only teams with common availability times are displayed. If the Coach clicks the ‘Save’ button, and a selection is missing, an alert box appears directing the Coach to complete the selection. If the Coach clicks ‘Save’ and all the required selections have been made, the event then appears on the ‘Schedule’ calendar of the Coach as ‘Pending’. It will only take place if another Coach accepts.

[0261] Figure 84 illustrates a page presented when the Coach has just clicked ‘Send Challenge’ on a ‘Match Summary’ page. When a Coach clicks ‘Send Challenge’ on a ‘Match Summary’ page, an e-mail invitation is sent to all the Coaches that he/she has chosen to invite.

[0262] Figure 85 illustrates a page presented when the Coach has sent a challenge to another team or teams. The first Coach to accept a challenge invitation from another Coach wins the challenge. When the first Coach accepts, the competition event becomes active and will take place unless canceled; the competition event appears on the ‘Schedule’ calendar of both Coaches as ‘Scheduled’ and on the ‘Schedule’ calendar of every Team Member from both opposing teams. The system runs the Interstellar Matching Team Member Algorithm to evenly match Team Members from both opposing teams for the competition event. Both the sending Coach and the accepting Coach receive an email confirming that the match has been set.

[0263] Figure 86 illustrates a page presented when the Coach has sent a challenge to another team or teams but another Coach has accepted a challenge first. In such a case, or if the match is canceled/expires, a Coach accepting a challenge invitation subsequent to these events receives an email reciting that his/her acceptance has been denied.

[0264] Figure 87 illustrates a page presented when the Coach has selected a team from the 'Team' dropdown and clicked 'Schedule' (the order of these steps does not matter in the system). When the 'Schedule' link is clicked for any team, the system displays that team's calendar of events on the left hand side of the page, divided by tabs into two categories: 'League Play' and 'Pick-Up Play'. The system automatically selects the tab in which the next event for the team is scheduled to occur. Here, the system has selected the 'League Play' tab since that is the category of the next event. The Coach may switch from the 'League Play' 'Schedule' page to the 'Pick-Up Play' 'Schedule' page, and vice versa, by clicking the relevant tab. If a team does not have a competition in one of the two categories scheduled, then the tab page appears empty when the tab is clicked, except for the calendar and the headings. The calendar displays the team's 'Scheduled' 'League Play' events, both their date and time. The 'Meet Your Next Opponent' field introduces the Coach to his/her next opponent Coach in time. It describes the school which the opponent Coach is from and the grade/subject of his team. It also contains the short biography that would be found in the opponent Coach's profile page. The 'Start time' field alerts the Coach to the exact time of the next competition in time as well as the exact amount of time until the competition begins (displayed by the countdown timer).

[0265] Figure 88 illustrates a page presented when the Coach has clicked the 'Pick-Up Play' tab. The next 'Pick-Up Play' competition event is one in which the Coach divided his team into two teams which will compete against each other (referred to as 'Pick-Up Play Intra-team' competition herein). The calendar displays the team's 'Scheduled' 'Pick-Up Play' events, both their date and time. If more than one 'Pick-Up Play' competition is scheduled on one date, the times stack in the date square. The calendar displays 2 types of 'Pick-Up Play' related markers: 'Pending' and 'Scheduled'. The 'Pending' marker denotes a competition which has been sent to another Coach or Coaches for acceptance, but which has not as yet been accepted by another Coach. The 'Scheduled' marker denotes a competition that is active in the system. There are never 'Pending' markers displayed on a 'League Play' 'Schedule' page. Since the next competition event is one in which the Coach has divided his team into two teams, those two teams both appear under 'Meet Your Next Opponent'. The Coach's own school name/mascot appear for clarity and consistency in the system. The 'Start time' field alerts the Coach to the exact time of the next competition in time as well as the exact amount of time until the competition begins (displayed by the countdown timer).

[0266] Figure 89 illustrates a page presented when the Coach has clicked the 'Pick-Up Play' tab. The next 'Pick-Up Play' competition event is one in which the Coach has challenged another team (referred to as 'Pick-Up Play Inter-team' competition herein). Since the next 'Pick-Up Play' competition event is one in which the Coach has challenged another team, that team appears under 'Meet Your Next Opponent'.

[0267] Figure 90 illustrates a page presented when the Coach has just clicked a 'Pending' 'Pick-Up Play' Inter-team competition on a 'Pick-Up Play' 'Schedule' page. If a competition is 'Pending' it is always a 'Pick-Up Play Inter-team' competition. When the Coach clicks a 'Pending' 'Pick-Up Play Inter-team' competition on a 'Pick-Up Play' 'Schedule' page, he/she is returned to the 'Create Match!' area where the 'Pending' competition was originally created. However, there is one difference: the 'Save' button is no longer present, only a 'Cancel Match' button. When the 'Cancel' button is clicked, the pending match is removed from the Coach's calendar and the system generally.

[0268] Figure 91 illustrates a page presented when a 'Pending' Pick-Up Play' Inter-team competition has just been canceled. By placing the cursor over a date with an event scheduled in either 'League Play' or 'Pick-Up Play', the Coach can view the opponent school.

[0269] Figure 92 illustrates a page presented when the Coach has just clicked a 'Scheduled' 'Pick-Up Play Intra-team' competition on a 'Pick-Up Play' 'Schedule' page. When the Coach clicks a 'Scheduled' 'Pick-Up Play Intra-team' competition on a 'Pick-Up Play' 'Schedule' page, he/she is returned to the 'Create Match!' area where the 'Scheduled' competition was originally created. However, there is one difference: the 'Save' button is no longer present, only a 'Cancel Match' button. When the 'Cancel' button is clicked, the 'Scheduled' match is removed from the system, disappearing from the calendars of both the Coach and all the Team Members on the Team.

[0270] Figure 93 illustrates a page presented when the Coach has just clicked a 'Scheduled' 'Pick-Up Play' Inter-team competition on a 'Pick-Up Play' 'Schedule' page. When the Coach clicks a 'Scheduled' 'Pick-Up Play Inter-team' competition on a 'Pick-Up Play' 'Schedule' page, he/she is returned to the 'Create Match!' area where the 'Scheduled' competition was originally created. However, there is one difference: the 'Save' button is no longer present, only

a 'Cancel Match' button. When the 'Cancel' button is clicked, the 'Scheduled' match is removed from the system, disappearing from the calendars of both Coaches and all the Team Members of both Teams.

[0271] Figure 94 illustrates a page presented when the Coach has just canceled a 'Scheduled' 'Pick-Up Play Inter-team' competition. When a Coach cancels a 'Scheduled' 'Pick-Up Play Inter-team' competition, an email is sent to the accepting Coach instructing him/her of the cancellation.

[0272] Figure 95 illustrates a page presented when the Coach has selected a team from the 'Team' dropdown and clicked 'Results' (the order of these steps does not matter in the system). When the 'Results' link is clicked for any team, the system displays that team's results divided by tabs into two categories: 'Pick-Up Play' and 'League Play'. The system automatically selects the tab in which the next event for the team is scheduled to occur. Here, the system has selected the 'League Play' tab since that is the category of the next event. The Coach may switch from the 'League Play' 'Schedule' page to the 'Pick-Up Play' 'Schedule' page, and vice versa, by clicking the relevant tab. Though not necessary, the same type of data, and data presentation formats, are used in both the 'League Play' and 'Pick-Up Play' tabs for all Coach 'Results' pages. When either tab is clicked, the 'Overall Progress' page appears first. If a team has not had a competition in one of the two categories, then the tab page appears empty when the tab is clicked, except for the headings. If a team has had a competition in one of the two categories, then the results will appear as shown. The left hand side of the page lists the date the team competed, the time, and the team against which it competed. The right hand side of the page shows a graph that aggregates data from all the competitions of this team, displaying the percentage of questions that the team answered correctly on average for each date of competition.

[0273] Figure 96 illustrates a page presented when the Coach has just selected a Team Member from the 'Select a Team Member' dropdown on the 'Overall Progress' page. When the Coach selects a Team Member from the 'Select a Team Member' dropdown on the 'Overall Progress' page, the right hand side of the page shows a graph that aggregates data from all the competitions of this Team Member, displaying the percentage of questions that he/she answered correctly for each date of competition.

[0274] Figure 97 illustrates a page presented when the Coach has just clicked the highlighted field. When a Coach clicks a date field on the left page, the field fills in color and two data presentations appear on the right page. The first shows the final 'Team Score,' and the second shows a ranking of all Team Members by number of questions answered correctly. The 'Final ?' button, when clicked, triggers an alert box which explains how 'Team Score' is calculated.

[0275] Figure 98 illustrates a page presented when the Coach has just selected a Team Member from the 'Select a Team Member' dropdown on the 'Match Details' page. When the Coach selects a Team Member from the 'Select a Team Member' dropdown on the 'Match Details' page, two data presentations appear on the right hand side of the page. The first shows the final 'Team Score,' and the second shows the individual performance of the Team Member and his matched opponent. This appears even if the Coach has selected 'Team Score' for this team, only no opponent information would be presented.

Team Member Screens

[0276] Figure 99 illustrates a page presented when the Team Member has just clicked the 'Profile' link on his/her navigation bar. The navigation bar at the top of the screen organizes the Team Member domain into 3 areas: Teammates, Results, and Schedule. The logic of the navigation bar for the Team Member follows the logic of the navigation bar for the Coach as noted above. On the left hand side of the page, the Team Member uploads a profile photo, adds/edits his/her name, enters a brief biographical description, or modifies his/her email address and password information by entering the information and clicking the 'Change ID/Password' button. On the right hand side of the page, for any team where the Coach has chosen to display 'Individual score' on the scoreboard, the Team Member may elect to have his identity concealed from his matched opponent by clicking the 'Yes' next to the team (all teams of which the Team Member is a member appear in this list). If the Team Member elects to have his identity concealed, he/she will not be able to view the identity of his/her matched opponent (assuming it is someone other than his/her Personal Best Opponent). In addition, the Team Member may choose a background image for the match area from those offered by the Interstellar Network or may upload his/her own photo. The dropdown at the upper right lists 'Profile' and 'Sign out'. When 'Profile' is clicked the Team Member is brought to the present page. When 'Sign out' is

clicked, the Team Member is logged out of the system and returned to the Interstellar Network home page. The photo that the Team Member uploads is used as the heading of the dropdown.)

[0277] Figure 100 illustrates a page presented when the Team Member has selected a team from the 'Team' dropdown and clicked 'Teammates' (the order of these steps does not matter in the system). When the Team Member clicks 'Teammates' for a particular team, all those teammates appear, along with their e-mail addresses, in alphabetical order. In addition, the name and e-mail of that team's Coach appear.

[0278] Figure 101 illustrates a page presented when the Team Member has selected a team from the 'Team' dropdown and clicked 'Results' (the order of these steps does not matter in the system). This screen follows the logic described above and displays the graphs presented above for the individual and team results.

[0279] Figure 102 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page. The Coach chose to display 'Individual Score' on the scoreboard for this competition. The Team Member and the Team Member opponent have both decided not to conceal their identity. When the Team Member clicks a date under 'Results' in which the Coach chose to display 'Individual Score' on the scoreboard and both the Team Member and the Team Member opponent decided not to conceal their identity, the 'Match Details' area displays the graphs above. The 'Individual Performance Ranking' graph only displays the ranking of Team Members who have not chosen to conceal their identity for this team to other Team Members. However, a Team Member's own ranking always appears to himself/herself, regardless of his/her choice to conceal.

[0280] Figure 103 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page. The Coach chose to display 'Individual Score' on the scoreboard for this competition and either the Team Member decided to conceal his/her identity, or his/her opponent decided to conceal his/her identity. When the Team Member clicks a date under 'Results' in which the Coach chose to display 'Individual Score' on the scoreboard and either the Team Member decided to conceal his/her identity or his/her opponent did, the identity of the opponent Team Member appears concealed on the 'Match Details' page as illustrated.

[0281] Figure 104 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page. The Coach chose to display 'Team Score' on the scoreboard for this competition. When the Team Member clicks a date under 'Results' in which the Coach chose to display 'Team Score' on the scoreboard, regardless of the Team Member's choice to conceal his/her identity, only the 'Team Score' appears in the 'Match Details' page.

[0282] Figure 105 illustrates a page presented when the Team Member has just clicked a date under 'Results' on the left hand side of the page. The team did not have the same 'Start Time'/'Day of week' as the opponent team. When the Team Member clicks a date under 'Results' in which the team did not have the same 'Start Time'/'Day of week' as its opponent team (this scenario only occurs in League Play), Personal Best Opponent information appears in the 'Match Details' page as illustrated.

[0283] Figure 106 illustrates a page presented when the Team Member has just clicked 'Schedule'. This screen follows the logic described in Figure 87. The system's matching algorithm determines the Team Member's next individual opponent.

[0284] Figure 107 illustrates a page presented when the Team Member has just clicked the 'Pick-Up Play' tab. This screen follows the logic described above. Only a 'Scheduled' competition appears on a Team Member's 'Pick-Up Play' calendar, not a 'Pending' competition as appears in the Coach's 'Pick-Up Play' calendar. The system's matching algorithm determines the Team Member's next individual opponent. If the next event was a 'Pick-Up Play Intra-team' event, then the 'Meet Your Next Opponent' area would display the information presented in Figure 88. By placing the cursor over a date with an event scheduled in either 'League Play' or 'Pick-Up Play', the Team Member can view the opponent school.

[0285] Figure 108 illustrates a page presented when either a 'League Play' or 'Pick-Up Play' competition is about to begin, the Coach has chosen to display individual score on the scoreboard, and the matched Team Member competitors have both logged into the system. No matter what page a logged-in Team Member is viewing in the Interstellar application, one minute prior to a competition in which the Team Member is scheduled to compete, he/she is brought to a waiting room that displays a countdown clock until the competition begins. As soon as the Team

Member opponent enters the waiting room, a notice appears to the Team Member notifying him/her of the Team Member opponent's presence. The radius line inside the clock figure displayed in the scoreboard marks the proportion of time remaining in the competition. For example, when it is pointing to the right at the 3 o'clock position, this signifies that 3/4 of the time for the competition remains. The radius line rotates around the clock figure until no time remains. Each player is represented by a 'chip'. Their placement in the circular 'tube' on the periphery of the clock figure tells the Team Member exactly where he/she and his/her opponent are with respect to questions already answered. For example, when the Team Member's triangle is at the 6 o'clock position, this signifies to the Team Member that he/she has completed 1/2 of the competition and that 1/2 remains. The marks around the tube represent each question.

[0286] When a Coach has created an intra-team Pick-Up Play competition and has divided his/her team into three or more smaller teams, or when the Coach has divided his/her team into two teams and has chosen to display team score, the scoreboard of Figure 108 is also displayed, only the same school logo is displayed for both competitors and team names appear where individual names otherwise would (e.g. Loyola Academy logo/'Team A' versus Loyola Academy logo/'Team B'). In the former scenario, the score that appears as the competitor's score during the match is always the score of the competitor with the highest percentage at any given point during the match. If there is a tie between two or more competitors, the score of the competitor that has finished the lesser part of the test is displayed. In this scenario, contrary to Figure 108, the opponent team name field remains blank until the test is in progress, although the school logo is displayed. Team Members are never individually matched when three or more teams are competing. When a Coach has created an intra-team Pick-Up Play competition, has divided his/her team into two teams, but has chosen to display individual score, the same school logo is displayed for both competitors, only now individual names appear in the name field. When a Coach has created an inter-team Pick-Up Play competition and has chosen to display team score, the logo of each school appears on the scoreboard as well as the name of their respective mascots.

[0287] In all instances where team score is displayed on the scoreboard, even though the score displayed is an average, only whole numbers are used. A point for a team is registered on the scoreboard only once the average of questions answered correctly for the team has gone up by

one. For example, on a 20 person team, 20 questions must be answered correctly before a point is registered on the scoreboard, no matter which Team Members answer them. At the end of the competition event, the average of each team is rounded up or down appropriately to determine a final 'Team Score' for that team. In the event that both teams would have the same 'Team Score', the 'Team Score' of the team with the higher average is rounded up and the 'Team Score' of the team with the lower average is rounded down. For example, if one team's average was 23.4, and the other team's average was 23.3, the former team's 'Team Score' would be rounded up to 24 and the latter team's 'Team Score' would be rounded down to 23. Similarly, if one team's average was 23.7, and the other team's average was 23.6, the former team's 'Team Score' would be rounded up to 24 and the latter team's 'Team Score' would be rounded down to 23. In 'Merged League Play', the score of the 'Unit' is presented on the scoreboard, not the team of which the 'Unit' is a part.

[0288] Figure 109 illustrates the scoreboard during a contest. As illustrated, as soon as the radius line reaches a mark in the tube, the area behind it fills in as grey. This signifies that the average amount of time allotted for a particular question has elapsed. As long as the Team Member (represented by a chip) is even (as shown) or ahead of the leading edge of the grey area, then the tube remains white, signifying to the student that he/she is on track to finish the competition on time.

[0289] Figure 110 illustrates the scoreboard where the space between the leading edge of the grey area and the radius line in relation to the space between the mark at the leading edge of the grey area and the following mark represents the proportion of time that has elapsed for that particular question.

[0290] Figure 111 illustrates the scoreboard where the Team Member (represented by a chip) is behind the leading edge of the grey area. In this case, the tube fills in as red, signifying that the Team Member is not on track to finish the competition in time. As also shown, when the cursor is placed over an image appearing in the question field, an alert box that reads, 'CLICK TO ENLARGE' appears. The image can be enlarged by clicking any point on the image. Figure 112 illustrates the enlarged image when a point on an image appearing in the question field has been clicked.

[0291] Figure 113 illustrates a page presented when a Team Member has just answered a question correctly. When a Team Member answers a question correctly, the scoreboard pulses with a flash of light/color, signifying the question was answered correctly.

[0292] Figure 114 illustrates a page presented when the allotted time for the competition has elapsed. The final score information for the team and Team Member is posted in the question field as illustrated.

[0293] Figure 115 illustrates a page presented when an Administrator, Coach, or Team Member has just clicked 'Sign out' within the Interstellar Network application. The Administrator, Coach, or Team Member login session is immediately terminated when 'Sign out' is clicked.

[0294] Those skilled in the art will appreciate that the computing environment of the invention may be a computer, a mainframe, a server (*e.g.*, Interstellar Network server 20), or the like. According to an example embodiment, the computing environment may include hardware components and/or software components such that the computing environment may be used to execute applications such as internet applications, operating systems, server applications, client applications, database applications, or the like. In any case, the computing environment should have the resources to implement the systems and methods described herein.

[0295] In an example embodiment, the computing environment may further include a processor that may be in operative communication with an instruction memory (both not shown) and instructed by an operating system to execute application programs for implementing the methods described herein. The processor may include a standardized processor, a specialized processor, a microprocessor, or the like for executing instructions for implementing the methods described herein. The instruction memory may include a computer readable storage device in the form of volatile and/or nonvolatile memory such as random access memory (RAM), read only memory (ROM), cache, Flash memory, a hard disk, or any other suitable storage component. In one embodiment, the instruction memory may be a separate component in communication with the computing environment and the processor.

[0296] Those skilled in the art will also appreciate that the invention may be applied to other applications and may be modified without departing from the scope of the invention. For

TKEL-0002

example, the system described herein may permit more than two contestants and more than two teams to compete against each other at the same time and in the same cycle. Alternatively, the clock face component may be useful for education testing generally given its ability to assist students in maintaining the proper pace throughout a test. Accordingly, the scope of the invention is not intended to be limited to the exemplary embodiments described above, but only by the appended claims.

What is Claimed:

1. A system for on-line academic competition, comprising:
 - a database that stores test questions; team, coach, and individual contestant profiles; and test response statistics for the teams and individual contestants; and
 - a processor programmed to interact with the database and with coach and individual contestant processing devices to perform the steps of:
 - enabling the creation of teams of individual contestants by the coach for participation in academic competition;
 - presenting predetermined test questions to the processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and
 - providing a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly.
2. A system as in claim 1, wherein the processor calculates a winner of an academic competition between teams and/or between respective individual contestants.
3. A system as in claim 1, wherein the processor enables a contestant to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.
4. A system as in claim 1, wherein the scoreboard is presented with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.
5. A system as in claim 1, wherein the scoreboard displays an individual score, as determined by a number of questions answered correctly by each of matched individual

contestants, or a team score, as determined by taking a running average of all individual contestant scores from the respective teams and rounding to the nearest whole number.

6. A system as in claim 1, wherein the processor evenly matches individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

7. A system as in claim 1, wherein the processor enables the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

8. A system as in claim 7, wherein the processor enables one team to search for and then challenge another team of common time availability to an academic competition and enables a team to be divided into multiple teams for an intra-team academic competition.

9. A system as in claim 1, wherein the processor enables the creation of a live competition event between two teams by enabling the coach to:

select a date, time, and length for an academic competition;

select a question set for the academic competition; and

select a team from a list of teams having a common time availability.

10. A system as in claim 1, wherein the processor enables the creation of a live competition event within one team by enabling the coach to:

select a date, time, and length for an academic competition;
select a question set for the academic competition; and
divide the team into two or more opposing teams by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team.

11. A system as in claim 1, wherein the processor further enables the coach to create and save questions including the assignment of images to them, or to choose questions from a database of questions submitted by other coaches for utilization in an academic competition.

12. A system as in claim 11, wherein the processor enables the coach to create a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

13. A system as in claim 1, wherein the processor enables an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

14. A system as in claim 1, wherein the processor facilitates the introduction of contestants to contestants and coaches to coaches from opposing teams.

15. A method for on-line academic competition, comprising:
enabling the creation of teams of individual contestants by a coach for participation in academic competition;
presenting predetermined test questions to the processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and
providing a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly.

16. A method as in claim 15, further comprising calculating a winner of an academic competition between teams and/or between respective individual contestants.
17. A method as in claim 15, further comprising enabling a contestant to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.
18. A method as in claim 15, wherein the scoreboard is presented with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.
19. A method as in claim 15, wherein the scoreboard displays an individual score, as determined by a number of questions answered correctly by each of matched individual contestants, or a team score as determined by taking a running average of all individual contestant scores from the respective teams and rounding to the nearest whole number.
20. A method as in claim 15, further comprising matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:
- limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or
 - leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or
 - setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or
 - allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.
21. A method as in claim 15, further comprising enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

22. A method as in claim 21, further comprising enabling one team to search for and then challenge another team of common time availability to an academic competition and enabling a team to be divided into multiple teams for an intra-team academic competition.

23. A method as in claim 15, further comprising creating a live competition event between two teams by:

- selecting a date, time, and length for an academic competition;
- selecting a question set for the academic competition; and
- selecting a team from a list of teams having a common time availability.

24. A method as in claim 15, further comprising creating a live competition event within one team by:

- selecting a date, time, and length for an academic competition;
- selecting a question set for the academic competition; and
- dividing the team into two or more opposing teams by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team.

25. A method as in claim 15, further comprising enabling the coach to create and save questions, including the assignment of images to them, or to choose questions from a database of questions submitted by other coaches for utilization in an academic competition.

26. A method as in claim 25, wherein the coach creates a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

27. A method as in claim 15, further comprising enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

28. A method as in claim 15, further comprising facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

29. A computer readable storage device having instructions stored thereon that when executed by a processor cause the processor to provide an on-line academic competition including the steps of:

enabling the creation of teams of individual contestants by a coach for participation in academic competition;

presenting predetermined test questions to processing devices of the individual contestants of competing teams for response in a time frame allocated for the academic competition; and

providing a real time scoreboard that permits each individual contestant to track his/her and his/her opponent's progress with respect to both the time frame for answering questions and questions answered correctly.

30. A storage device as in claim 29, further comprising instructions for calculating a winner of an academic competition between teams and/or between respective individual contestants.

31. A storage device as in claim 29, further comprising instructions for enabling a contestant to conceal his/her identity from a competing contestant or to permit the display of his/her name and photo on the scoreboard of the competing contestant.

32. A storage device as in claim 29, wherein the scoreboard is presented with a clock face component that alerts the contestant as to whether he/she is on pace to finish the test questions in the allocated time frame.

33. A storage device as in claim 32, wherein the scoreboard displays an individual score, as determined by a number of questions answered correctly by each of matched individual contestants, or a team score as determined by taking a running average of all individual contestant scores from the respective teams and rounding to the nearest whole number.

34. A storage device as in claim 29, further comprising instructions for matching individual contestants from opposing teams 1:1, 2:1, 3:1, ... N:1, where N is an integer, until all contestants have been matched, in accordance with at least one of the following rules:

limiting a maximum number of consecutive visits (MNCV) to the smallest integer greater than or equal to n/m , where n is the number of contestants from a larger group and m is the number of contestants from a smaller group; or

leaving the MNCV unconstrained in which case the MNCV is $n-m+1$; or

setting the MNCV to an integer smaller than $n-m+1$ and larger than the smallest integer greater than or equal to n/m ; or

allowing stages to be represented by not only a stage number, but by a number of consecutive visits as well in which case individual contestants in the larger group are paired multiple times.

35. A storage device as in claim 29, further comprising instructions for enabling the creation of leagues of teams, in which separate teams can be merged to form one team, and the creation of a cycle of academic competitions amongst a league of teams.

36. A storage device as in claim 35, further comprising instructions for enabling one team to search for and then challenge another team of common time availability to an academic competition and for enabling a team to be divided into multiple teams for an intra-team academic competition.

37. A storage device as in claim 29, further comprising instructions for creating a live competition event between two teams by:

selecting a date, time, and length for an academic competition;

selecting a question set for the academic competition; and

selecting a team from a list of teams having a common time availability.

38. A storage device as in claim 29, further comprising instructions for creating a live competition event within one team by:

selecting a date, time, and length for an academic competition;

selecting a question set for the academic competition; and

dividing the team into two or more opposing teams by first deciding the desirable amount of opposing teams and then filling each opposing team with members from the original team.

39. A storage device as in claim 29, further comprising instructions for enabling the coach to create and save questions, including the assignment of images to them, or to choose questions from a database of questions submitted by other coaches for utilization in an academic competition.

40. A storage device as in claim 39, wherein the coach creates a question set by naming the question set in accordance with a predetermined list of categories, populating the question set with questions, and storing any created questions in said database in said predetermined list of categories.

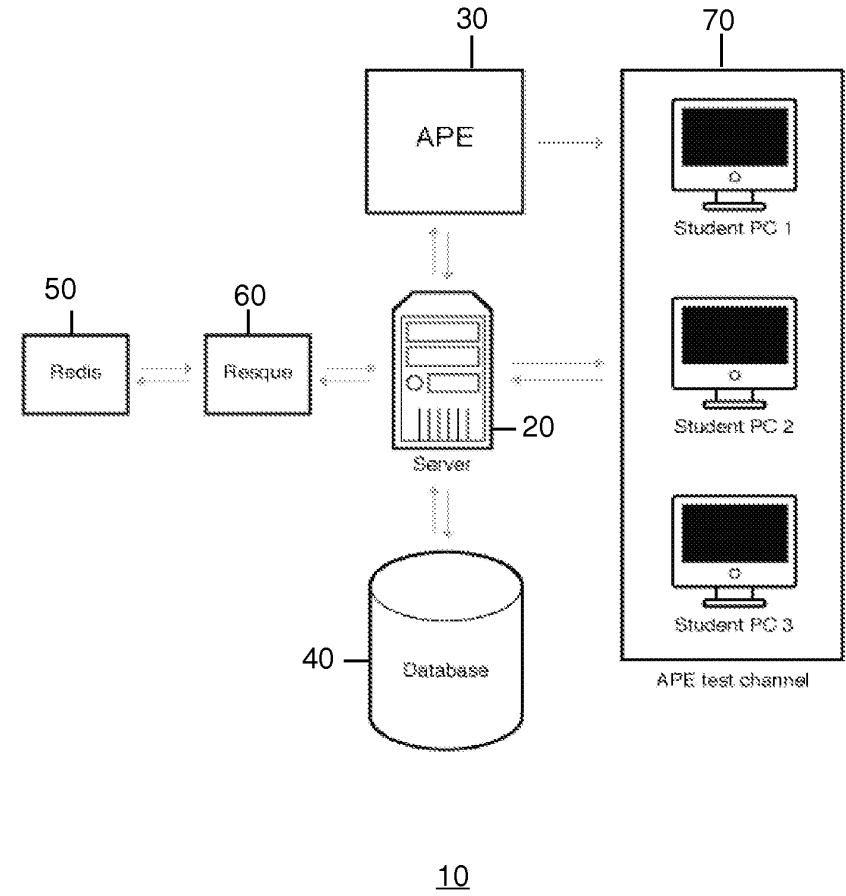
41. A storage device as in claim 29, further comprising instructions for enabling an individual contestant to upload a photo, or select from collection of photos, to be used as a background on a display to the questions presented in an academic competition.

42. A storage device as in claim 29, further comprising instructions for facilitating the introduction of contestants to contestants and coaches to coaches from opposing teams.

ABSTRACT

A web application facilitates live on-line academic competition between teams and individuals based on multiple choice or fill-in-the-blank questions and fosters academic competition between students and schools. Using the software application, a team's Coach may enter his/her team in a league of regular competition, schedule a single competition with another team, or organize a competition between the team's members by dividing the team into multiple teams. The test environment provides the experience of competing over test questions, including a scoreboard that keeps track of progress with respect to the test time and the opponent. Students of comparable abilities on competing teams are matched using a matching algorithm that matches the students based on past test performance and the like.

Figure 1



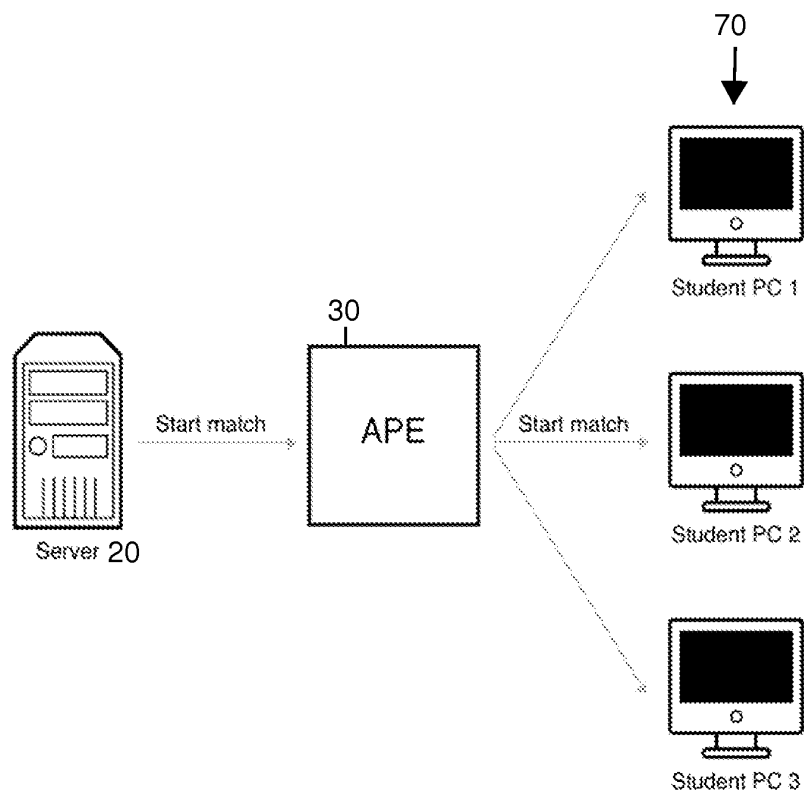


Figure 2

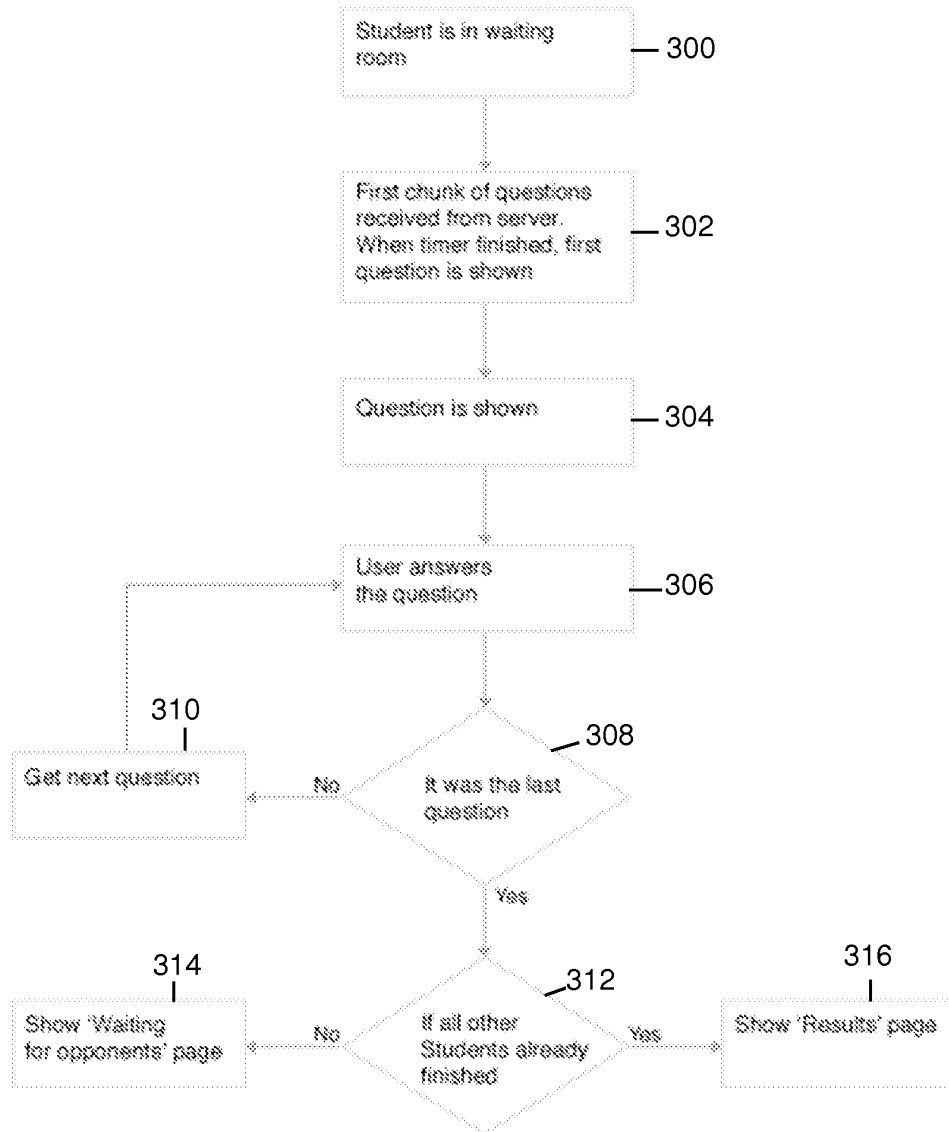


Figure 3

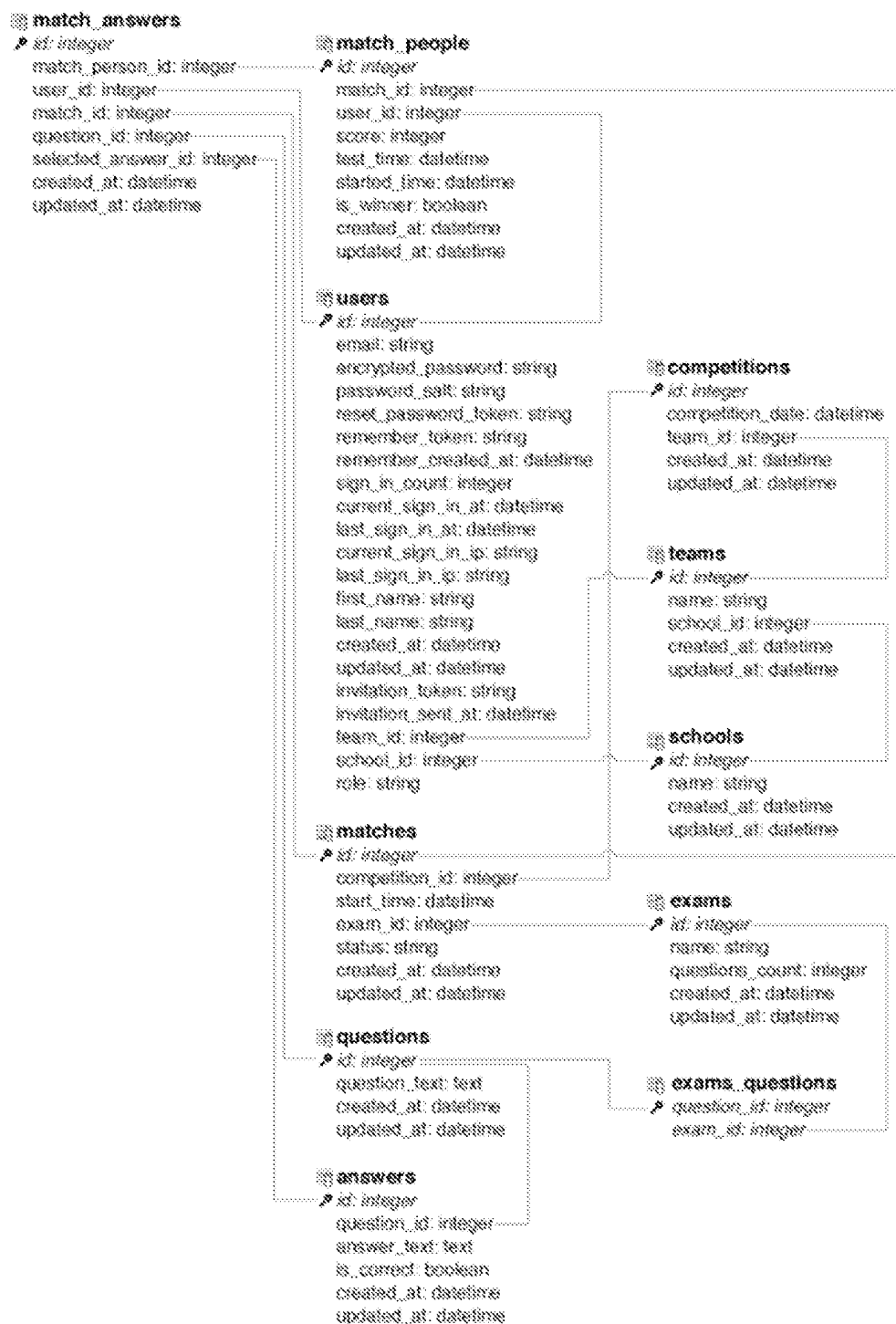


Figure 4

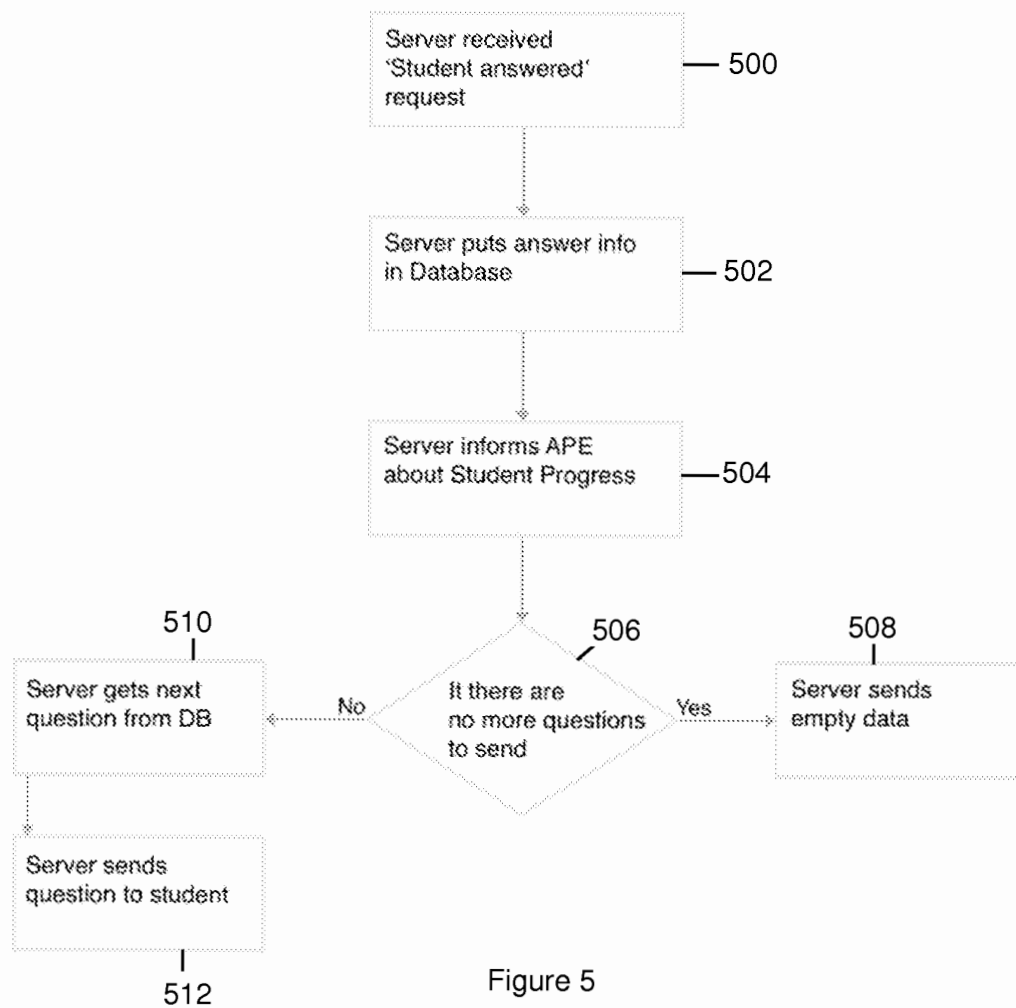


Figure 5

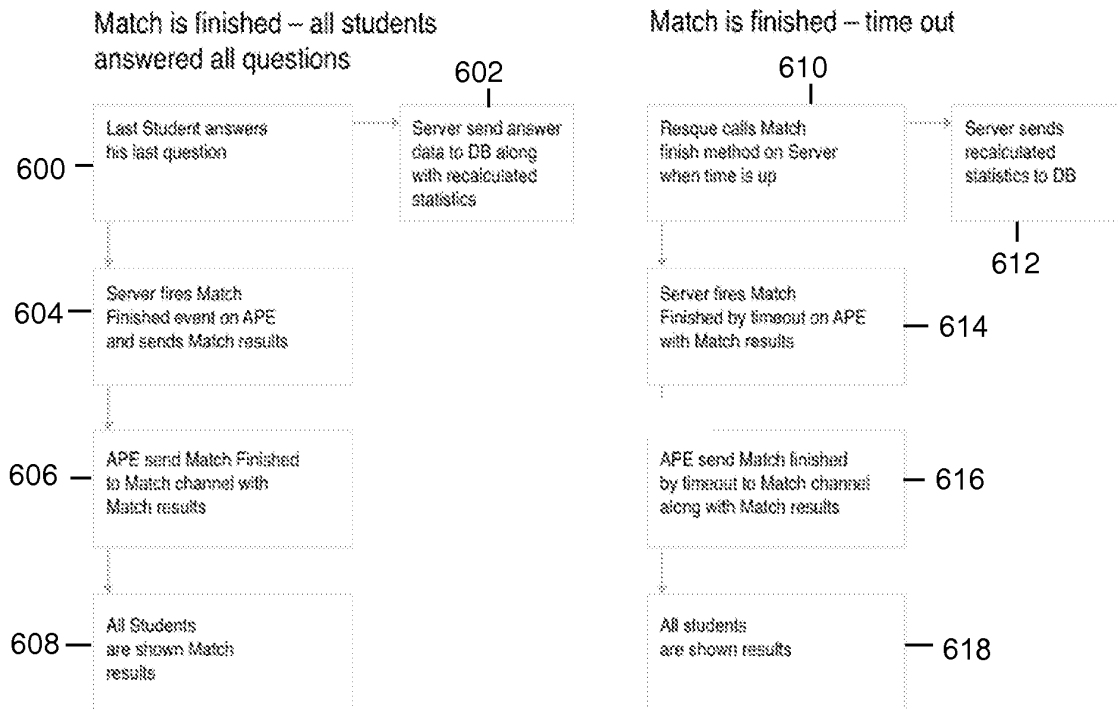


Figure 6

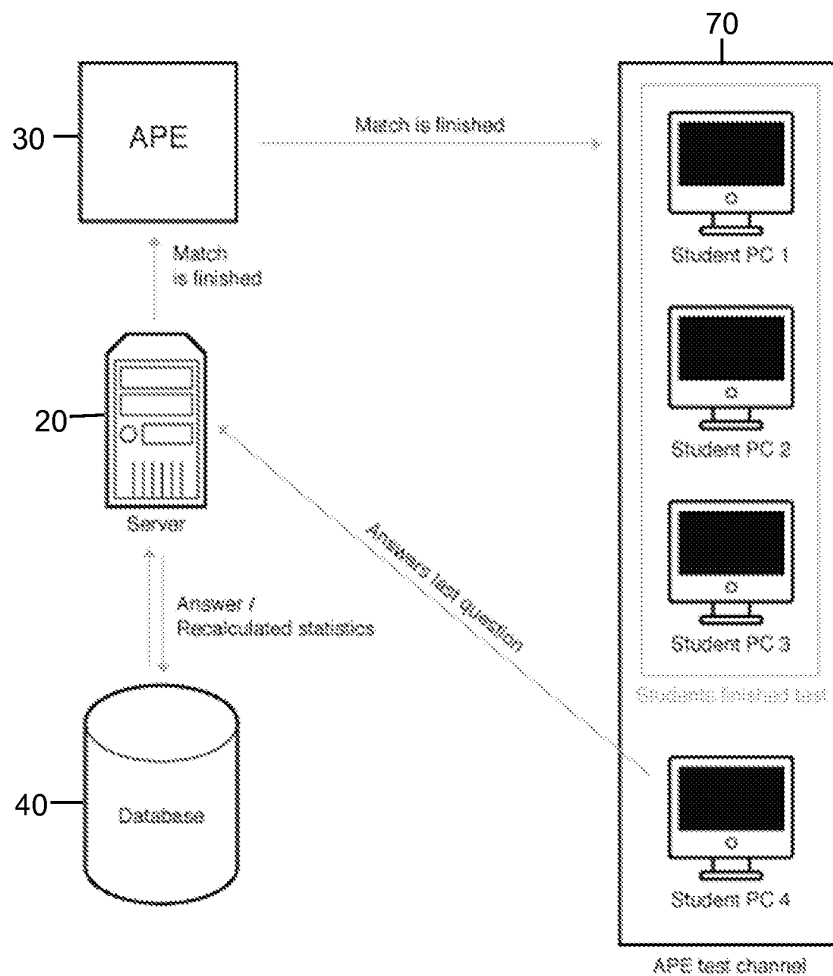


Figure 7

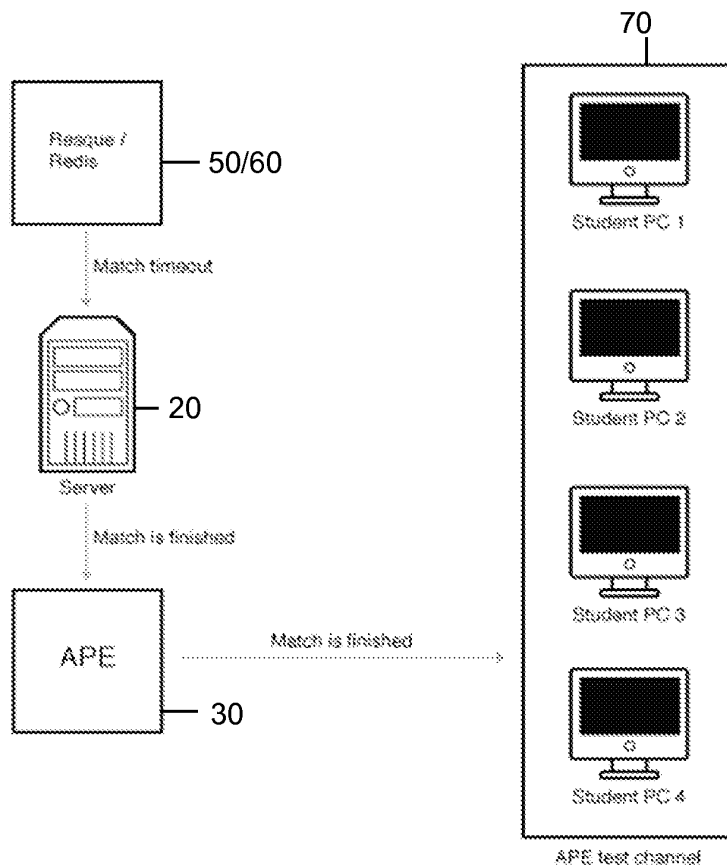
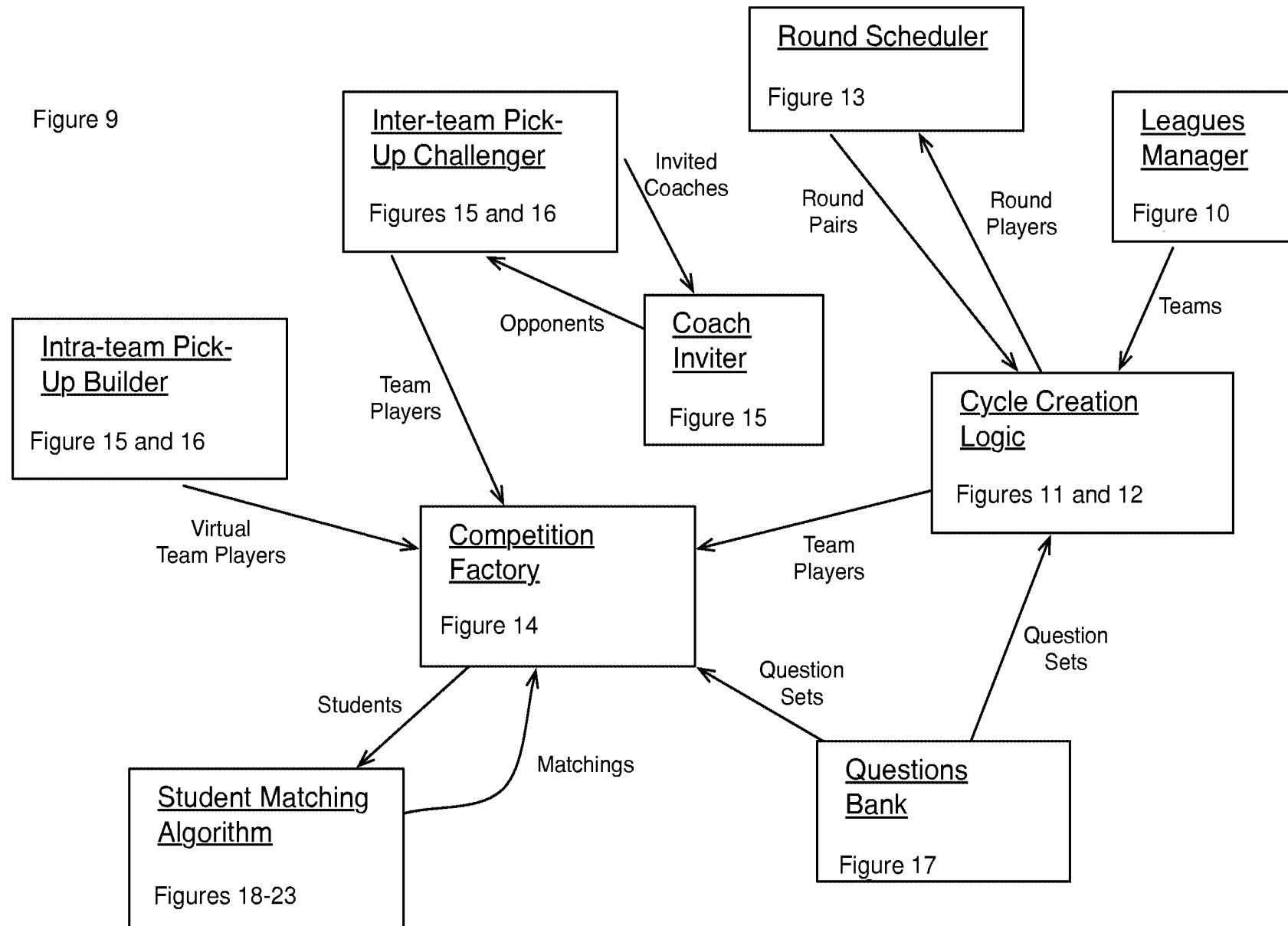


Figure 8

Figure 9



Leagues/School Database Structure

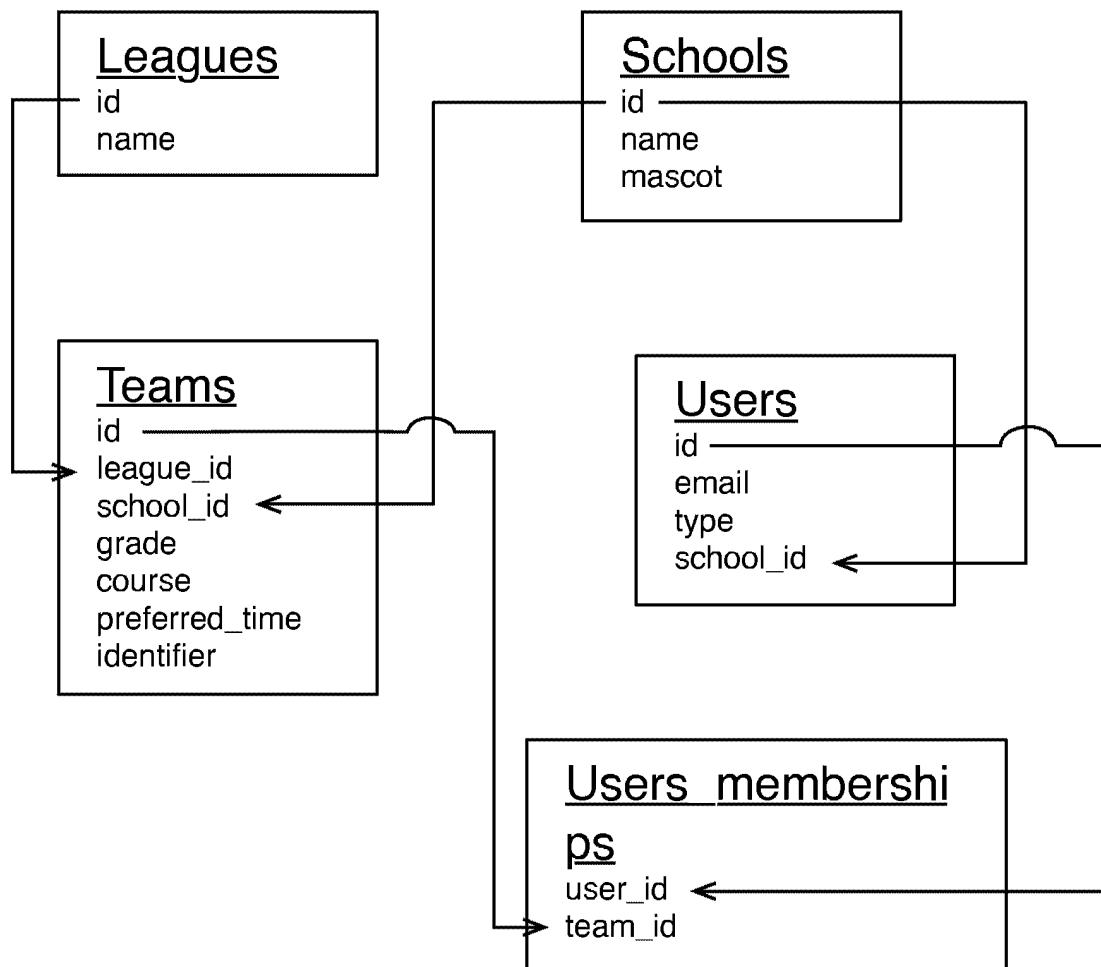


Figure 10

Cycles Database Structure

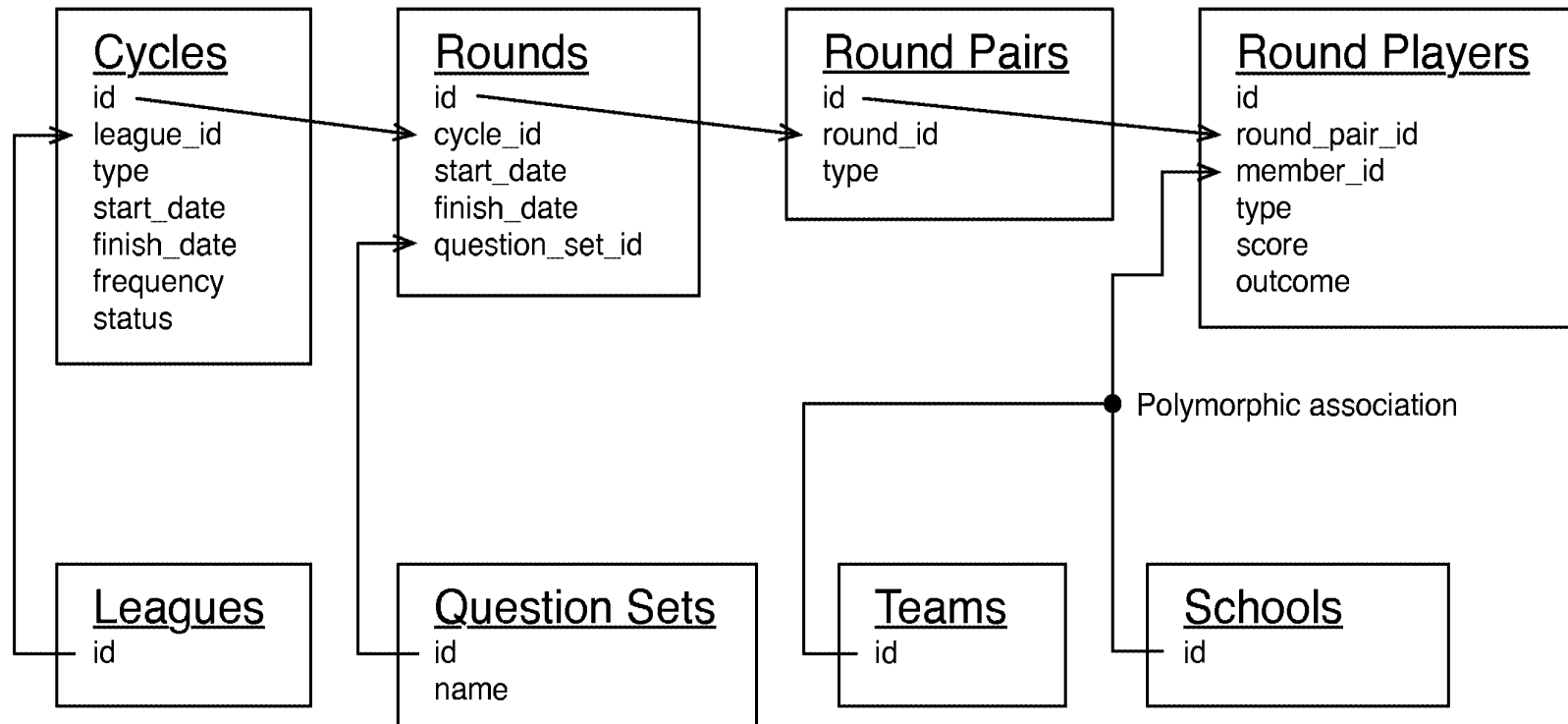


Figure 11

Create Cycle for League

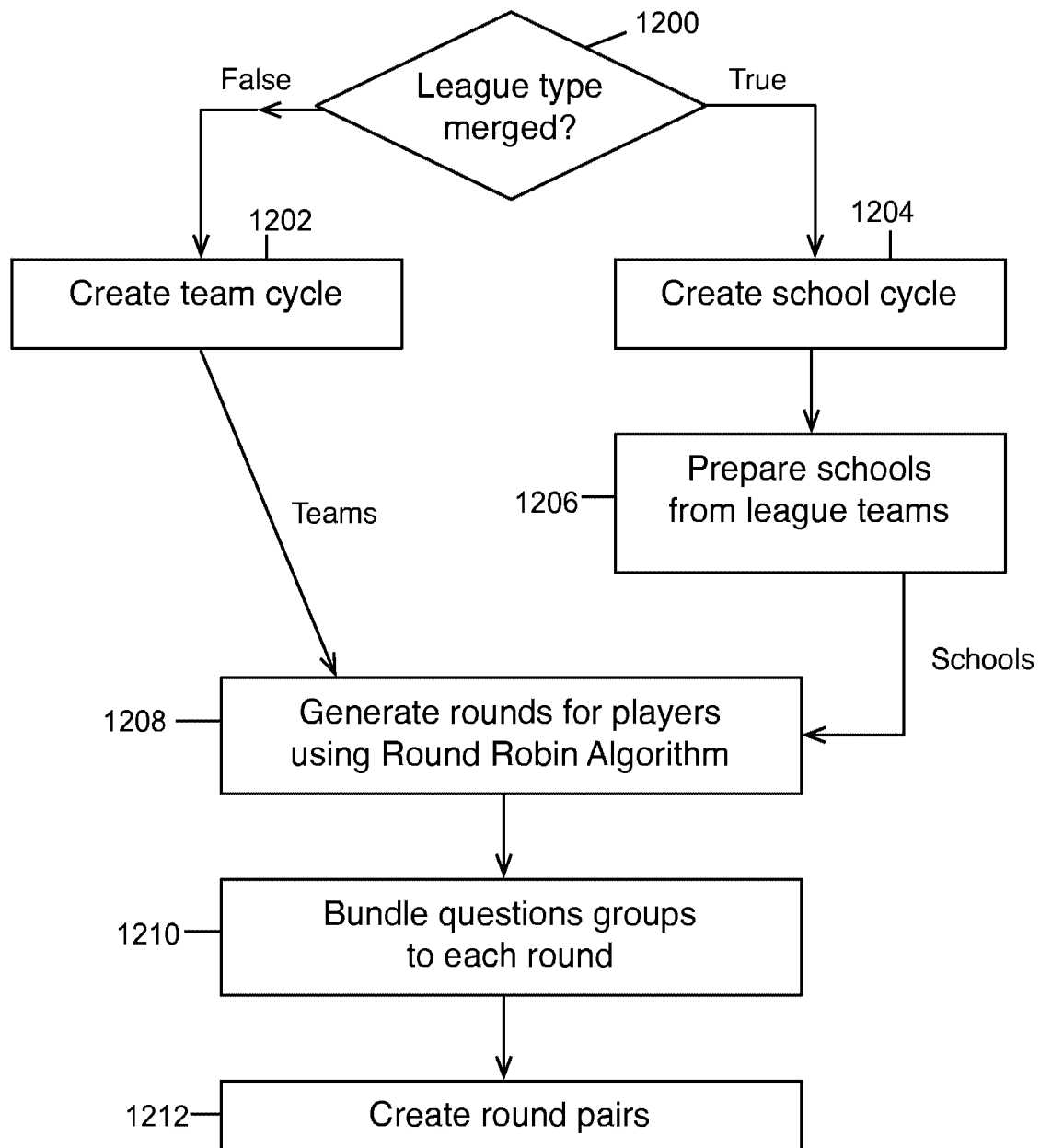


Figure 12

Round Pairs Generation (Based on Round-Robin)

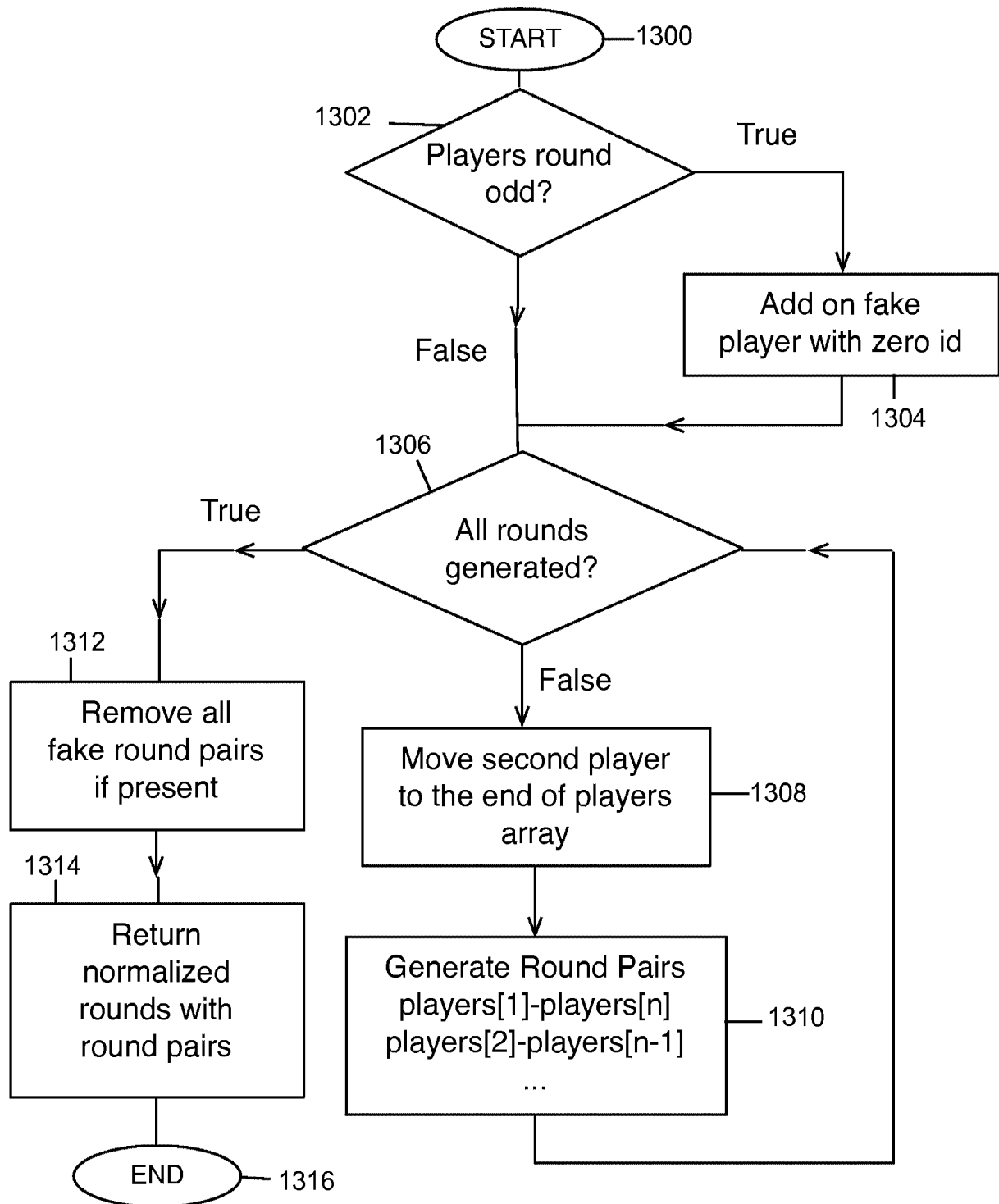


Figure 13

Round Pair Competitions Scheduling

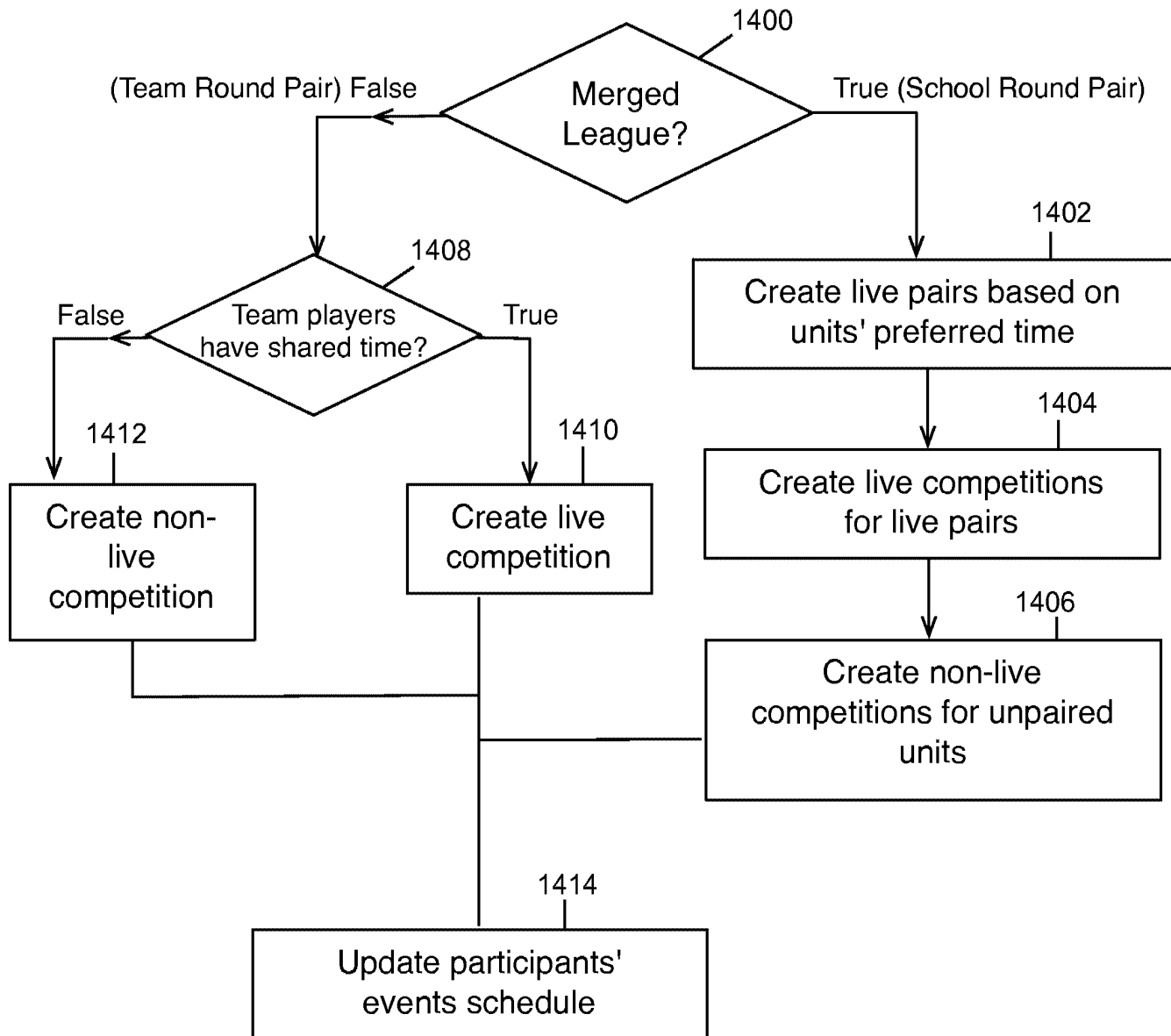


Figure 14

Pick-Up Play Creation Flow

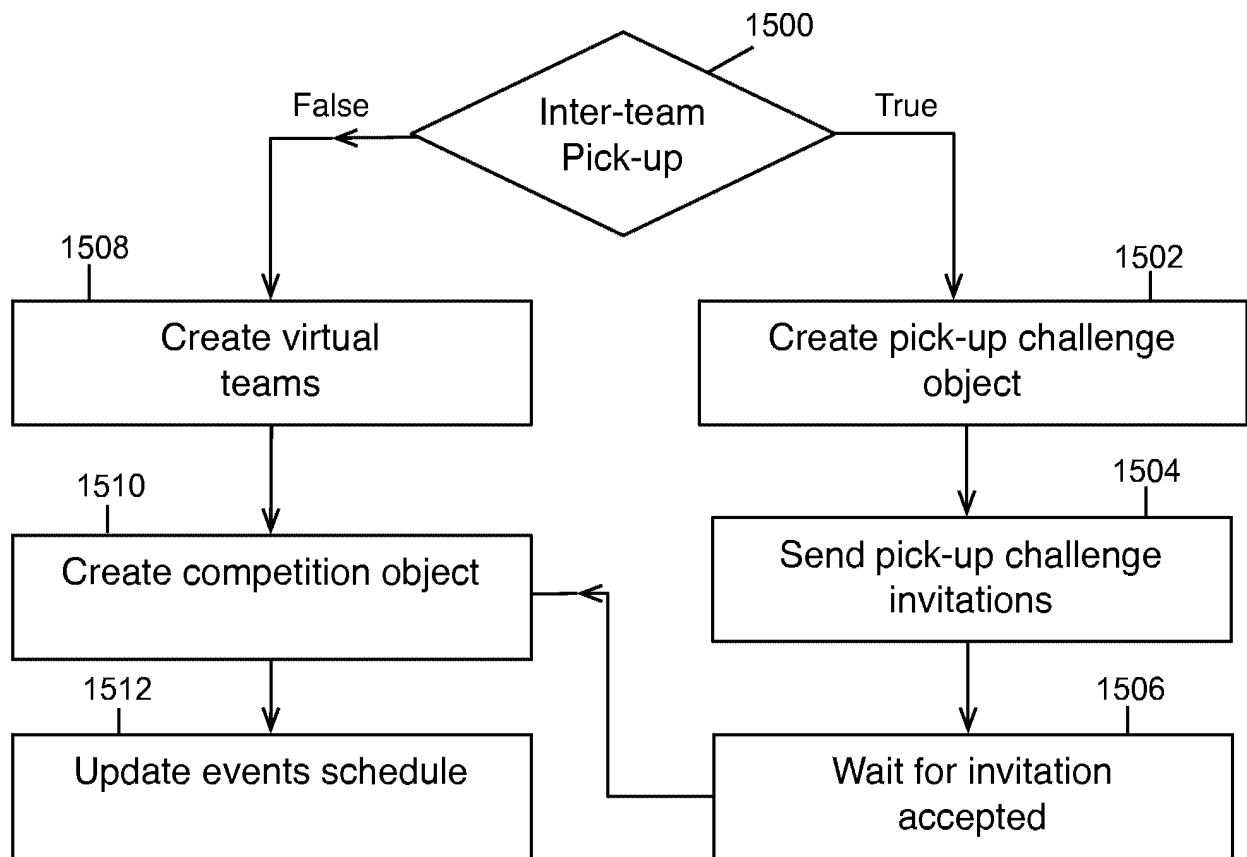


Figure 15

Multiple Teams Pick-Up Play

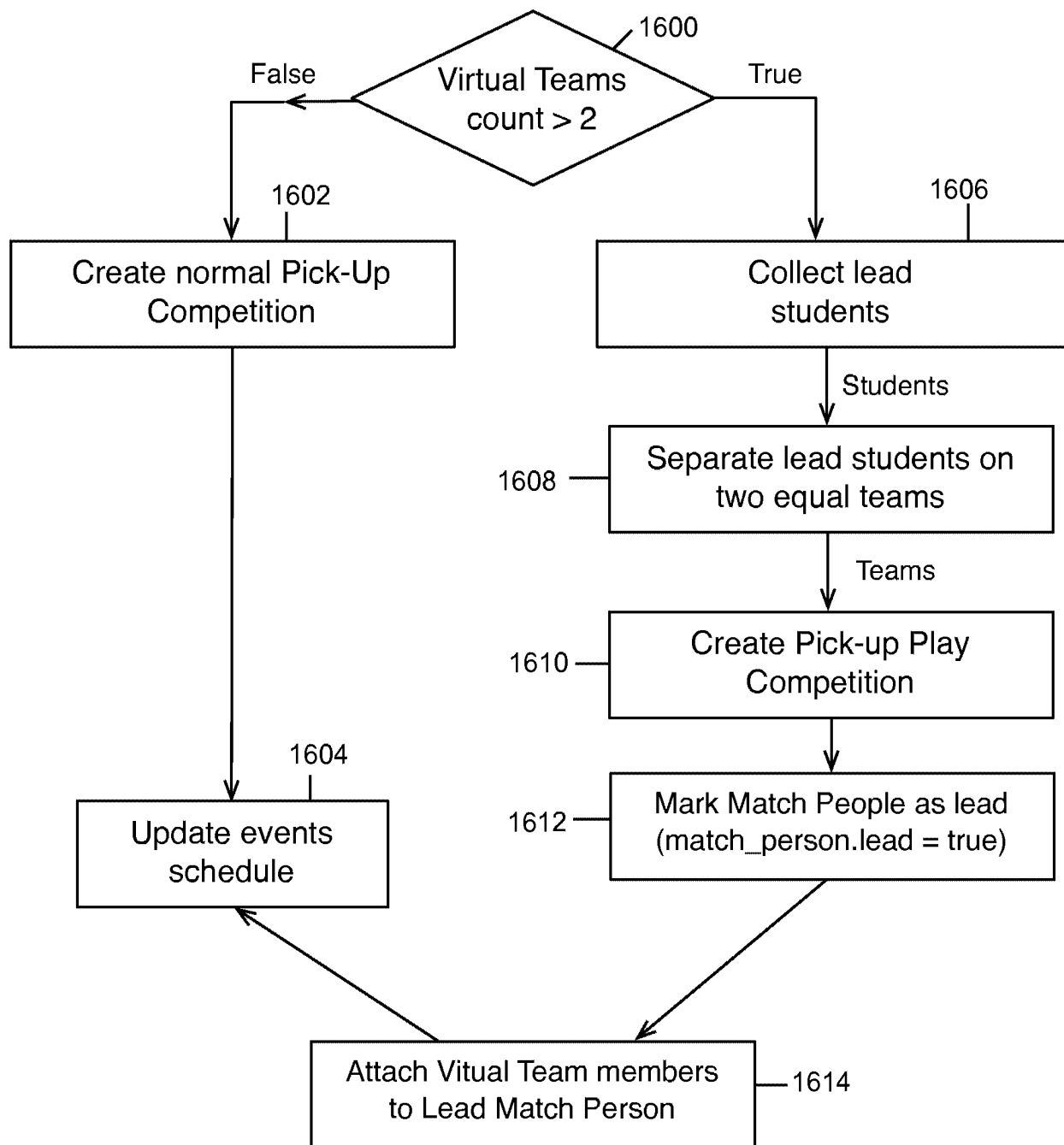


Figure 16

Question Management Database Structure

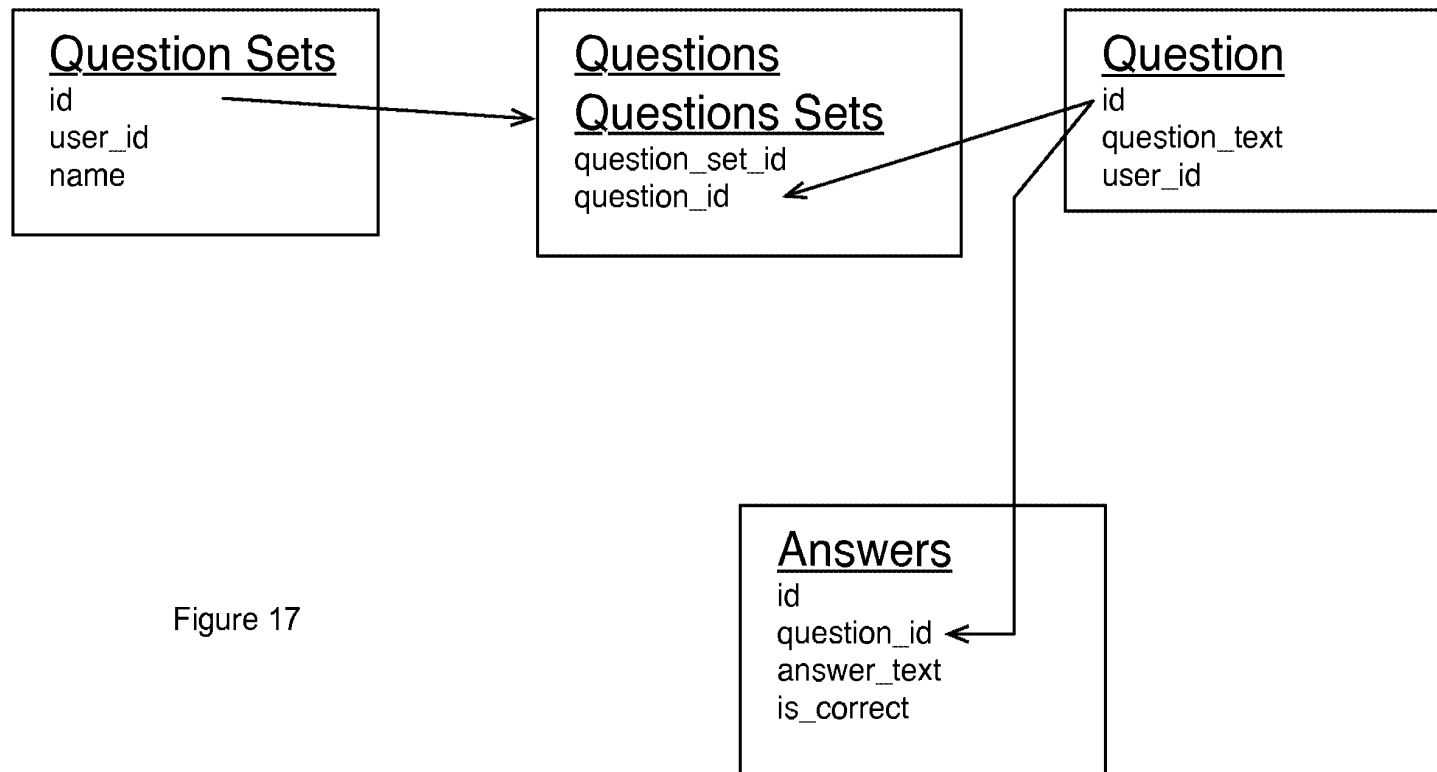


Figure 17

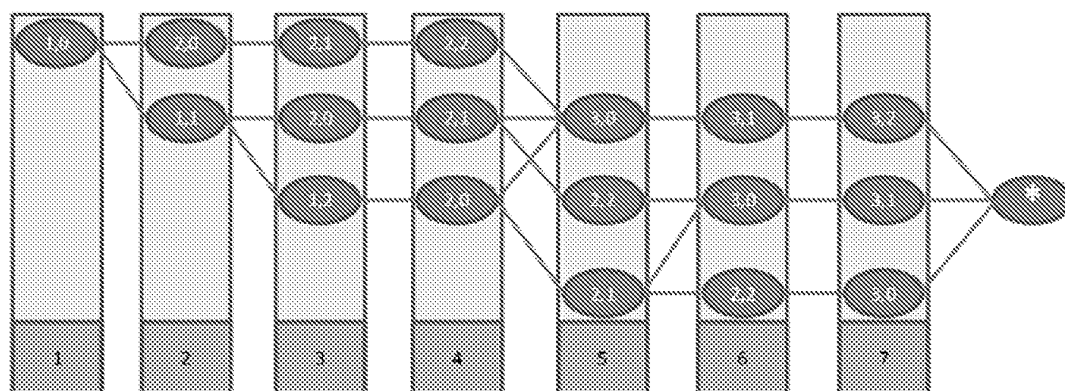


Figure 18

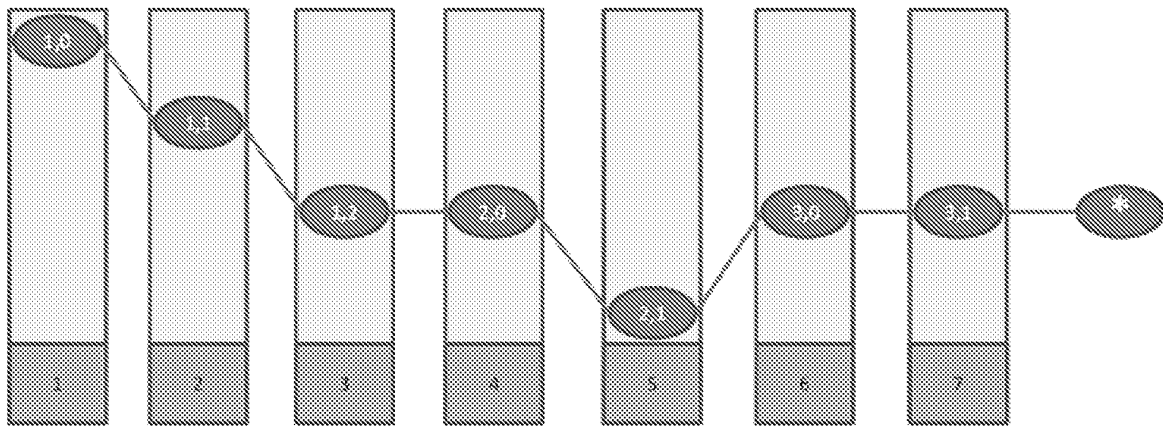


Figure 19

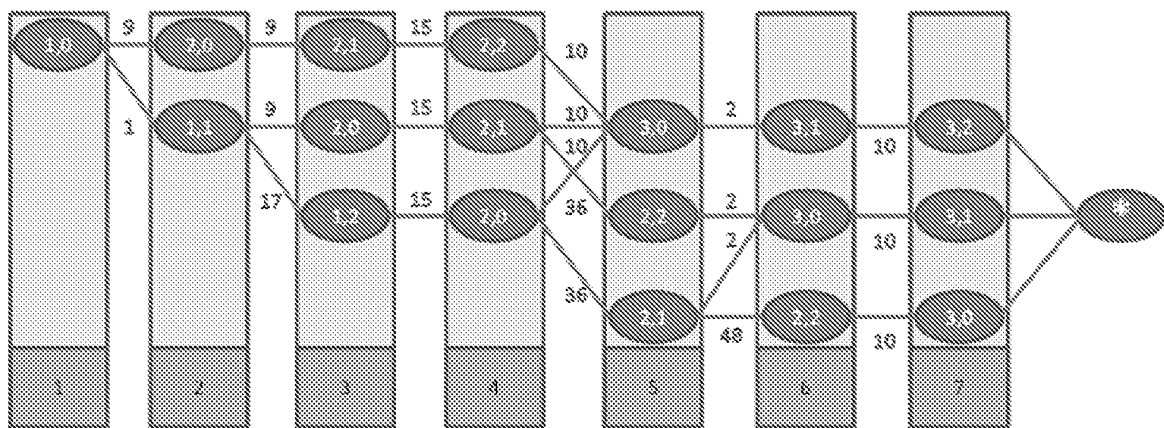


Figure 20

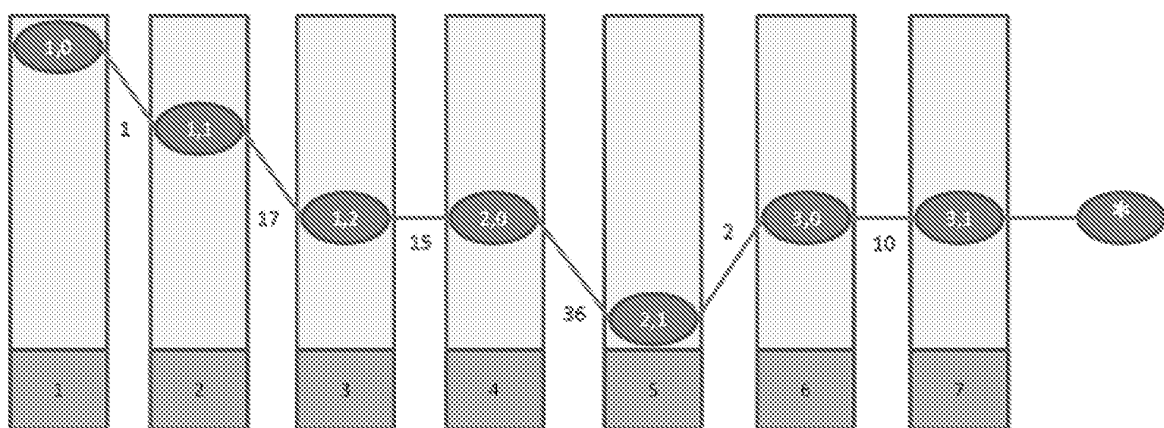


Figure 21

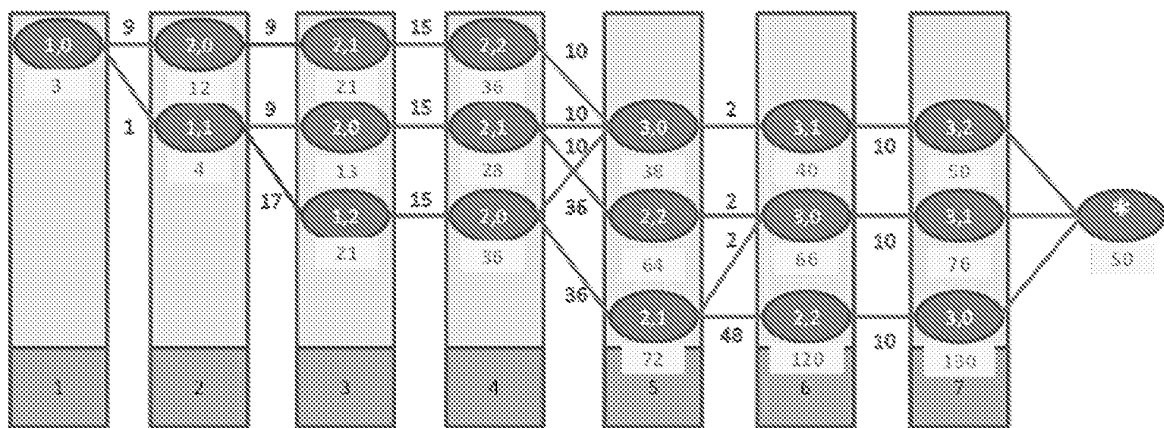


Figure 22

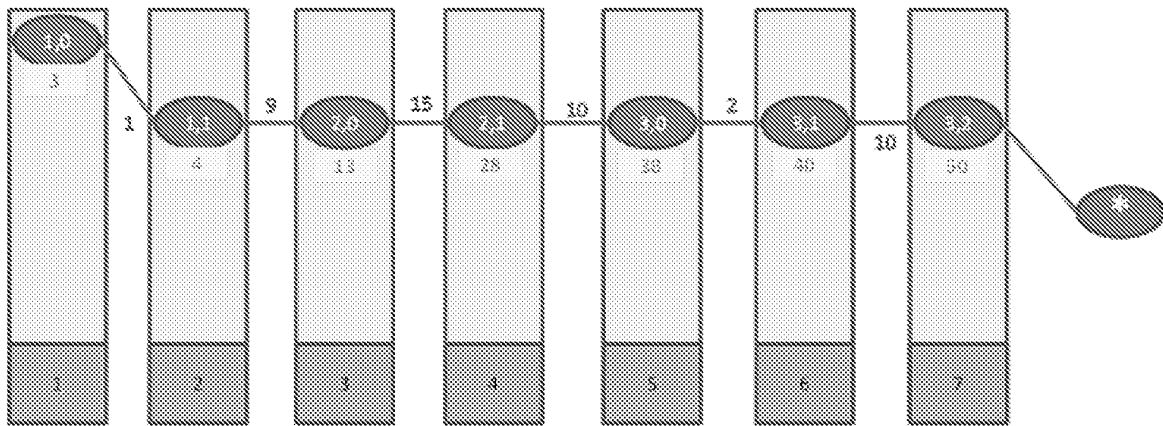


Figure 23

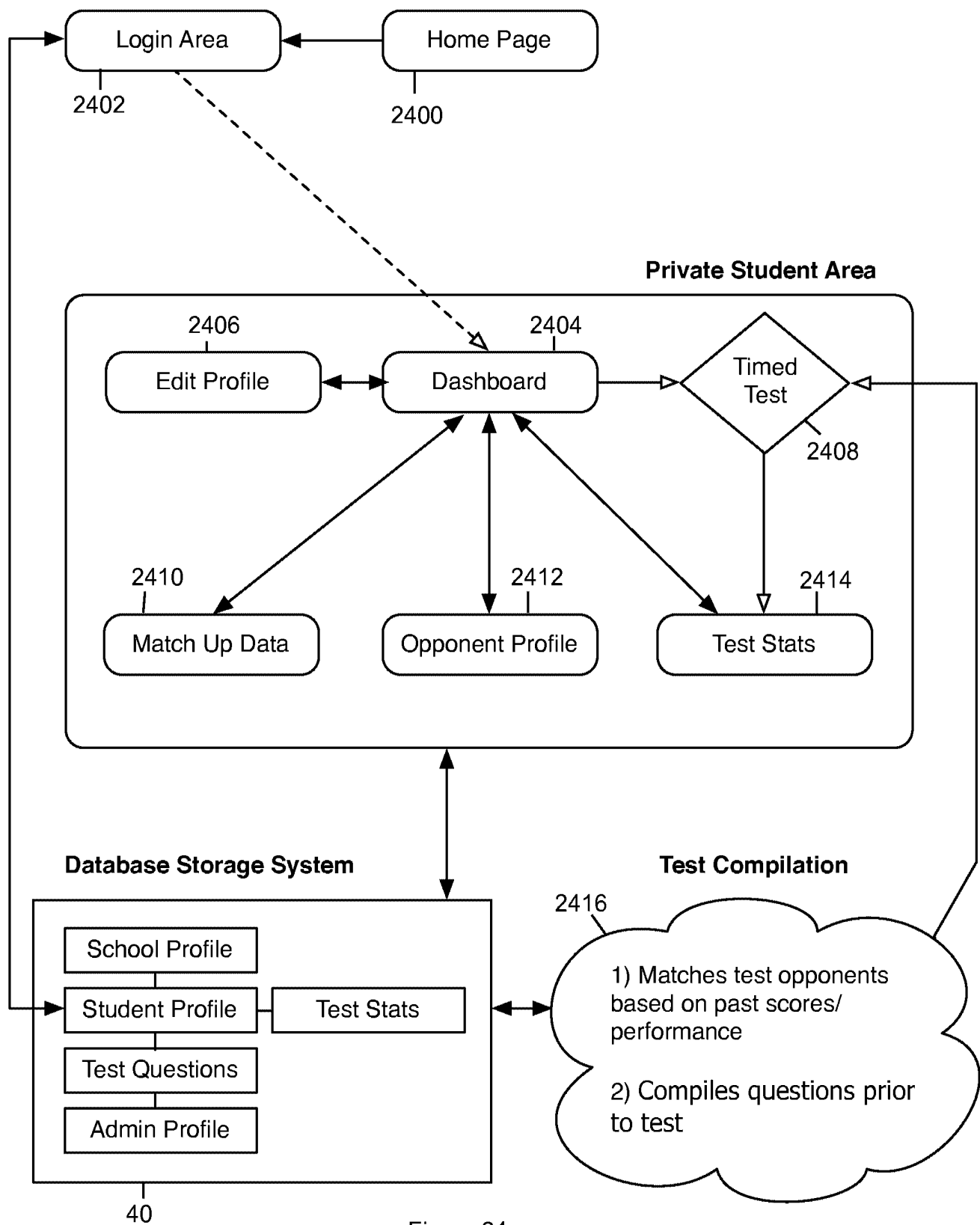


Figure 24

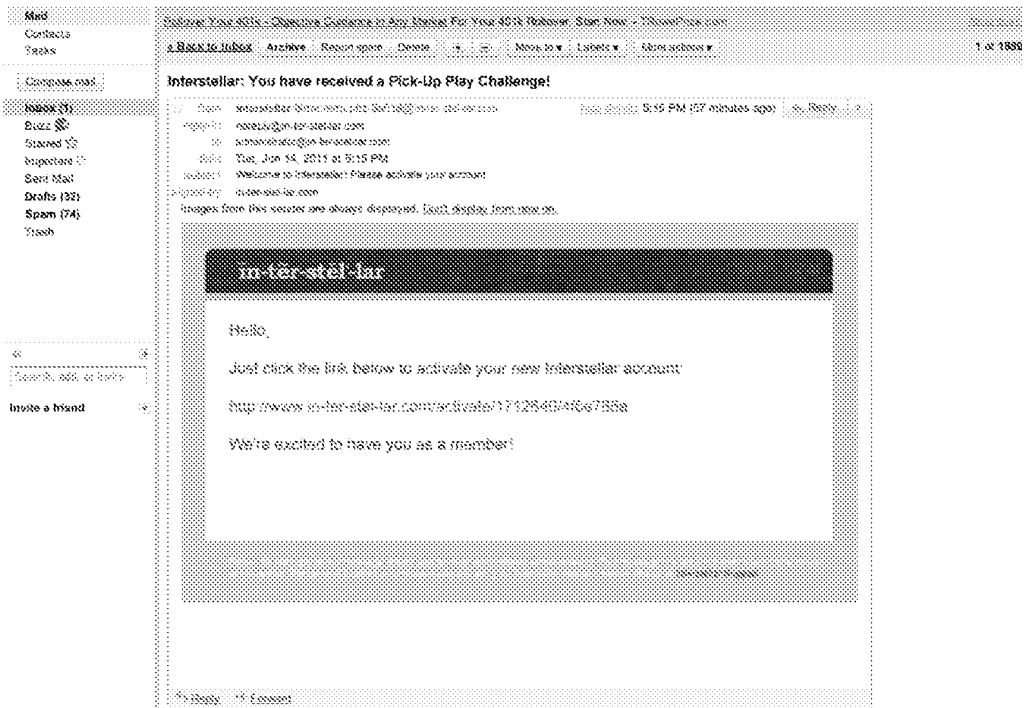


Figure 25

The image shows a user interface for creating a password. At the top, the text "in-ter-stel'-lar" is displayed in a stylized font against a dark, textured background. Below this, a white rectangular box contains the instruction "Please set your password below". Inside this box are three input fields: "Enter password", "Confirm password", and a "Set Password" button. The background of the entire screen is white with horizontal dashed lines.

in-ter-stel'-lar

Please set your password below

Enter password

Confirm password

Set Password

Figure 26

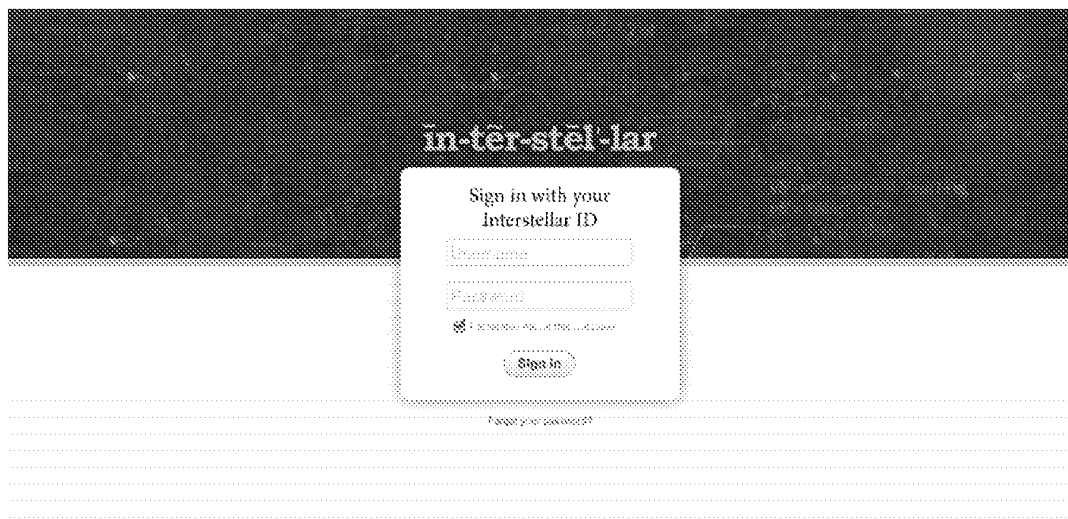


Figure 27

in-ter-stel'-lar

Enter your email address
below and we'll send you a
new password link.

Email

[Send Link](#)

[Back to login](#)

Figure 28

Profile



Upload a different photo...

PNG, JPG, GIF up to 10MB

Choose File

Take photo

First name

admin

Last name

Short bio
(1000 characters)

Passionate about design and creating great products that change lives.

Save

Change Login ID and/or Password

Email

railsware_innovator@gmail.com

Only a valid e-mail address can be used for your login ID.

Password

6 characters or longer. It will at least have numbers, letters and symbols.

Confirm password

Cancel

Figure 29

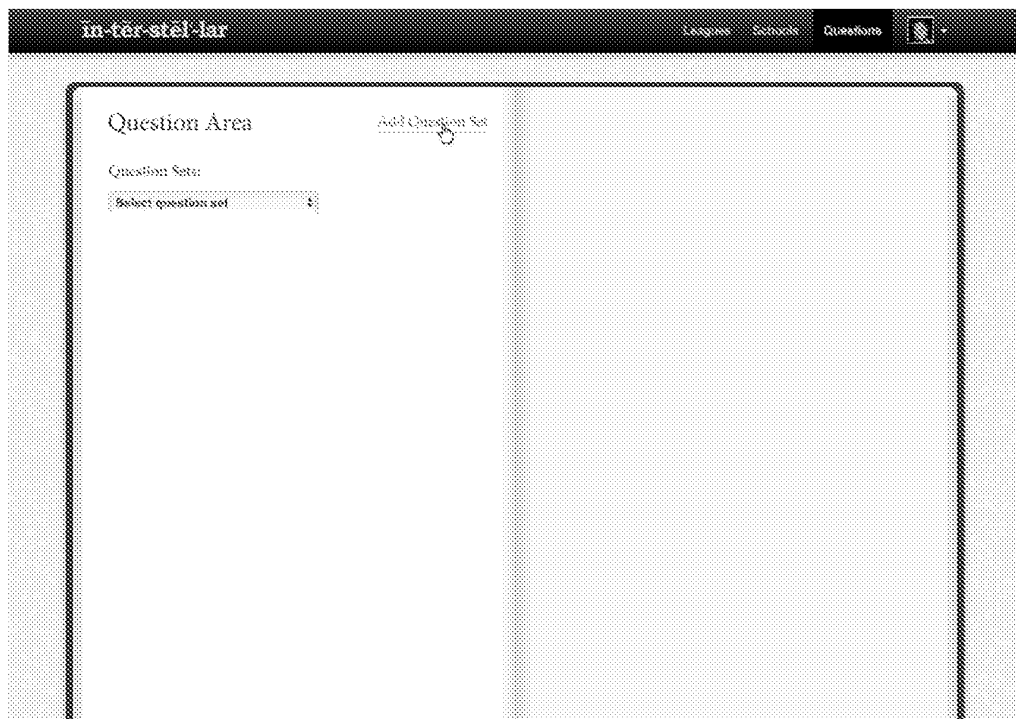


Figure 30



Figure 31

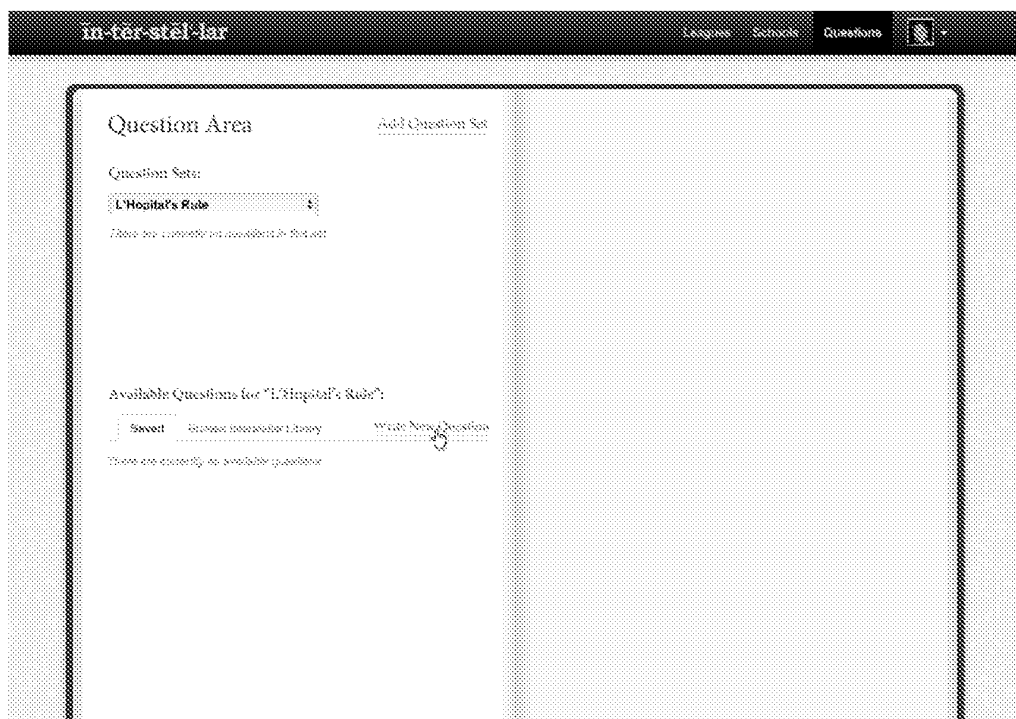


Figure 32

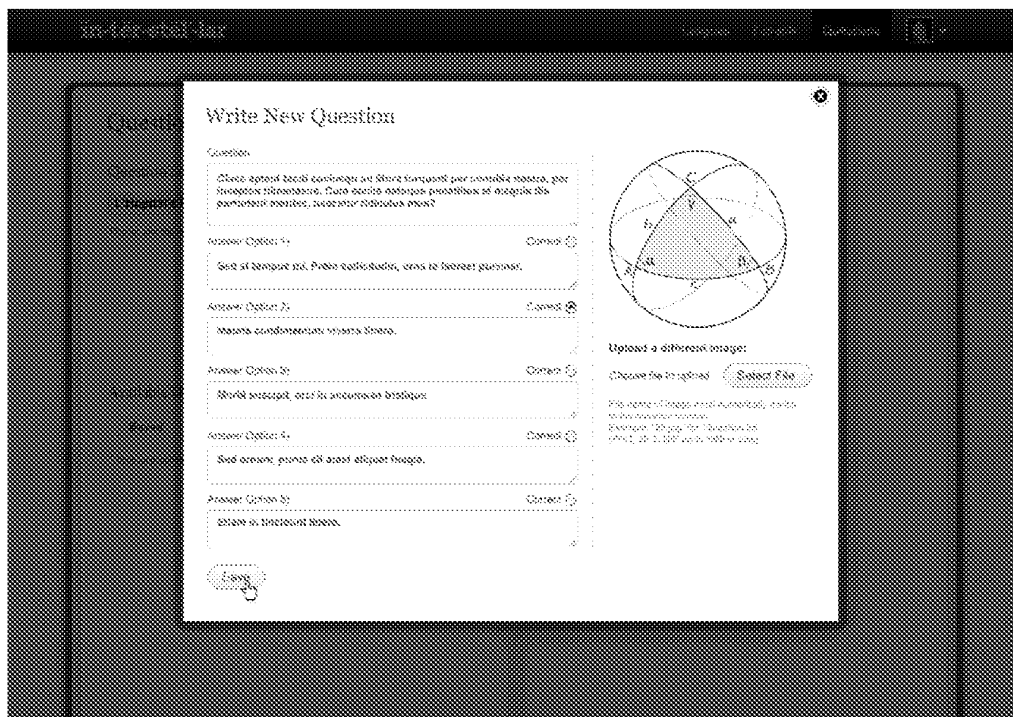


Figure 33

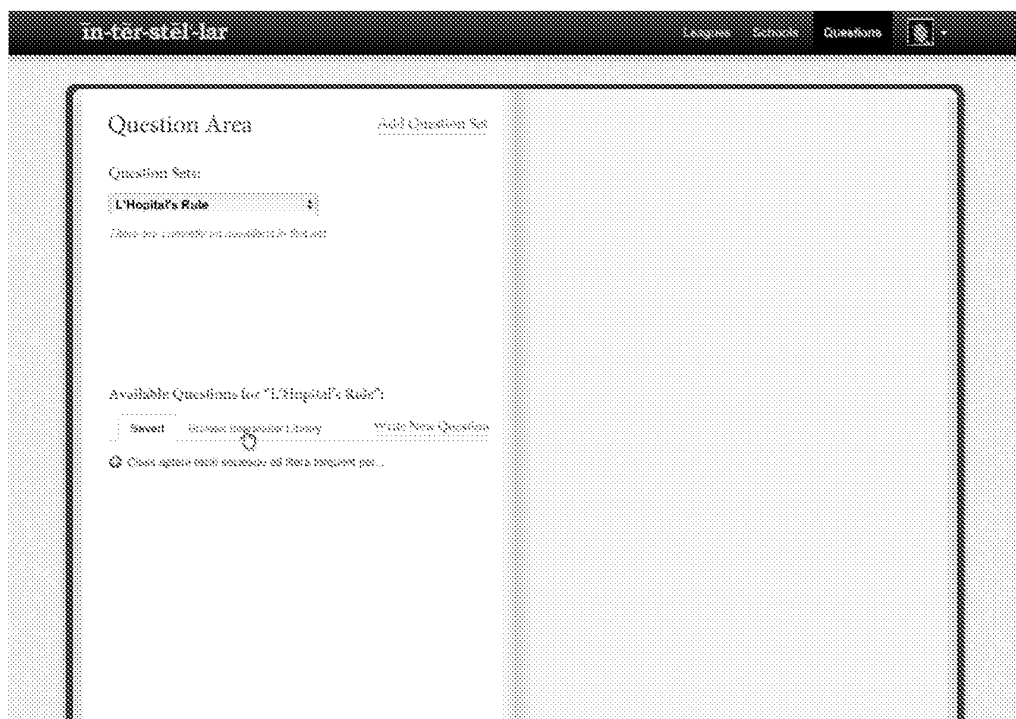


Figure 34



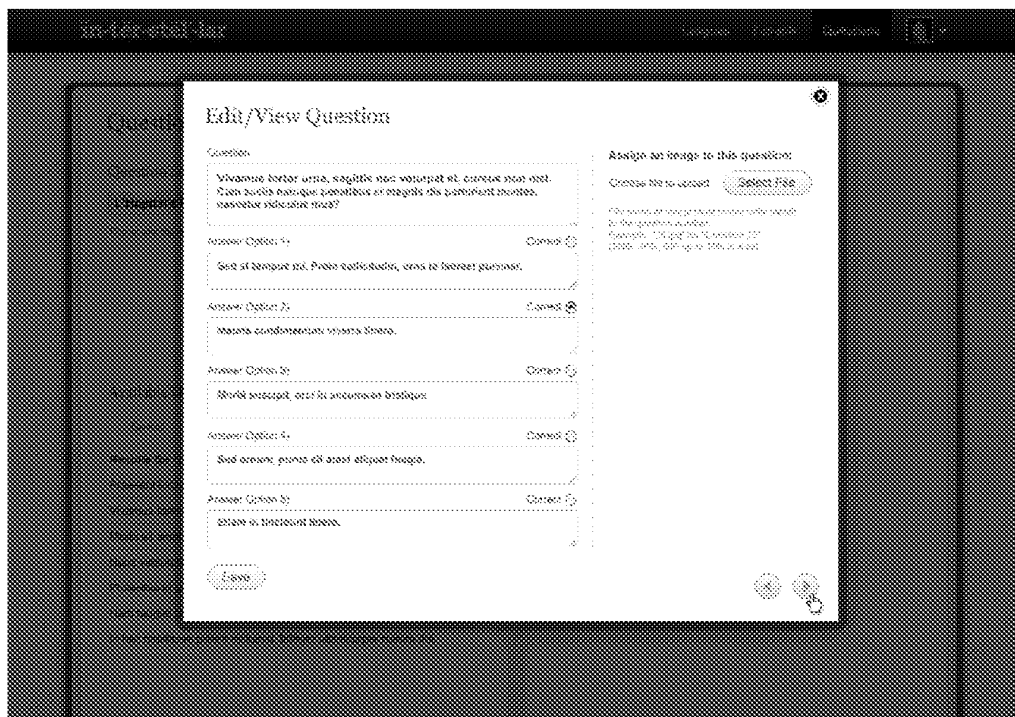


Figure 36

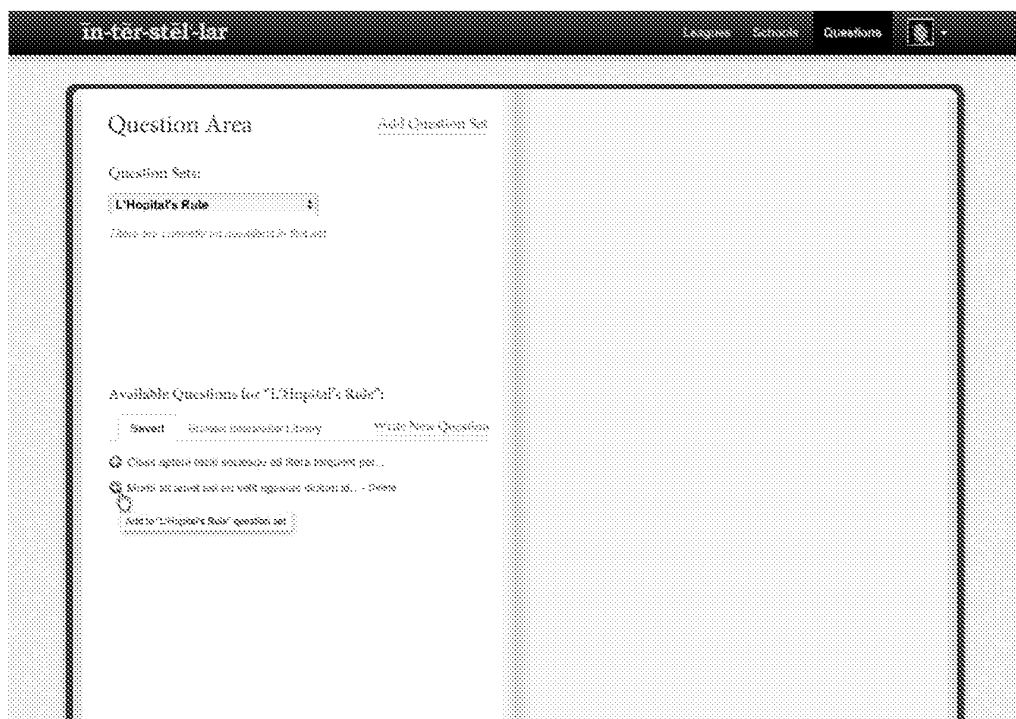


Figure 37

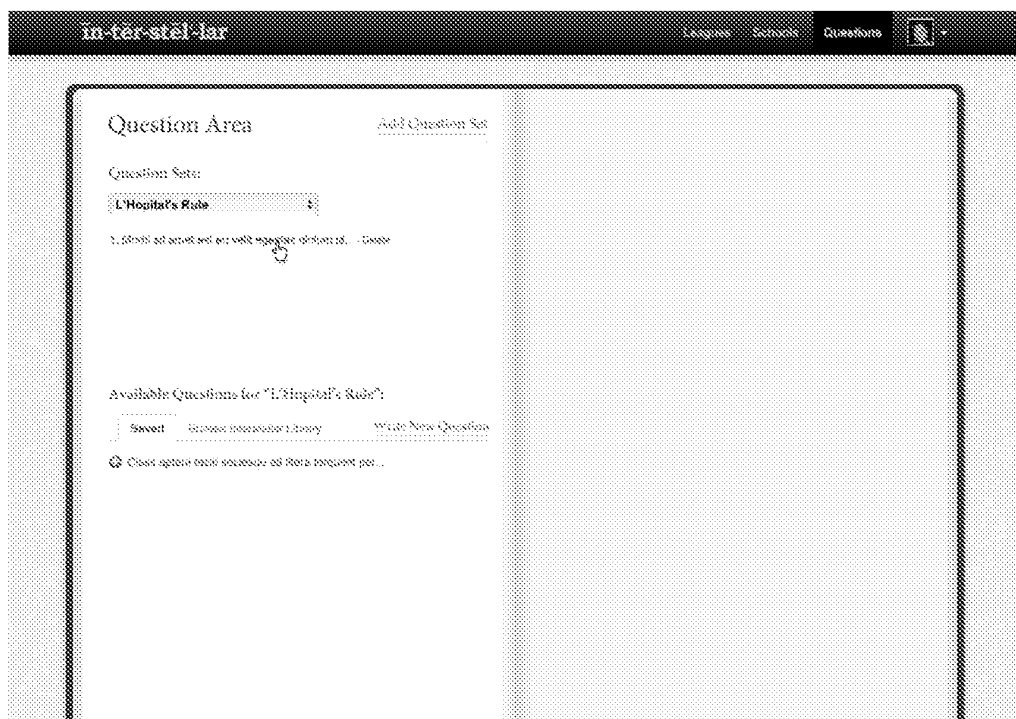


Figure 38

in-ter-net-lar
Logout
Schools
Dashboard

Schools

Add School

ABCDEFGHIJKLMNOPQRSTUVWXYZ

Amos Moss Elementary

Art Center

Alan Bantz

Alex Kapranos

Alva House

Adrian Jilko

Amadea & Marlene

Arctura Road

Andrew Scott Prep

Anthony Pedersen

Anthony Nader

Aphex Twin

Apollo Brown Academy

Apollonia Benedict

Archie Fox Prep

Archie Bell & the Bells

Arctic Monkeys Elementary

Asia Contino Prep

Aurora Academy

Adel of Nasser

Arthur Fendler

Adam Seward Academy

Add School



Upload school logo...
Accepted file types: PNG, JPG, GIF, SVG, MP3, MP4, MP5, MOV, OGG, WAV, WebP

Choose File
No file chosen

School name

Mascot

Address

City

State

Postal code

Country

Timezone

Contact

Email

Phone

Save

Figure 39

in-ter-net-lar
Log out
Schools
Questions

Schools

Add School

ABCDEFGHIJKLMNOPQRSTUVWXYZ

Loyola Mary Elementary
At Green

Alan Bruce

Alex Kapranos

Alex Mace

Adam Hilts

Amanda & Marlene

Andrew Bond

Andrew Scott Prop

Anthony Pedersen

Anthony Nader

Aphex Twin

Apollo Brown Academy

Apulonia Benedict

Arcade Fire Prop

Archie Bell & the Belles

Arctic Monkeys Elementary

Aria Contino Prop

Arson Academy

Art of Noise

Arthur Fendler

Atlas Sound Academy

Add School



Upload school logo...
Only .png, .jpg, .gif, .bmp files

Choose File
No file chosen

School name
Loyola Academy

Mascot
Rainforest

Address
1100 Lorraine Avenue

City
Winnetka

State
Illinois

Postal code
60091-1000

Country
United States

Timezone
(GMT-08:00) Central Time (US & Canada)

Contact
Dr. Mary Maclean Kearney

Email
MKearney@loyolacentdtx.org

Phone
847-258-1100

Save

Figure 40

Page 676 of 758





Figure 43



in-ter-net-ial-ia
Logout
Schools
Dashboard

Schools
Add School

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

West Chung High
East Dade Elementary
Piscataway High School
Rio Arriba Academy
Notekorn Lutheran High School
North Jones Prep
Notre Dame College Prep - New
Notre Dame High School for Girls

Coaches/Teams
Edit School

Add/Edit Coach:

Select coaching coach

Name: Kathleen
Location: Gavin
Email: kathleen.gavin@ley-stanbrians.org

Add/Edit Team:

Team Name:

Location:

League Play:

Done

Active Teams for Kathleen Gavin

Lexus Academy 11th Grade - Advanced Calculus

Figure 45

Figure 46



in-ter-net-ial-ia
Log Out
Screens
Database

Schools

[Add School](#)

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

- West Chung Prep
- West Chung Elementary
- Pickard East High School
- St. Agnes Academy
- Noblesville Lutheran High School
- North Jones Prep
- North Jones College Prep
- North Jones High School for Girls

Coaches/Teams

[Edit School](#)

Add/Edit Coach:

First Name

Last Name

Email

Add/Edit Team:

Team Name

19th Grade

League/Region

Country

Active Teams for Dennis Johnson

North Jones College Prep - 19th Grade Geometry

Figure 48

in-ter-net-ial-ia
Log out
Screens
Dashboard

Schools

[Add School](#)

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

- West Chung High
- West Dade Elementary
- Picolas East High School
- No. Ayr Academy
- Noblesville Lutheran High School
- Norfolk Junior High
- Notre Dame College Prep
- Notre Dame High School for Girls

Coaches/Teams

[Edit School](#)

Add/Edit Coach:

Form name:

Last name:

Email:

Add/Edit Team:

League:

Active Teams for Dennis Johnson

Notre Dame College Prep - 19th Grade Geometry

Figure 49

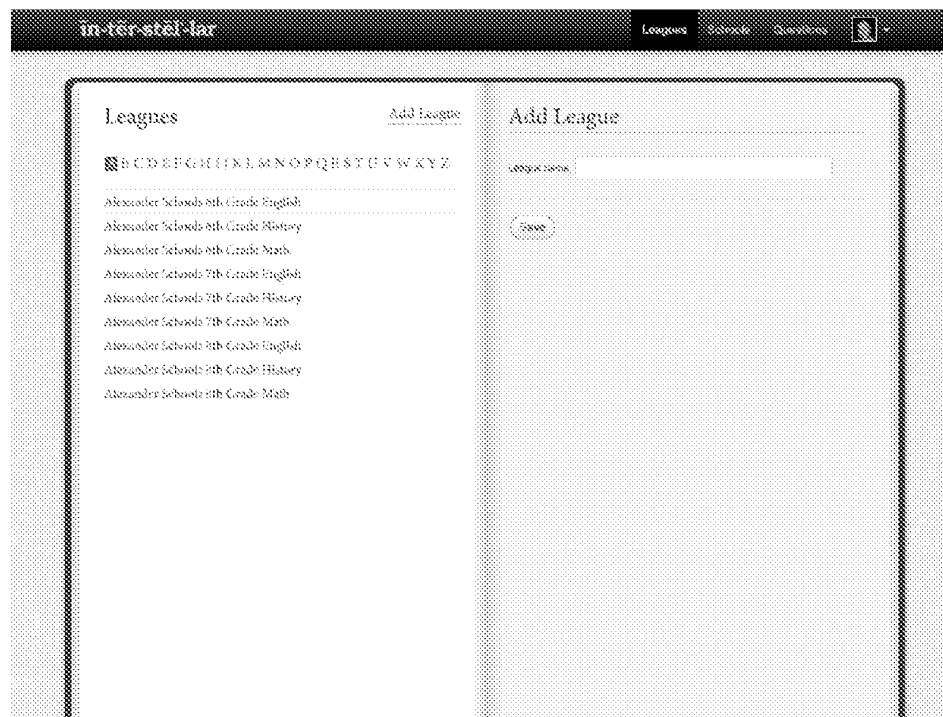


Figure 50

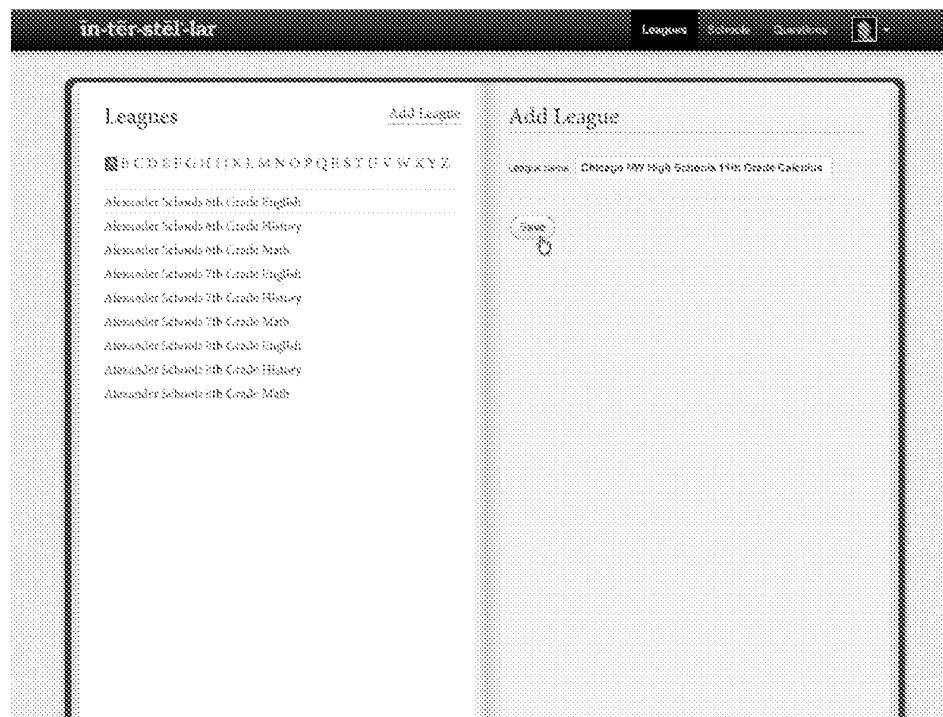


Figure 51

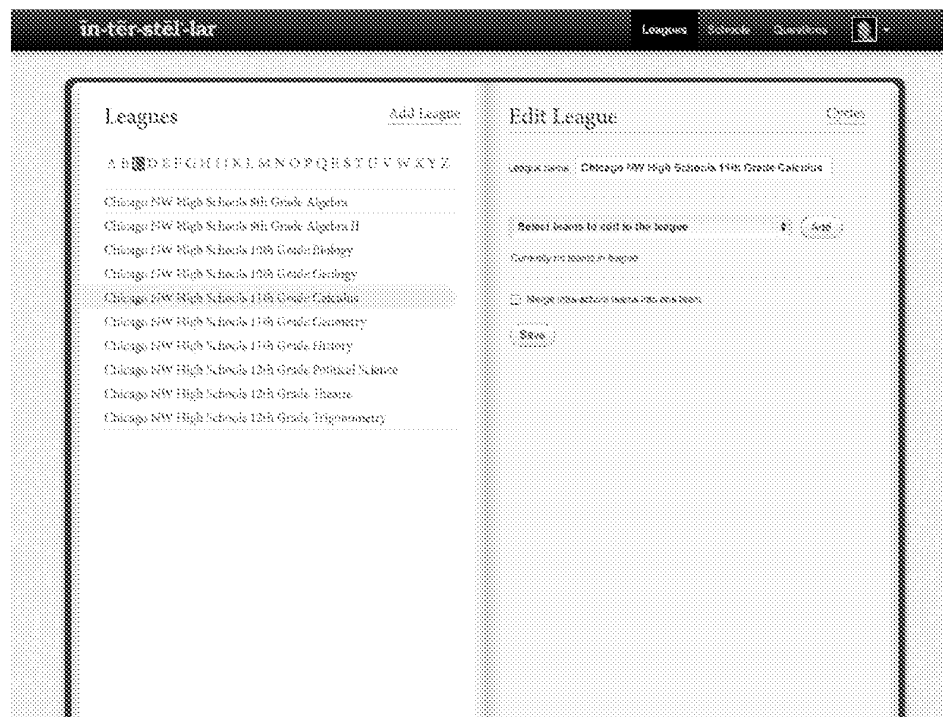


Figure 52

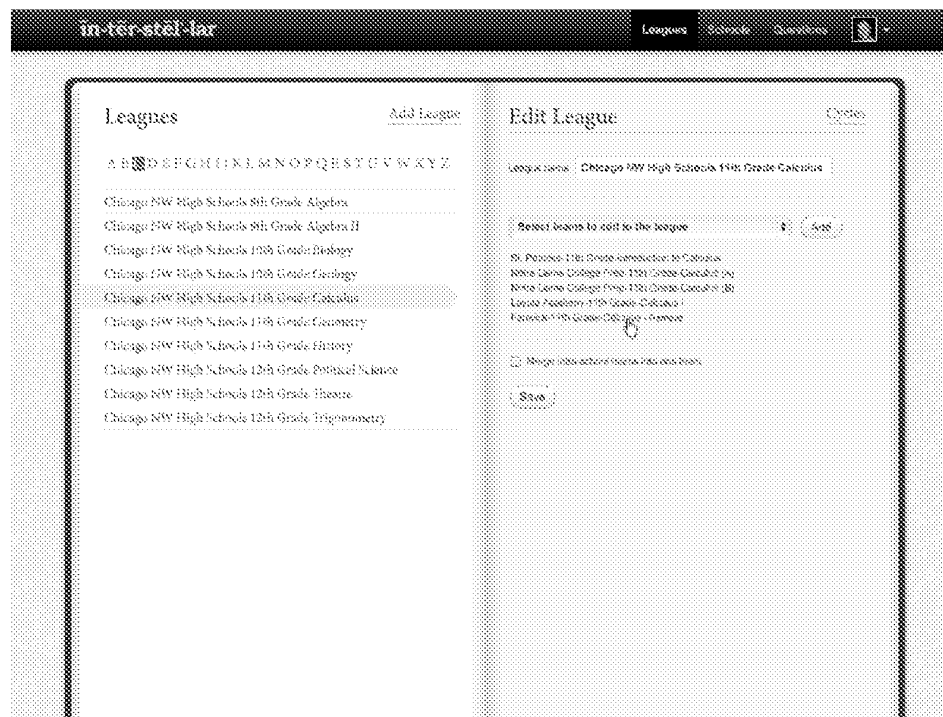


Figure 53

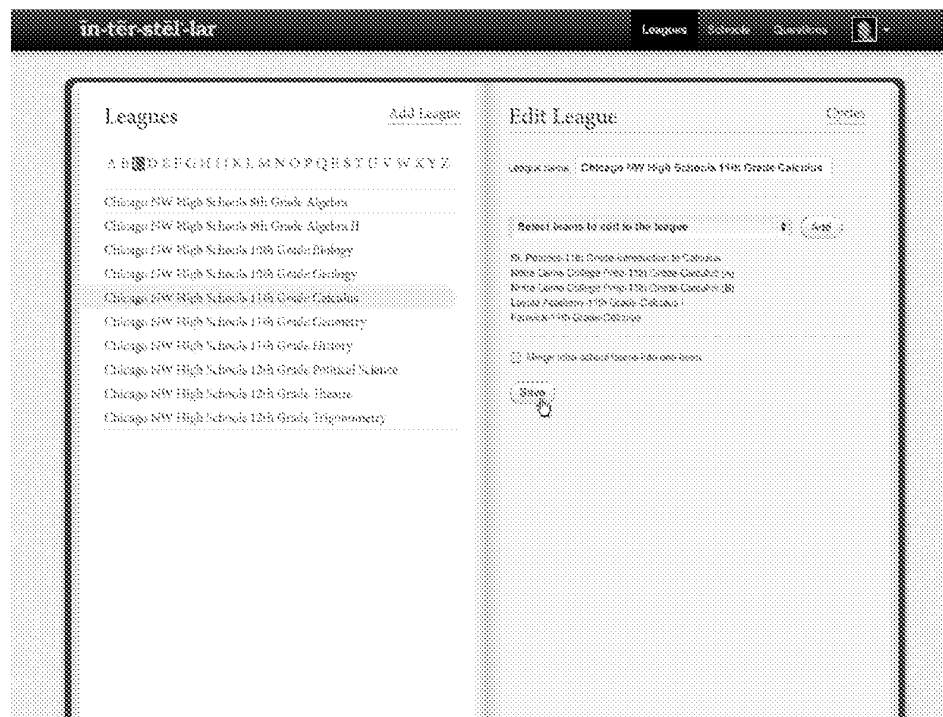


Figure 54



in-ter-stel-lar
Leagues
Schedules
Questions

Leagues

[Add League](#)

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Chicago 15W High Schools 8th Grade Algebra
Chicago 15W High Schools 9th Grade Algebra II
Chicago 15W High Schools 10th Grade Biology
Chicago 15W High Schools 10th Grade Chemistry
Chicago 15W High Schools 11th Grade Calculus
Chicago 15W High Schools 11th Grade Geometry
Chicago 15W High Schools 11th Grade History
Chicago 15W High Schools 12th Grade Physical Science
Chicago 15W High Schools 12th Grade Theatre
Chicago 15W High Schools 12th Grade Trigonometry

Cycles

[New League](#)

Add Cycle

Start Date: 10/30/2011
End Date: 01/07/2012

League: In-ter-stel-lar
Season: 2011-2012

Save

Figure 56

in-ter-stel-lar
Leagues
Schedule
Questions

Leagues

[Add League](#)

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Chicago 15W High Schools 8th Grade Algebra
Chicago 15W High Schools 8th Grade Algebra II
Chicago 15W High Schools 10th Grade Biology
Chicago 15W High Schools 10th Grade Chemistry
Chicago 15W High Schools 11th Grade Calculus
Chicago 15W High Schools 11th Grade Geometry
Chicago 15W High Schools 11th Grade History
Chicago 15W High Schools 12th Grade Physical Science
Chicago 15W High Schools 12th Grade Theatre
Chicago 15W High Schools 12th Grade Trigonometry

Cycles

[Edit League](#)

Add Cycle

Start Date: 10/30/2011
End Date: 01/07/2012

Frequency: 1
Days: 1

In-activity: 2
AS: 2010

Assign sets of questions to each round in the cycle

Select from the available question sets
Assign

Round 1: questions required
Round 2: questions required
Round 3: questions required
Round 4: questions required

Save

Active Cycles in this League

10/30/2011 - 01/07/2012

Figure 57

in-ter-stel-lar
Leagues
Schedules
Questions

Leagues

[Add League](#)

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Chicago NW High Schools 8th Grade Algebra
Chicago NW High Schools 8th Grade Algebra II
Chicago NW High Schools 10th Grade Biology
Chicago NW High Schools 10th Grade Chemistry
Chicago NW High Schools 11th Grade Calculus
Chicago NW High Schools 11th Grade Geometry
Chicago NW High Schools 11th Grade History
Chicago NW High Schools 12th Grade Physical Science
Chicago NW High Schools 12th Grade Theatre
Chicago NW High Schools 12th Grade Trigonometry

[Save](#)

Cycles

[New League](#)

Add Cycle

Start Date: 10/30/2011
End Date: 01/07/2012

Frequency: 1
Days: 1

In-activity: 2
AS: 2000

Assign sets of questions to each round in the cycle

Select from the available question sets

[Assign](#)

Round 1: 10th Grade Calculus
Round 2: 10th Grade Geometry
Round 3: 10th Grade Physical Science
Round 4: 10th Grade Theatre
Round 5: 10th Grade Trigonometry

[Save](#)

Active Cycles in this League

10/30/2011 - 01/07/2012

Figure 58

in-ter-stel-lar
Leagues
Schedules
Questions

Leagues

[Add League](#)

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Chicago 15W High Schools 8th Grade Algebra
Chicago 15W High Schools 8th Grade Algebra II
Chicago 15W High Schools 10th Grade Biology
Chicago 15W High Schools 10th Grade Chemistry
Chicago 15W High Schools 11th Grade Calculus
Chicago 15W High Schools 11th Grade Geometry
Chicago 15W High Schools 11th Grade History
Chicago 15W High Schools 12th Grade Physical Science
Chicago 15W High Schools 12th Grade Theatre
Chicago 15W High Schools 12th Grade Trigonometry

Cycles

[New League](#)

Add Cycle

Start Date: 10/30/2011
End Date: 01/07/2012

Frequency: 1 Week Length: 45 minutes

Assign sets of questions to each round in the cycle

Select from the available question sets
Assign

Round 1: 15W Calculus and Geometry
Round 2: 15W Geometry and Algebra
Round 3: 15W Algebra and Geometry
Round 4: 15W Calculus and Geometry
Round 5: 15W Calculus and Geometry

Save

Active Cycles in this League

10/30/2011 - 01/07/2012

Figure 59

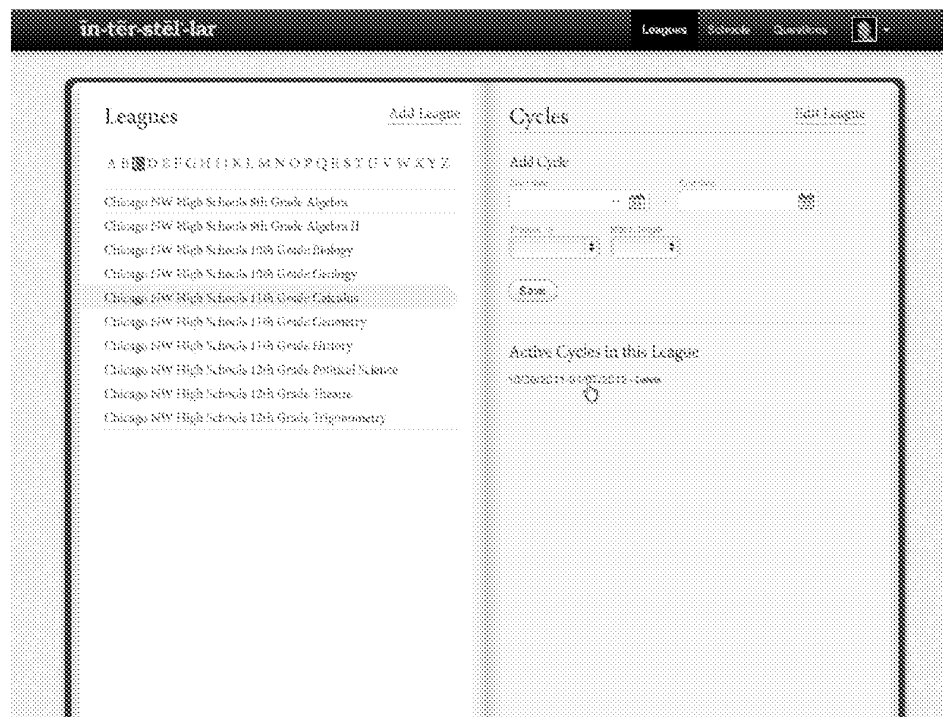


Figure 60

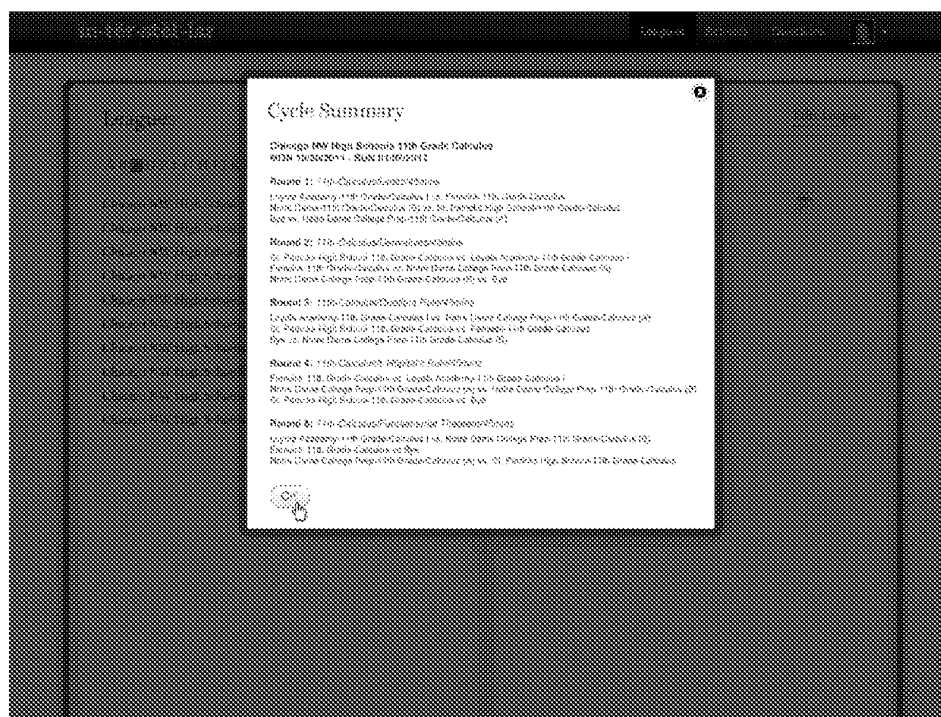


Figure 61

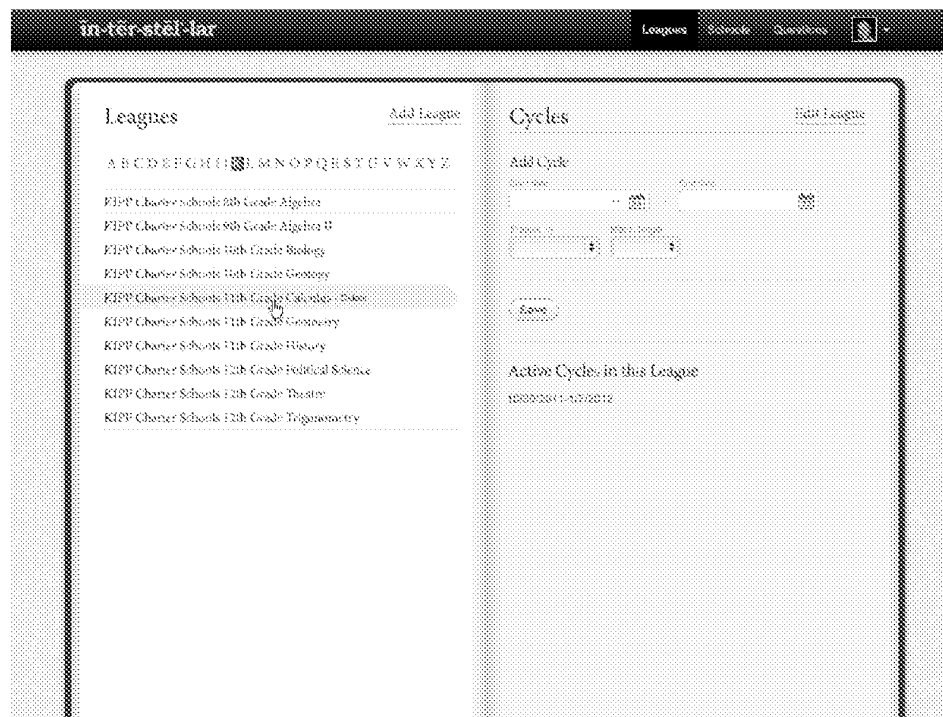


Figure 62

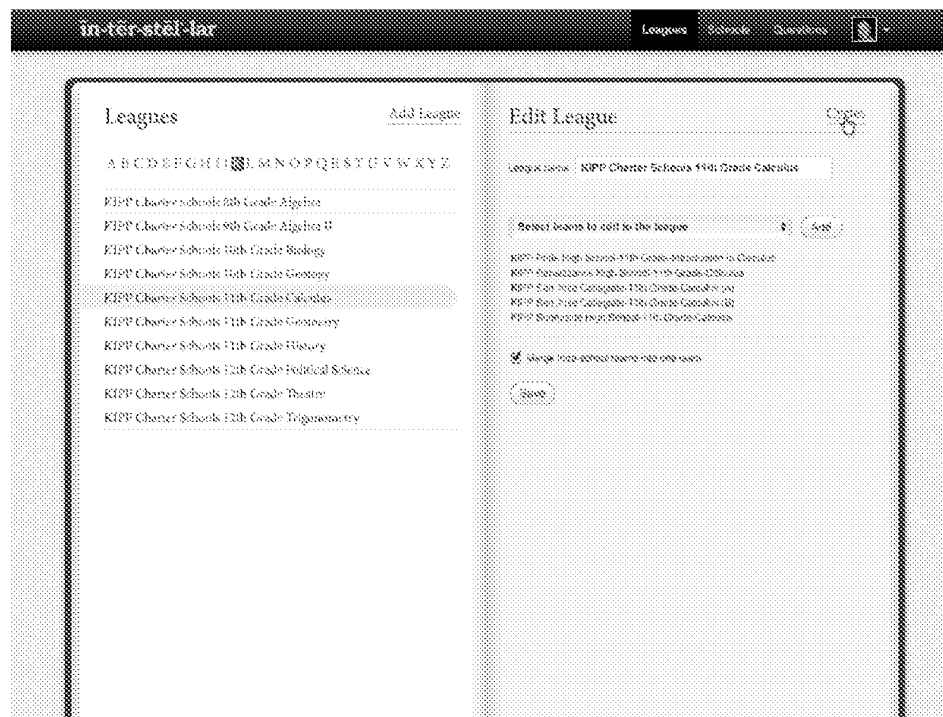


Figure 63



Figure 64

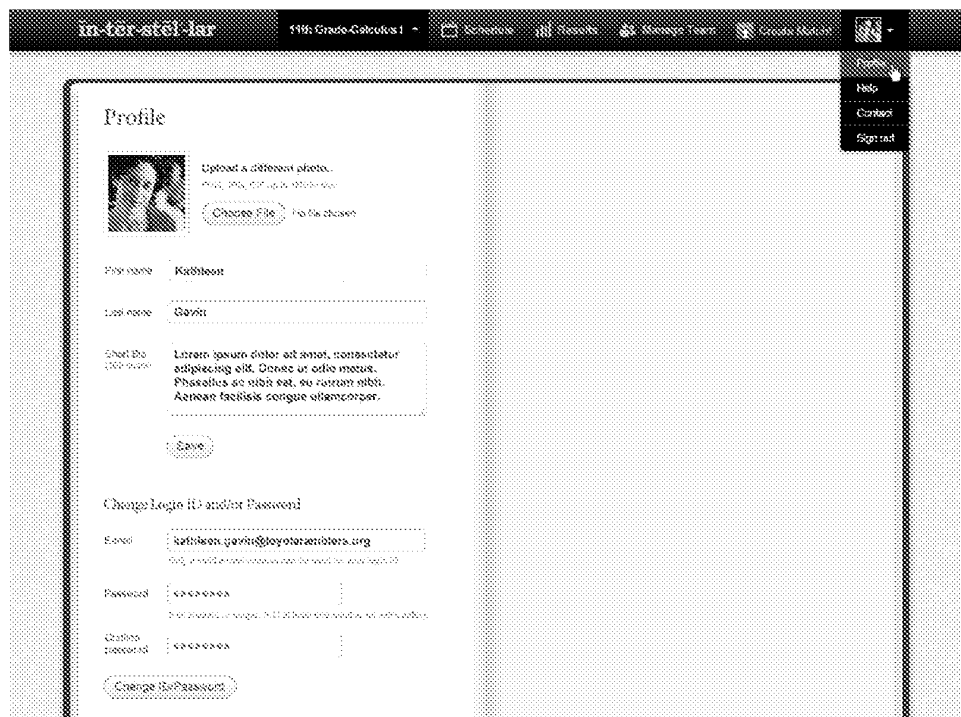


Figure 65

in-ter-stel-lar
11th Grade-Advanced-Calculus
Schedule
Rosters
Manage Team
Create Match

Pick Up Day
8th Grade-Algebra I
11th Grade-Geometry
12th Grade-Trigonometry

Schedule

September 2011

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Pending
Completed

Meet Your Next Opponent

Finwick Priars
Finwick - 11th Grade-Advanced-Calculus

Coach Christine Paik
"Lorem ipsum dolor sit amet, consectetur adipiscing elit. Donec at odio nec nibh est, eu tristique nibh. Donec facilisis congue ullamcorper."

Start time: **Tuesday, September 6, 2011 - 4:15PM CST**

Competition will begin in...

04:12:04:36

00:00 00:00 00:00 00:00

Figure 66



Figure 67

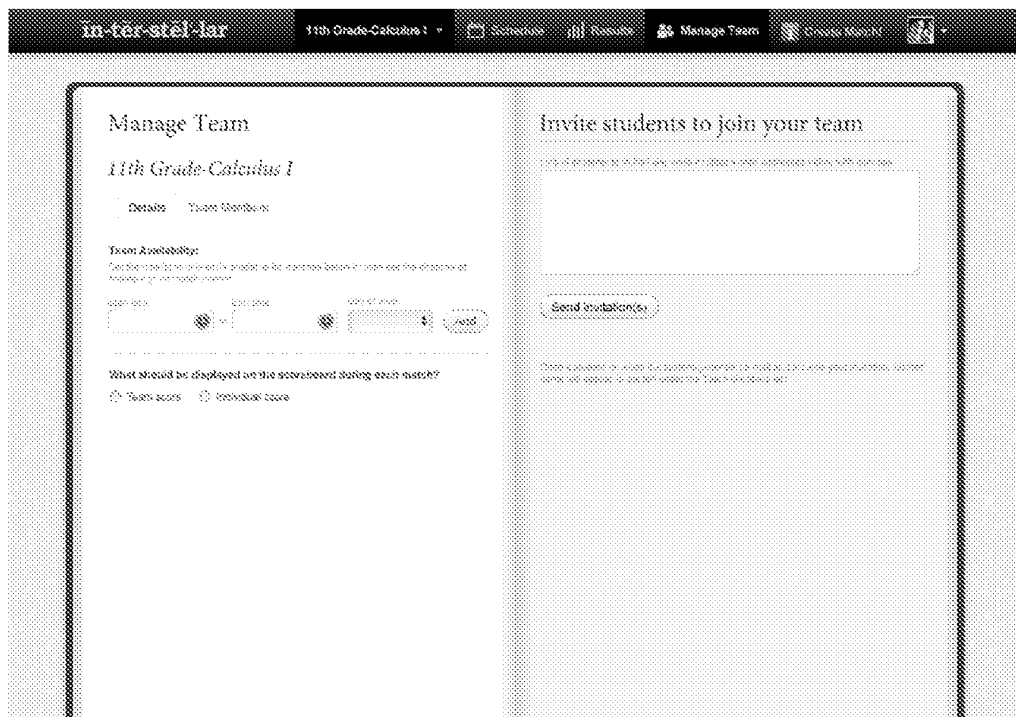


Figure 68

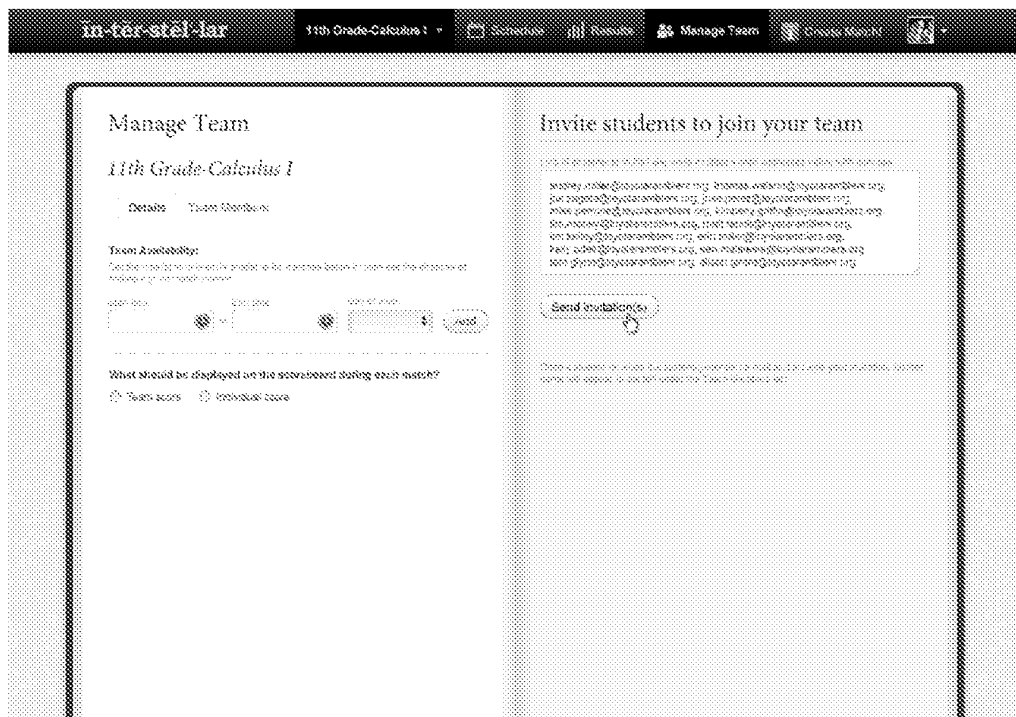


Figure 69

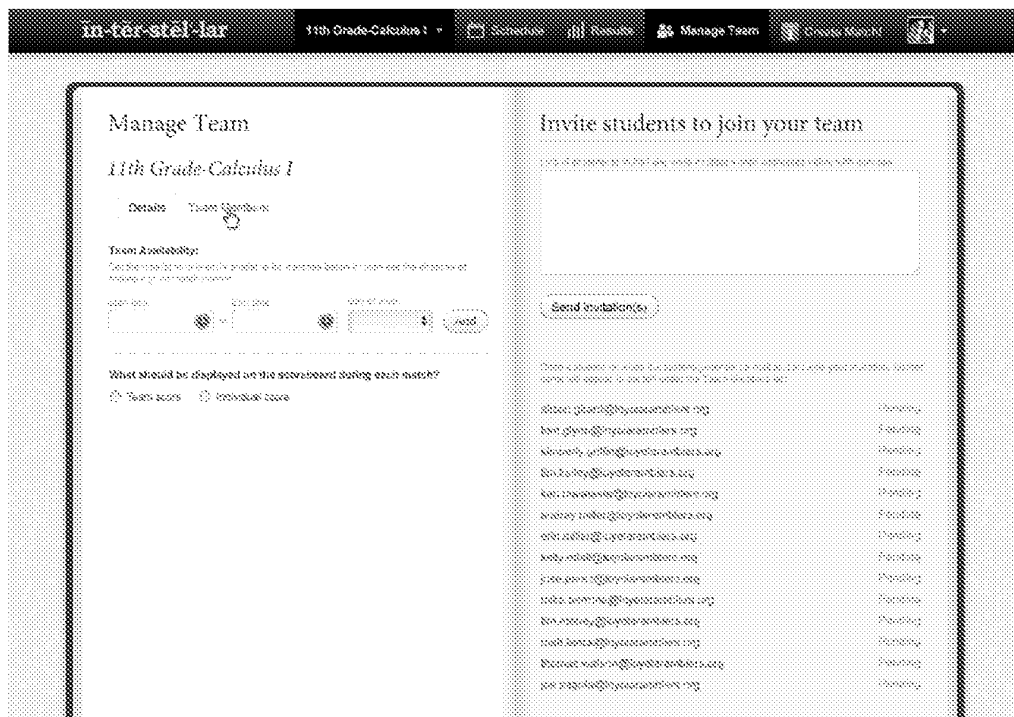


Figure 70

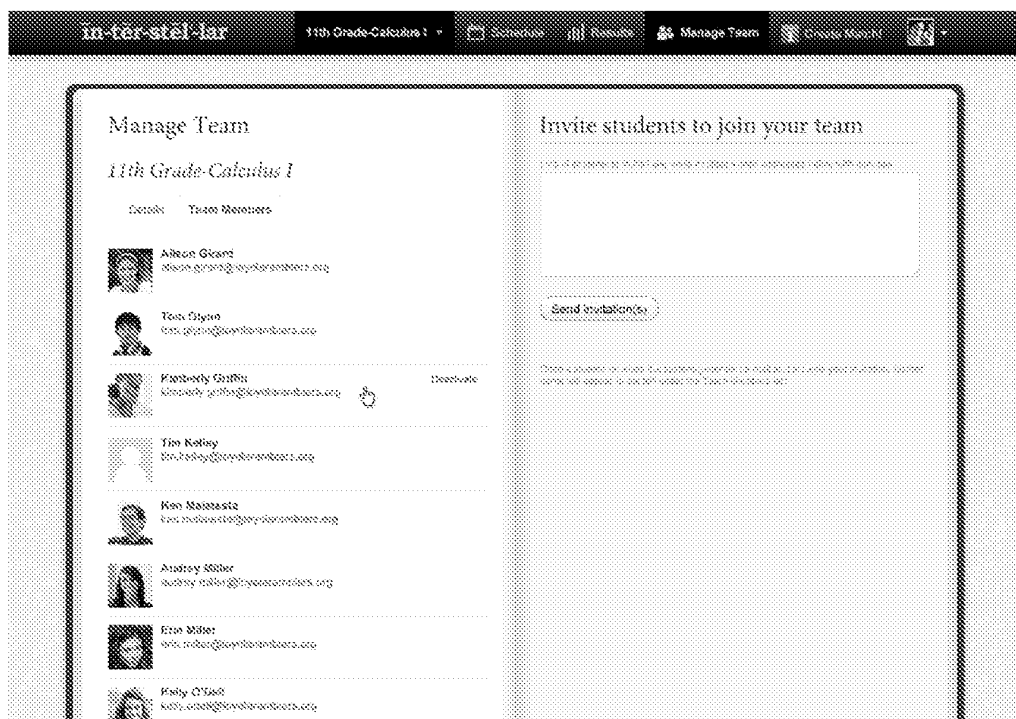


Figure 71

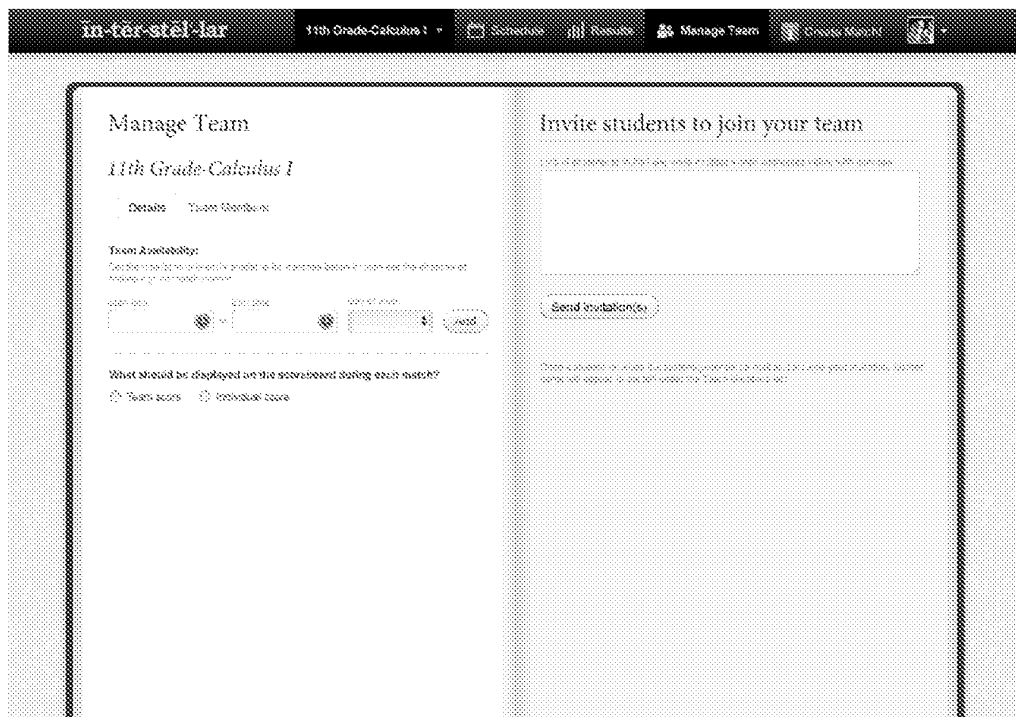


Figure 72

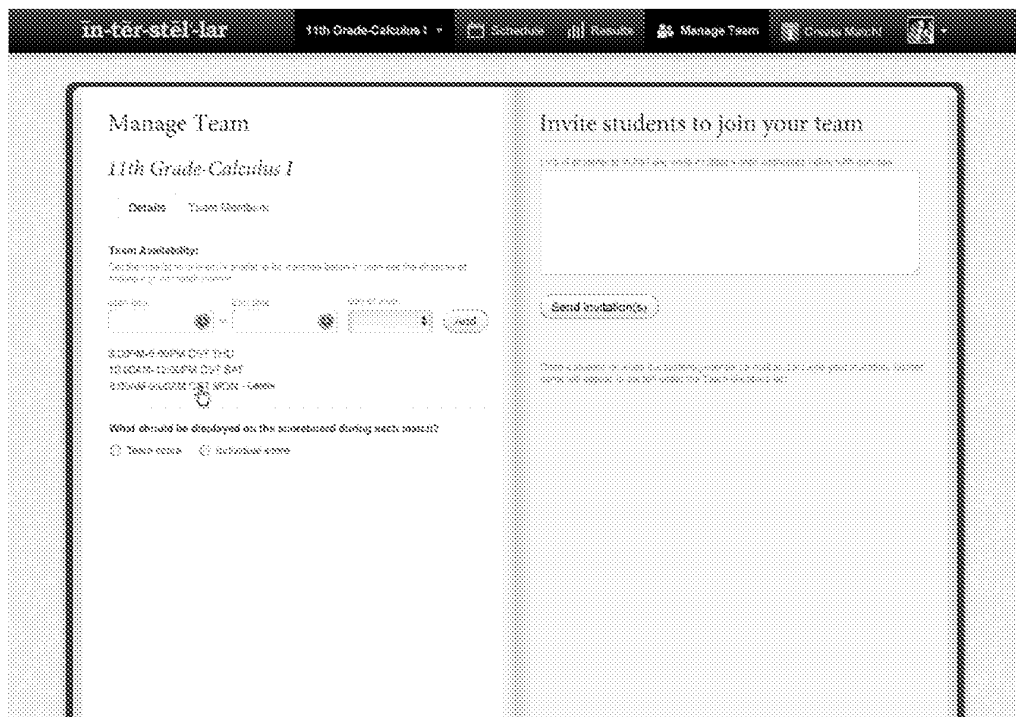


Figure 73

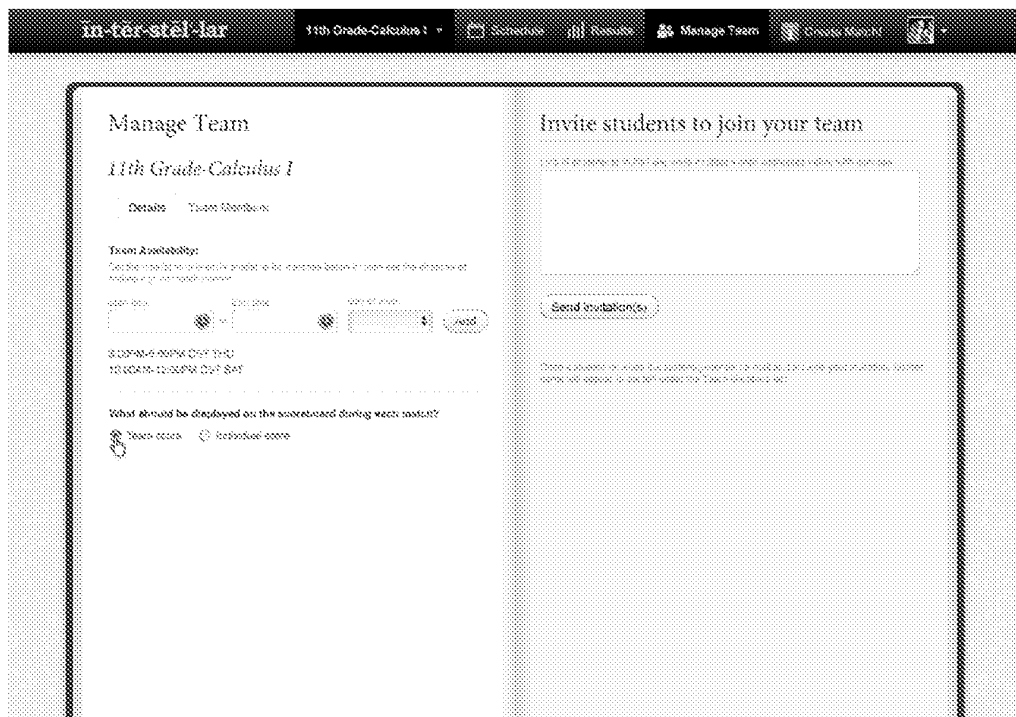


Figure 74

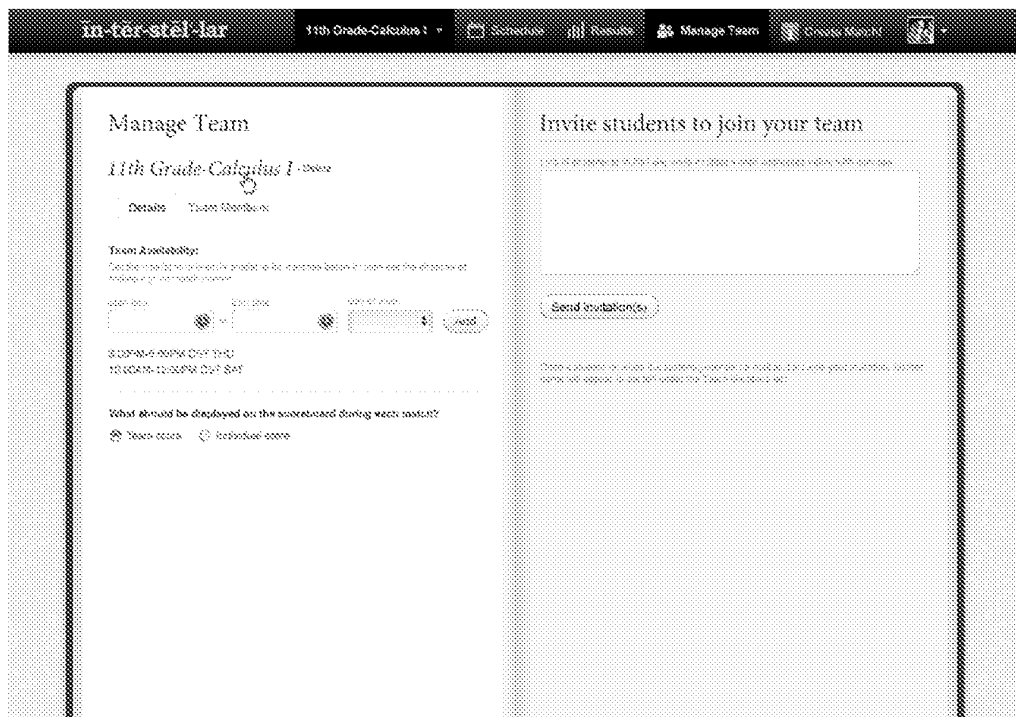


Figure 75

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Results
Manage Team
Create Match

Create Match

1

Date

2

Select match question set

3

Challenge another team

Divide my class into teams

Save

Cancel Match

Question Area

Add Question Set

Question Sets:

Select question set

Figure 76

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Results
Manage Team
Create Match

Create Match

1

Date

11/10/2015

2

Start time

3:00PM

3

Match length

45 mins

4

Select match question set

5

☐ Challenge another team
☐ Divide my class into teams

Save

Cancel Match

Question Area

[Add Question Set](#)

Question Sets:

Select question set

Figure 77

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Results
Manage Team
Create Match

Create Match

1
Date
11/10/2015

2
Start time
3:00PM

3
Match length
45 mins

4
Select match question set

5
Challenge another team
Divide my class into teams

Save
Cancel Match

Question Area

[Add Question Set](#)

Question Sets:
Select question set

Figure 78

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Results
Manage Team
Create Match

Create Match

Date
11/10/2011

Start time
3:00 PM

Match length
45 mins

1

Chain Rule

Challenge another team

Divide my class into teams

Save

Cancel Match

Question Area

[Add Question Set](#)

Question Sets:

Chain Rule

1. Lorem ipsum dolor sit amet, consectetur adipiscing elit...
2. Class aptent tacit sociosqu ad litora torquent...
3. Suspendisse eget mi. sagittis quis consequat...
4. Morrhonem a metus ut erat mollisquis Ineque...
5. Duis at tur diam. Phasellus risus tort, ornare...

Available Questions for "Chain Rule":

Saved

Browse Interactive Library

Write New Question

1

Lorem ipsum dolor sit amet, consectetur adipiscing elit...

2

Class aptent tacit sociosqu ad litora torquent...

3

Suspendisse eget mi. sagittis quis consequat...

4

Morrhonem a metus ut erat mollisquis Ineque...

5

Duis at tur diam. Phasellus risus tort, ornare...

Figure 79

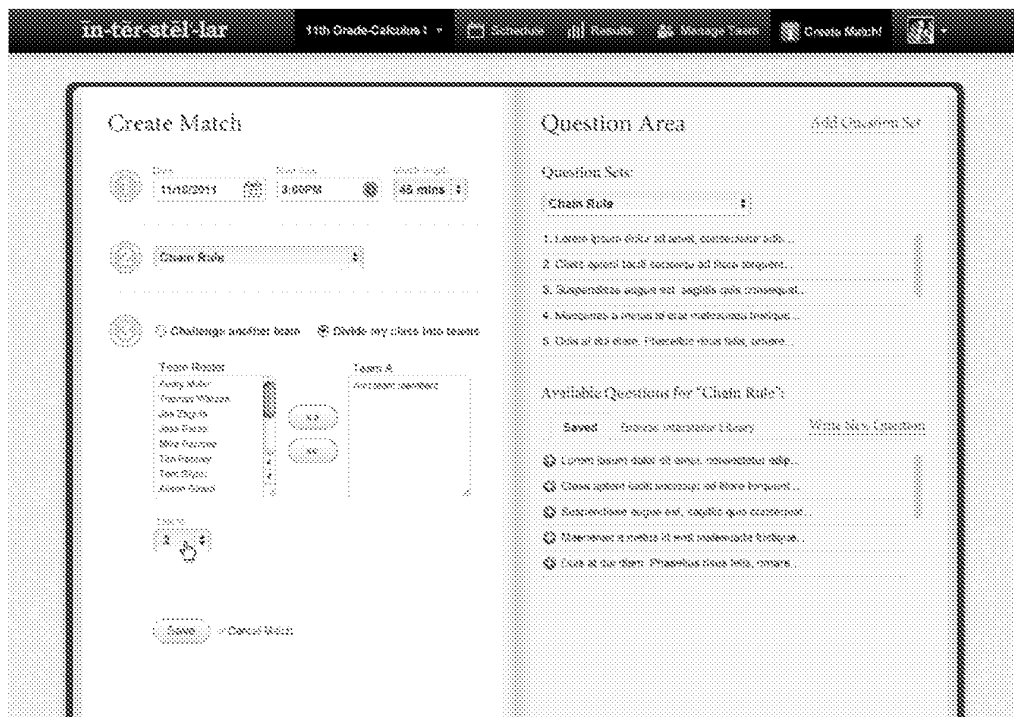


Figure 80



in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Results
Manage Team
Create Match

Create Match

🕒
Date
11/10/2015
📅
Start time
3:00 PM
⌚
Match length
45 mins
1

📋
Question Set
Chain Rule
2

👤
Challenge another team
👥
Divide my class into teams
3

Team A roster
Team B roster

12
13
14
15

Add Player
Remove Player

Team A (11/10/2015)
Team B (11/10/2015)

1
2
3
4
5

Team A (11/10/2015)
Team B (11/10/2015)

Save
Cancel Match

Question Area

[Add Question Set](#)

Question Set:

Chain Rule 1

1. I am a great doctor and will cure your ailment...
2. I am a great doctor and will cure your ailment...
3. I am a great doctor and will cure your ailment...
4. I am a great doctor and will cure your ailment...
5. I am a great doctor and will cure your ailment...

Available Questions for "Chain Rule":

Saved
Browse Interactive Library
Write New Question

1. I am a great doctor and will cure your ailment...
2. I am a great doctor and will cure your ailment...
3. I am a great doctor and will cure your ailment...
4. I am a great doctor and will cure your ailment...
5. I am a great doctor and will cure your ailment...

Figure 82

Page 718 of 758

in-ter-stel-lar
11th Grade-Calculus I
Schedule
Results
Manage Team
Create Match

Create Match

Date
11/10/2011
Time
3:00PM
Match Length
45 mins

Chain Rule

☒ Challenge another team
☐ Divide my class into teams

Select teams to challenge (maximum 5):
New Trier-11th Grade-Calculus I
Loyola Academy-10th Grade-Calculus
Mother McAuley-10th Grade-Calculus
New Trier-12th Grade-Calculus II
Weber-10th Grade-Introduction to Calculus
Resurrection-52th Grade-Advanced Calculus
St. Patrick's High School-11th Grade-Calculus II

Save
Cancel Match

Question Area

Add Question Set

Question Set:
Chain Rule

1. Locum ipsum dolor sit amet, consectetur adipiscing...
2. Quis aptent tacit sociosqu ad litora torquent...
3. Suscipit libero augue elit, sagittis quam consectetur...
4. Morbitas a metus id erat mollisquis tristique...
5. Duis ut dui diam. Phasellus tunc tellus, ornare...

Available Questions for "Chain Rule":

Saved
Import Questions from Library
Write New Questions

1. Locum ipsum dolor sit amet, consectetur adipiscing...
2. Quis aptent tacit sociosqu ad litora torquent...
3. Suscipit libero augue elit, sagittis quam consectetur...
4. Morbitas a metus id erat mollisquis tristique...
5. Duis ut dui diam. Phasellus tunc tellus, ornare...

Figure 83

Page 719 of 758

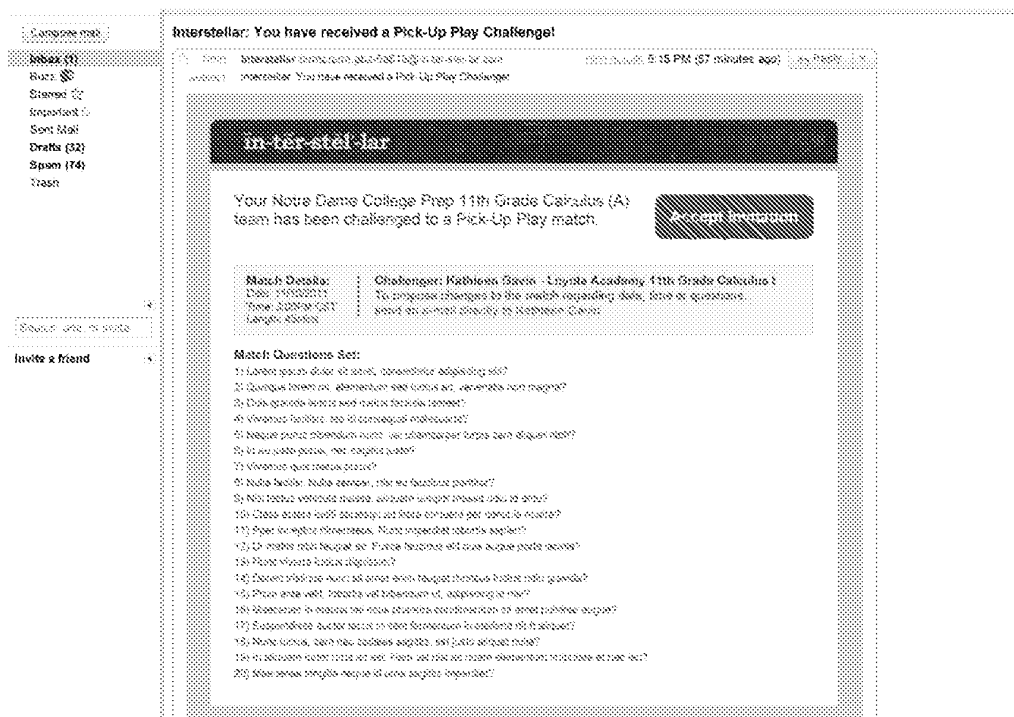


Figure 84

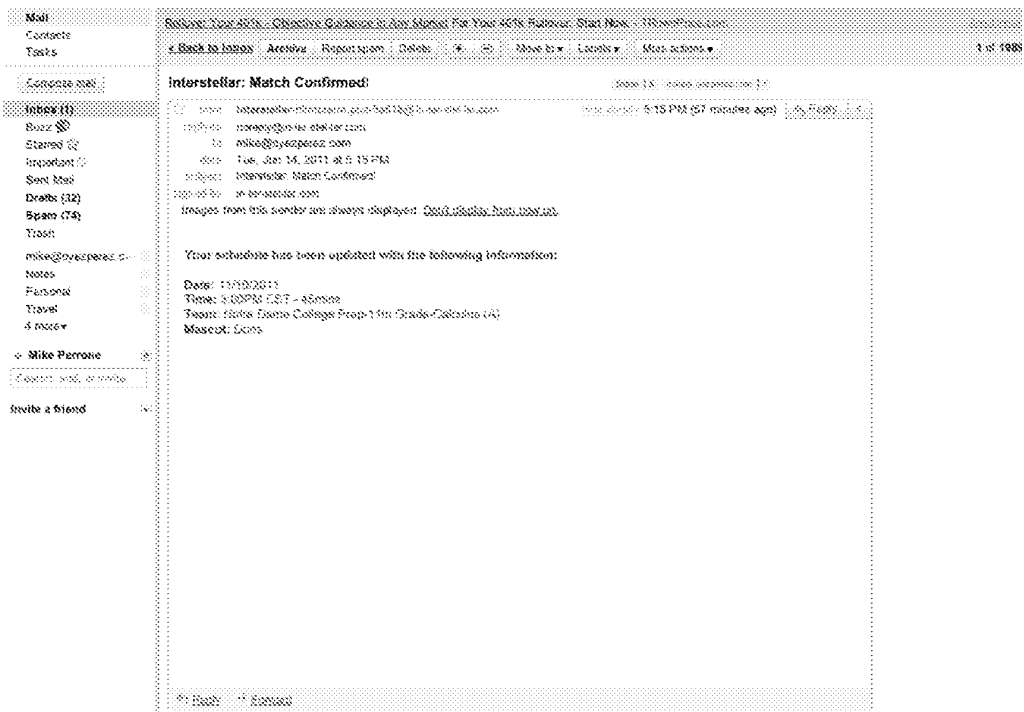


Figure 85

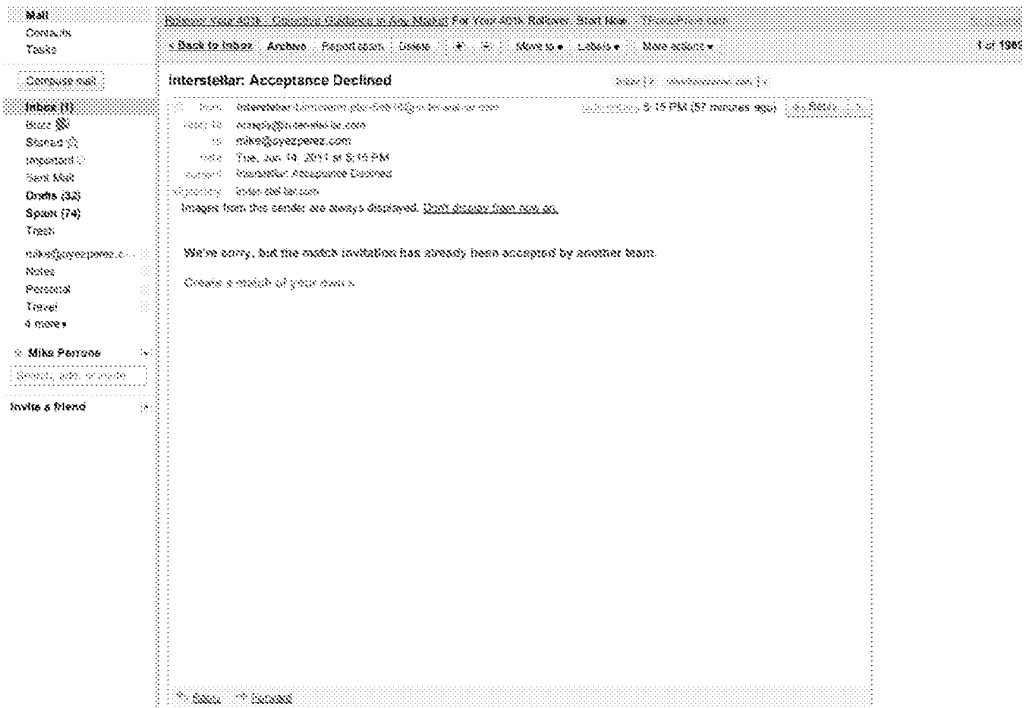


Figure 86

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Roster
Message Team
Create Match

Schedule
League Play

Schedule

« November 2011 »

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Schedule

Meet Your Next Opponent



Coach Timothy Miller-Friars
Records: 10th Grade Calculus



*"Lumen speciem datur ut omnia, conservetur
obligatio illa. Divinitus illis videtur. Pluresque
utitur eis, ut videtur illis, sensum facillius cognoscere
possint."*

Start time: **Wednesday, November 2, 2011 - 1:00PM CST**

Competition will begin in...

00:20:04:36

00:20 00:04 36

Figure 87

in-ter-stel-lar
11th Grade-Calculus I
Schedule
Roster
Manage Team
Create Match

P.S. Up Day
League Play

Schedule

November 2011 »

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Pending

Completed

Meet Your Next Opponent

Ramblers
 Angelo Academy 11th Grade-Calculus I

TEAM A	VS	TEAM B
Audrey Miller		Matt Tancot
Thomas Vabroon		Tim Kelley
Joe Zengiba		Eron Miller
Jason Paves		Kelly G Dard
Mike Perrone		Pen Malacosta
Tom Riney		Tom Glynn
Katheryn Guffie		Austin Gilbert

Start time: **Thursday, November 10, 2011 - 3:00PM CST**

Competition will begin in...
09:03:04:36
DD:MM:SS:CC

Figure 88

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Roster
Manage Team
Create Match

P.S. Up Day
League Play

Schedule

November 2011 »

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Pending

Completed

Meet Your Next Opponent



Coach Sean Walsh - Dons
Donne Valley College Prep - 11th Grade / Studies (2)



*"Lumen speciosum fulgoris est, conspectusque
 obligatus est. Divina est illius virtus. Placuisse in
 nobis est, in nobis est, aequum fore illis omnia
 utitur omnia."*

Start time: **Thursday, November 10, 2011 - 3:00PM CST**

Competition will begin in...

09:03:04:36

100% 100% 100% 100%

Figure 89

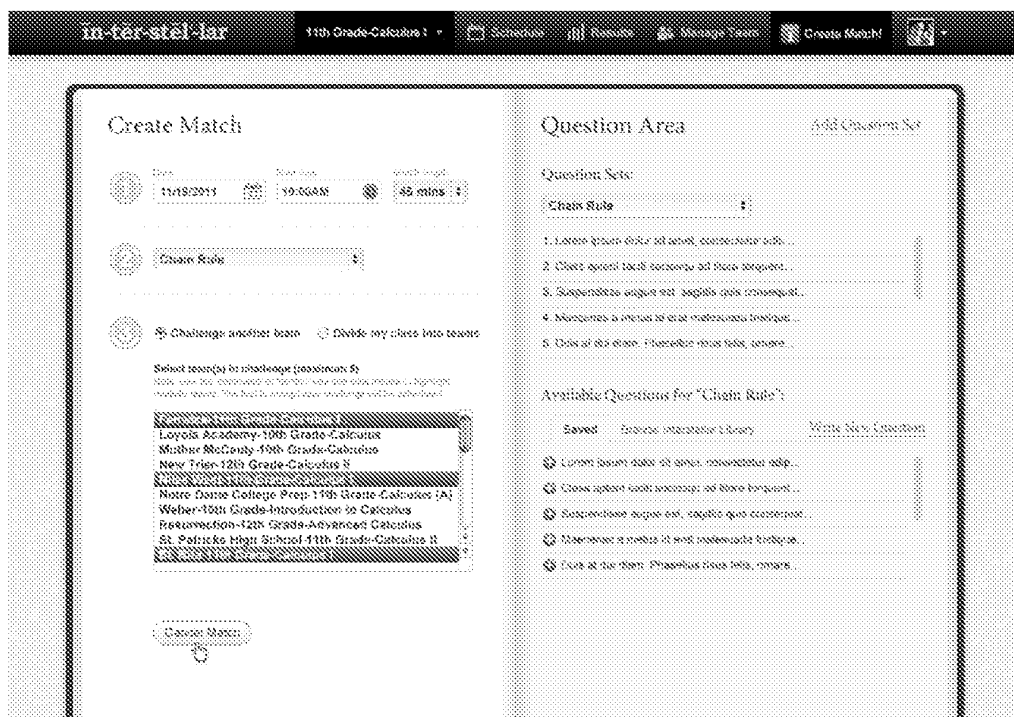


Figure 90

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Results
Manage Team
Create Match

Create Match

1
Date
11/10/2011
2
Start time
3:00 PM
3
Match length
45 mins
4

5
Chain Rule
6

7
Challenge: answer first team
8
Divide my class into teams

Team A
Avery Miller
Thomas Wilson
Jon Dugan
Jana Fazio
Mike Kuznetsov
Tim Kuznetsov
Kendall Drells

Team B
Mia Tasso
Tim Kelsey
Eric Miller
Emily C. Carr
Van Shattuck
Tom Dugan
Alexis Drells

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

Question Area

Add Question Set

Question Set:

Chain Rule

1. Lorem ipsum dolor sit amet, consectetur adipiscing elit...
2. Class aptent tacit sociosqu ad litora torquent...
3. Suscipit enim sed, sagittis quis consequat...
4. Morbi enim auctor ut erat mattis nulla interdum...
5. Duis at tur enim. Phasellus risus tortor, ornare...

Available Questions for "Chain Rule":

Saved Browse Interactive Library Write New Question

1. Lorem ipsum dolor sit amet, consectetur adipiscing elit...
2. Class aptent tacit sociosqu ad litora torquent...
3. Suscipit enim sed, sagittis quis consequat...
4. Morbi enim auctor ut erat mattis nulla interdum...
5. Duis at tur enim. Phasellus risus tortor, ornare...

Figure 92

Page 728 of 758

in-ter-stel-lar
11th Grade-Calculus 1
Schedule
Results
Manage Team
Create Match

Create Match

1
Date
11/10/2015

2
Start time
3:00PM

3
Match length
45 mins

4
Chain Rule

5
Challenge answer first
Divide my class into teams

6
Assignment:
None Done College Prep: 11th Grade-Calculus (A)

7
Create Match

Question Area

[Add Question Set](#)

Question Sets:

Chain Rule
1

1. Lorem ipsum dolor sit amet, consectetur adipiscing elit...

2. Class aptent tacit sociosqu ad litora torquent...

3. Suscipit enim eget nisi, sagittis quis consequat...

4. Morbi nec a metus sit erat malesuada. In aliquam...

5. Duis at risus etiam. Phasellus risus tortor, semper...

Available Questions for "Chain Rule":

[Save](#)
[Browse Interactive Library](#)
[Write New Question](#)

1. Lorem ipsum dolor sit amet, consectetur adipiscing elit...

2. Class aptent tacit sociosqu ad litora torquent...

3. Suscipit enim eget nisi, sagittis quis consequat...

4. Morbi nec a metus sit erat malesuada. In aliquam...

5. Duis at risus etiam. Phasellus risus tortor, semper...

Figure 93

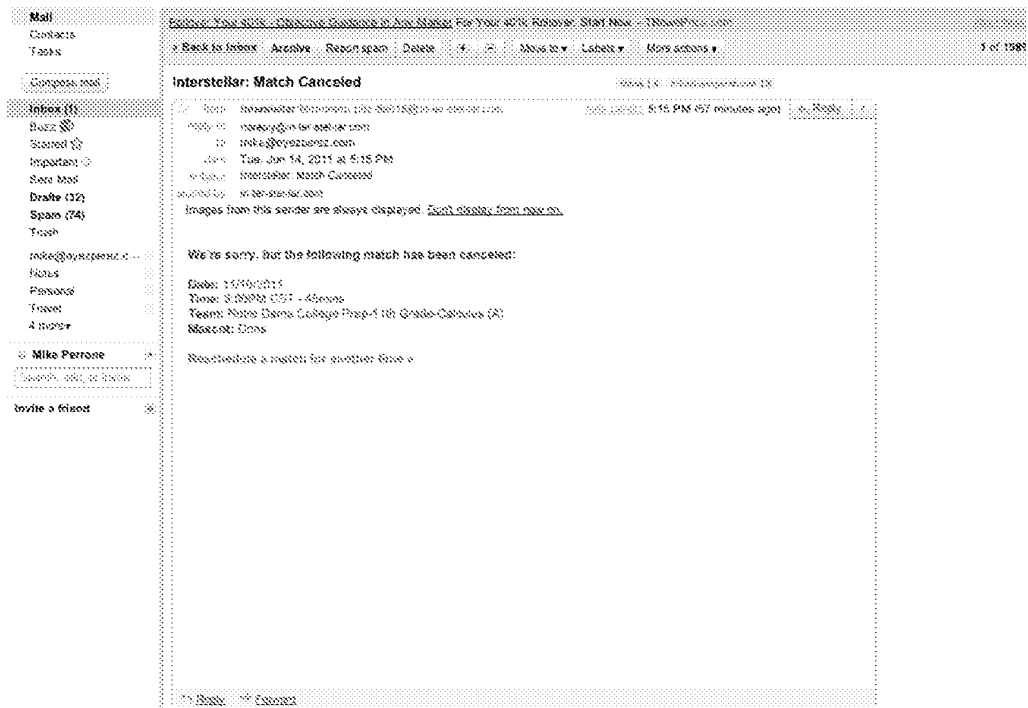


Figure 94

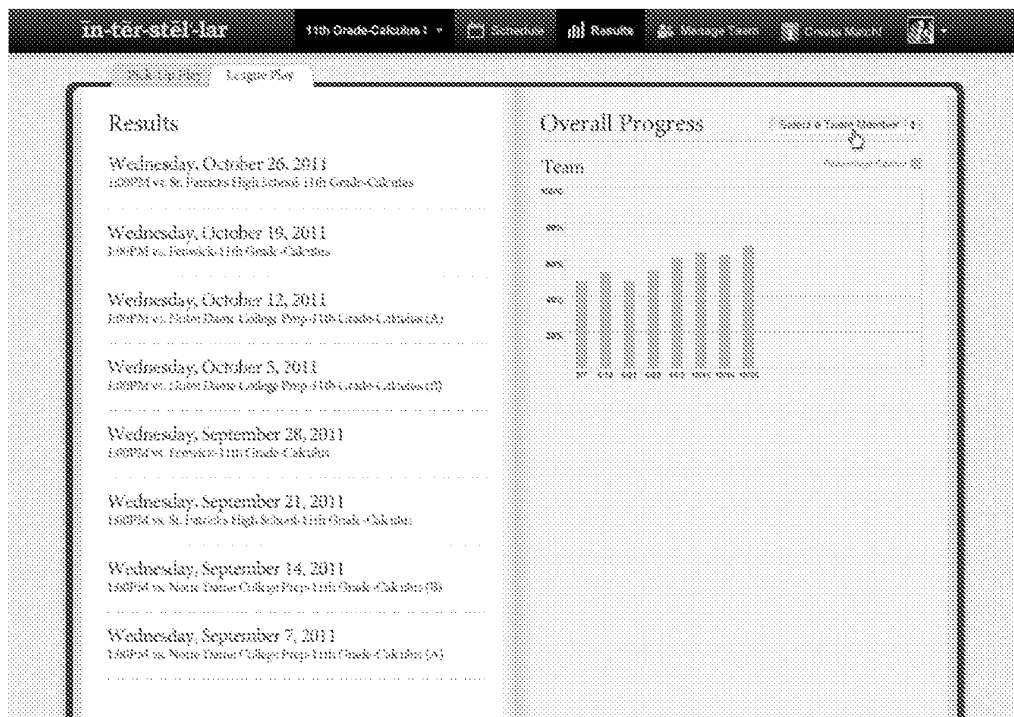


Figure 95

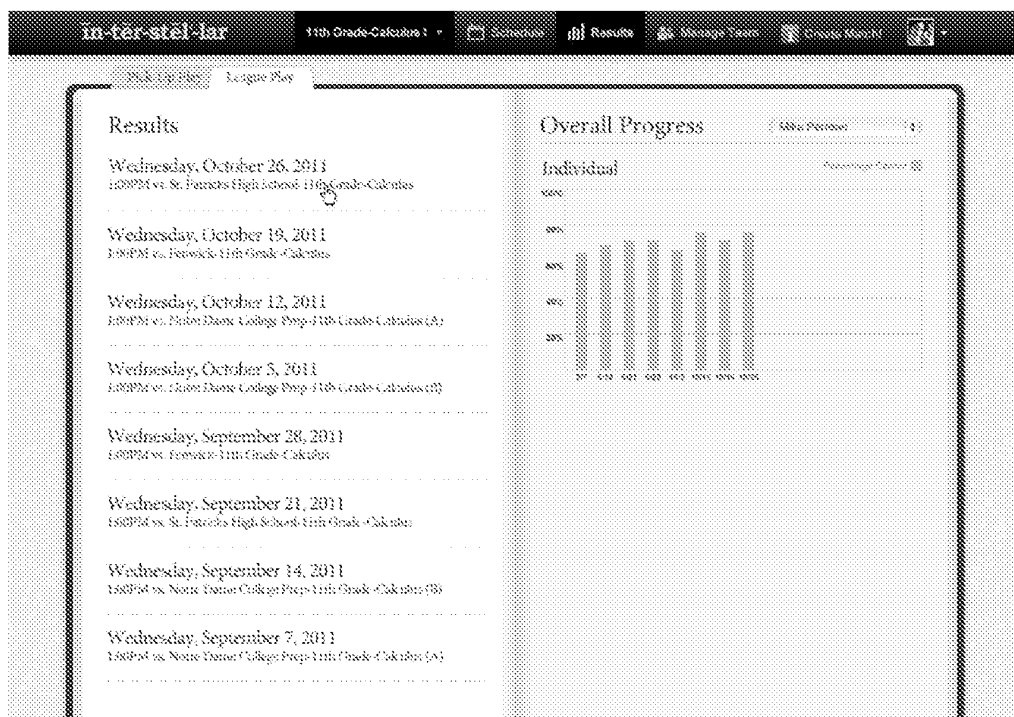


Figure 96

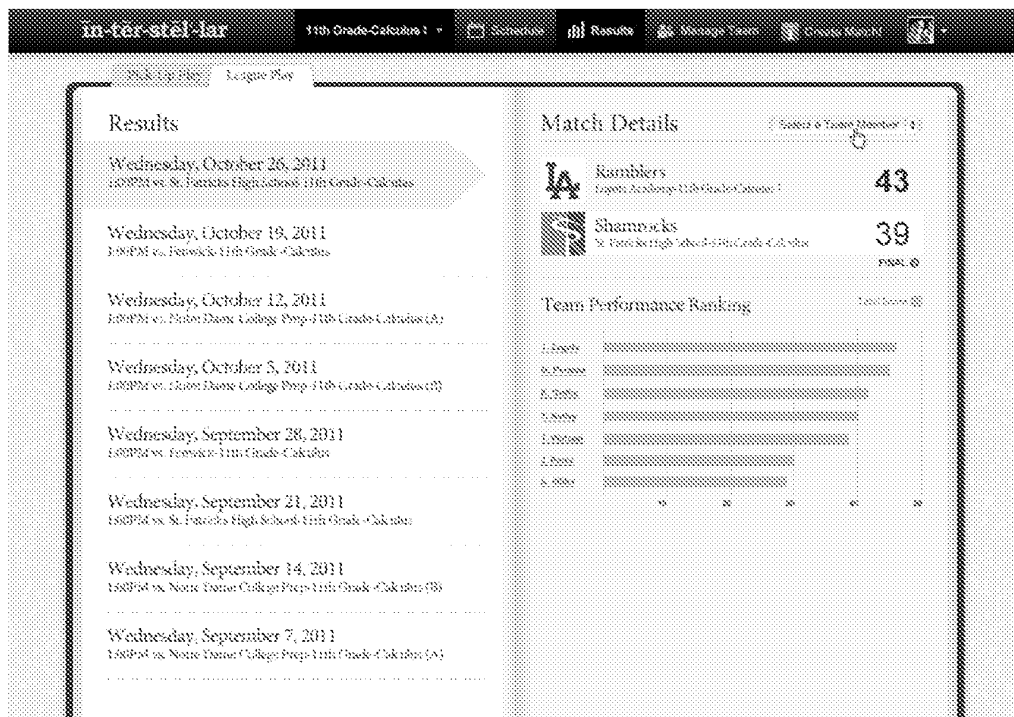


Figure 97

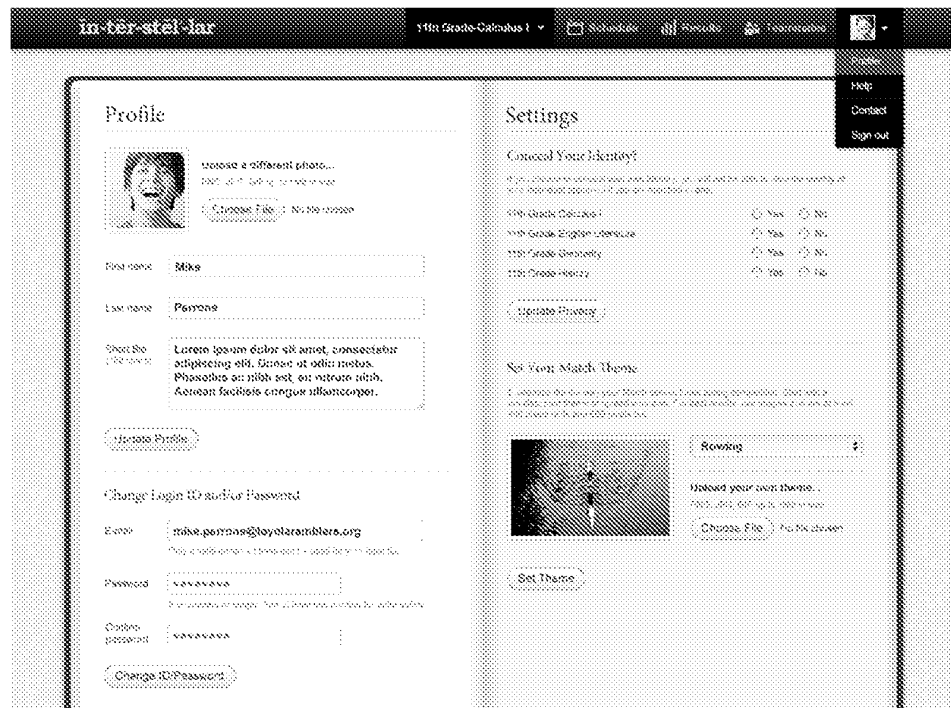


Figure 99

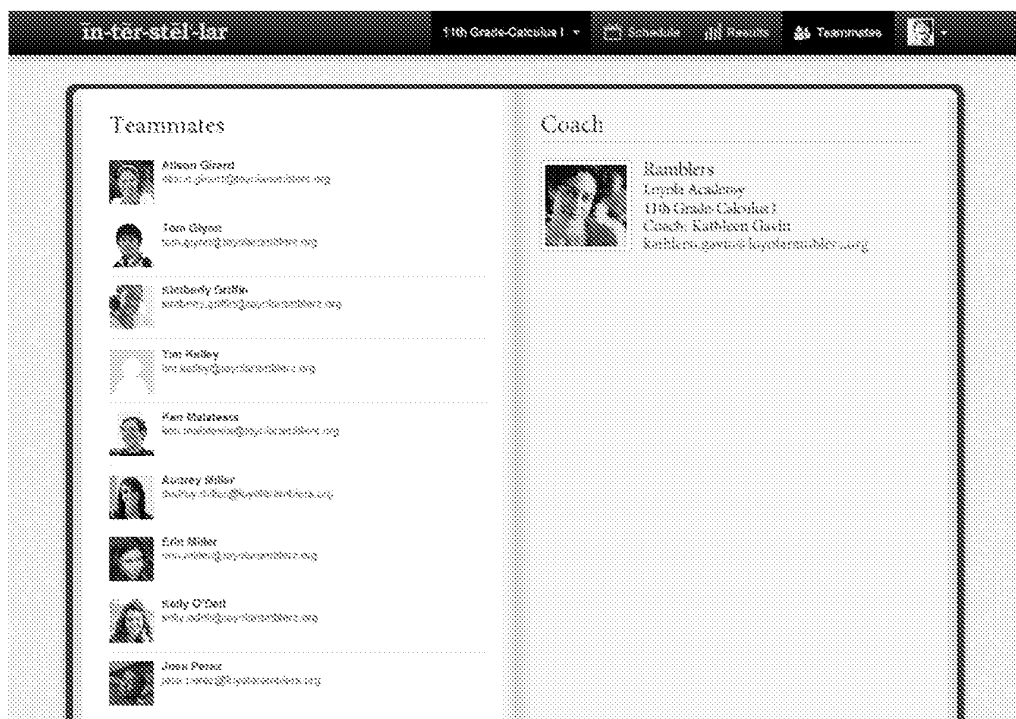


Figure 100

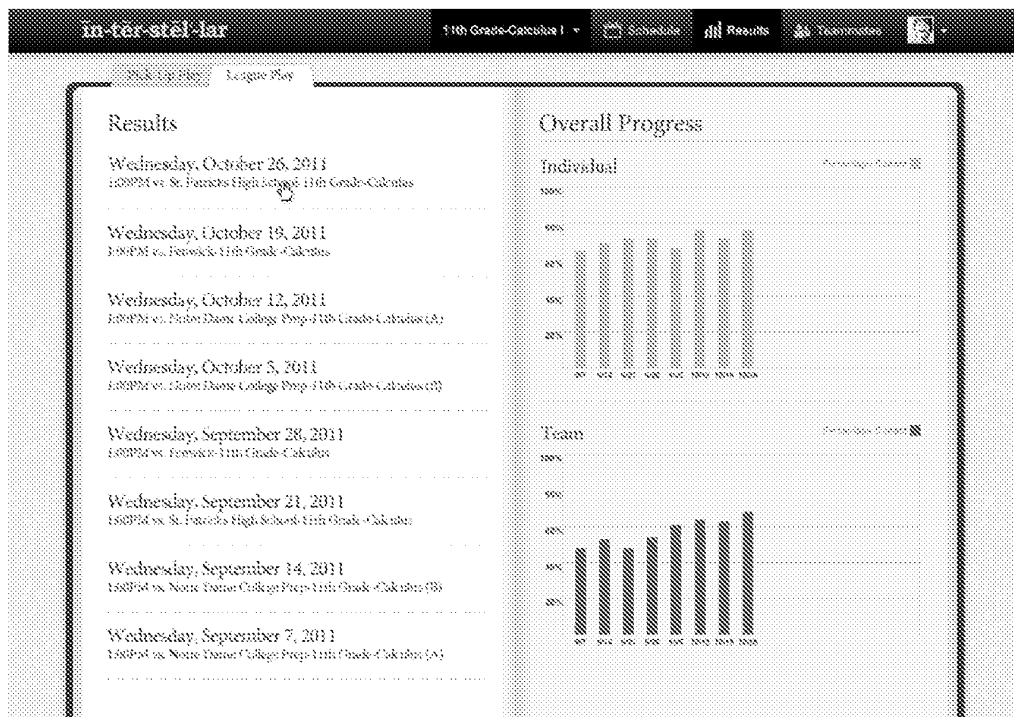


Figure 101

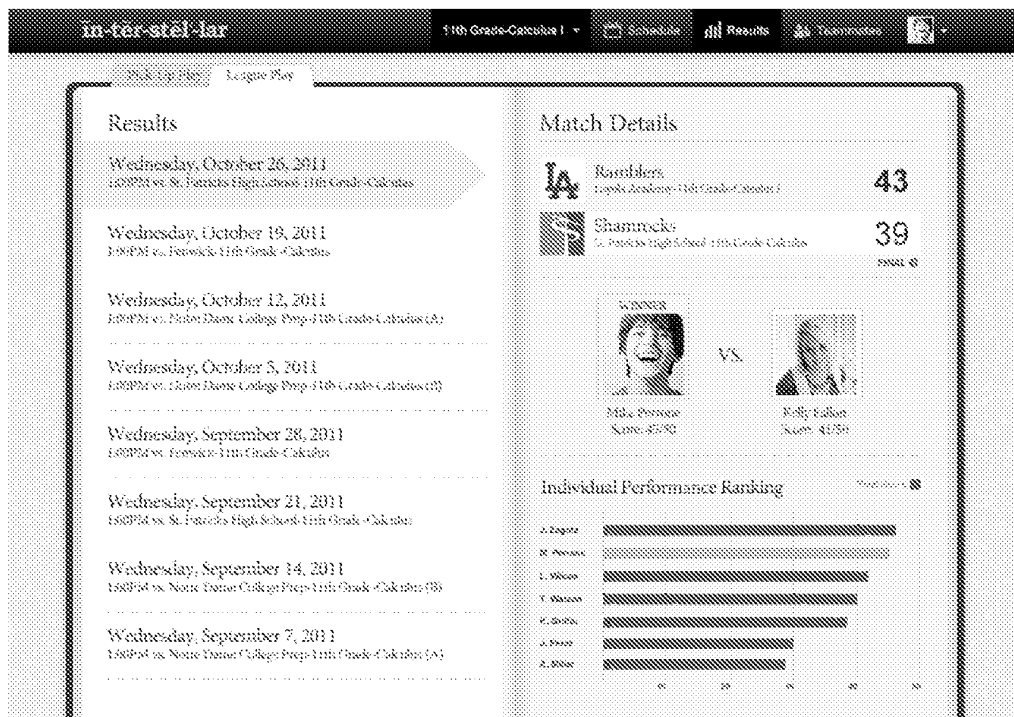


Figure 102

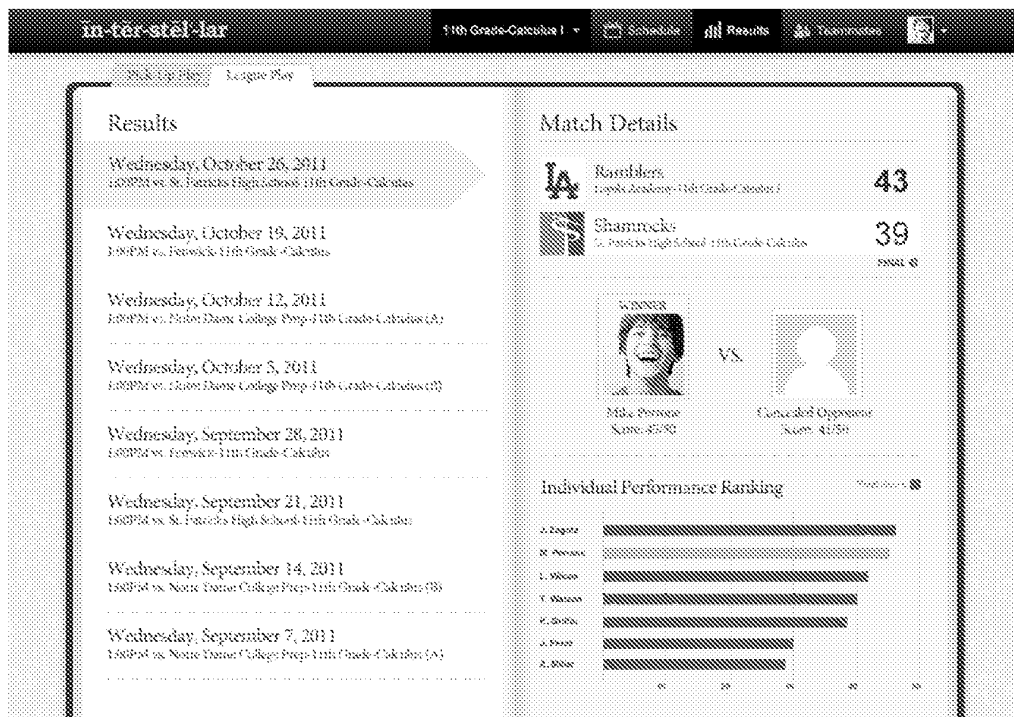


Figure 103

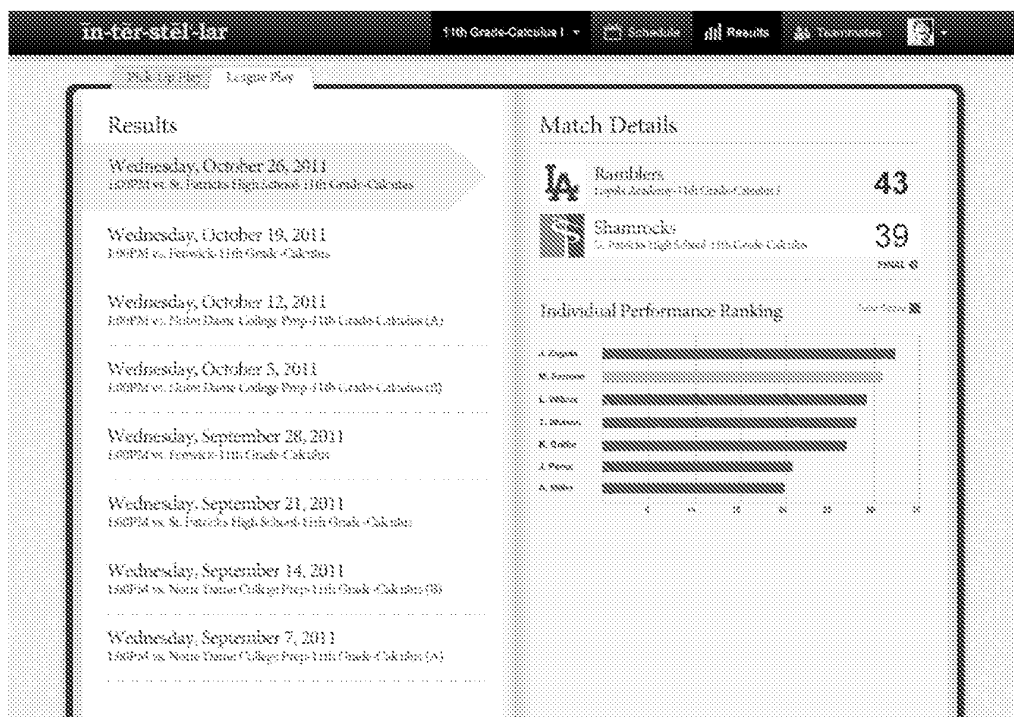


Figure 104

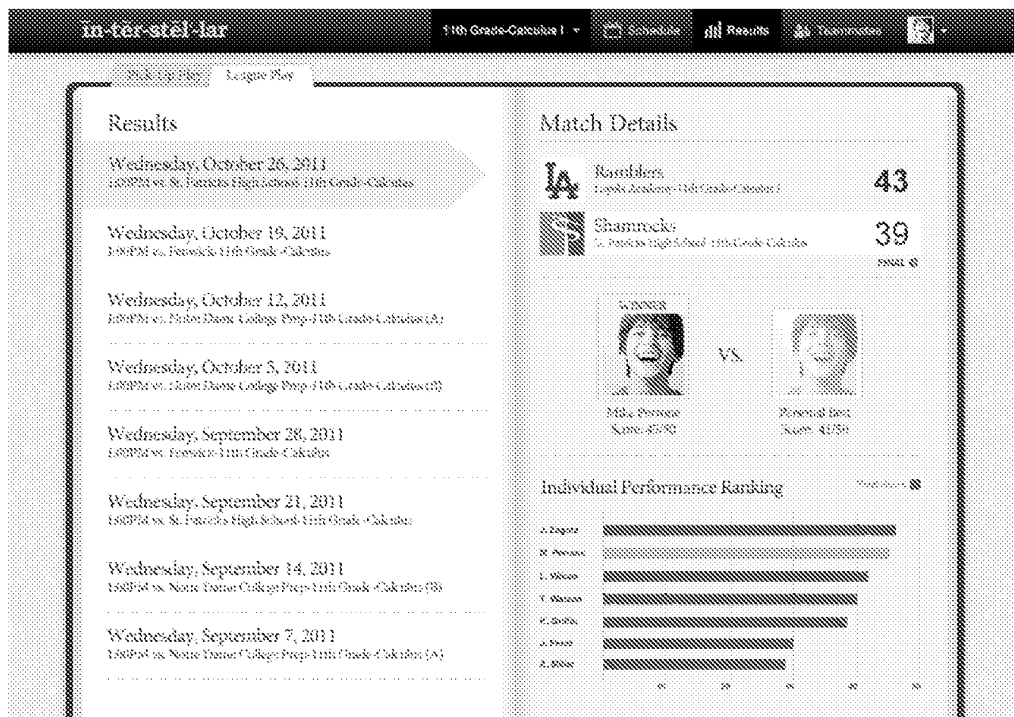
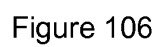


Figure 105



in-ter-stel-lar
11th Grade-Calculus I
Schedule
Results
Teammates

Pick Up Play
League Play

Schedule

« November 2011 »

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Meet Your Next Opponent

Tullany Girard - Dons
Notre Dame College - 11th Grade-Calculus I

"Larentia quare daret sit amet, consectetur adipiscing elit. Proin ut odio iusto. Phasellus eu nibh est, eu rutrum nibh. Aenean facilisis crasque ultricesque."

Start time: **Thursday, November 10, 2011 - 3:00PM CST**

Competition will begin in...

09:03:04:36

00:00 00:00 00:00 00:00

Figure 107



Figure 108

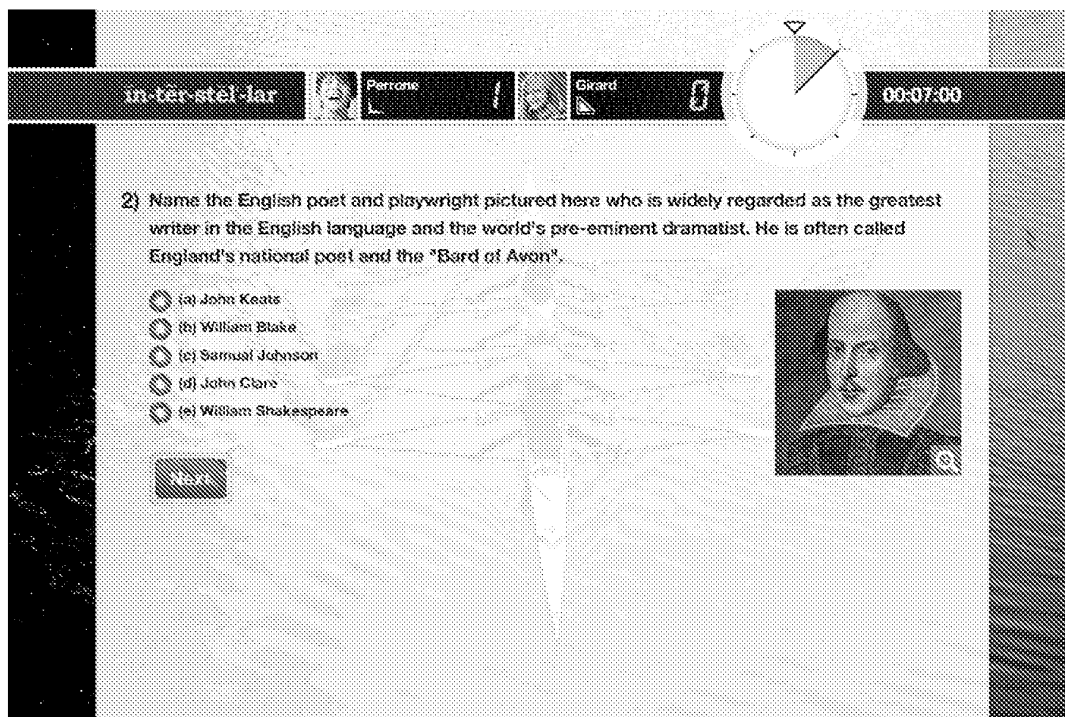


Figure 109

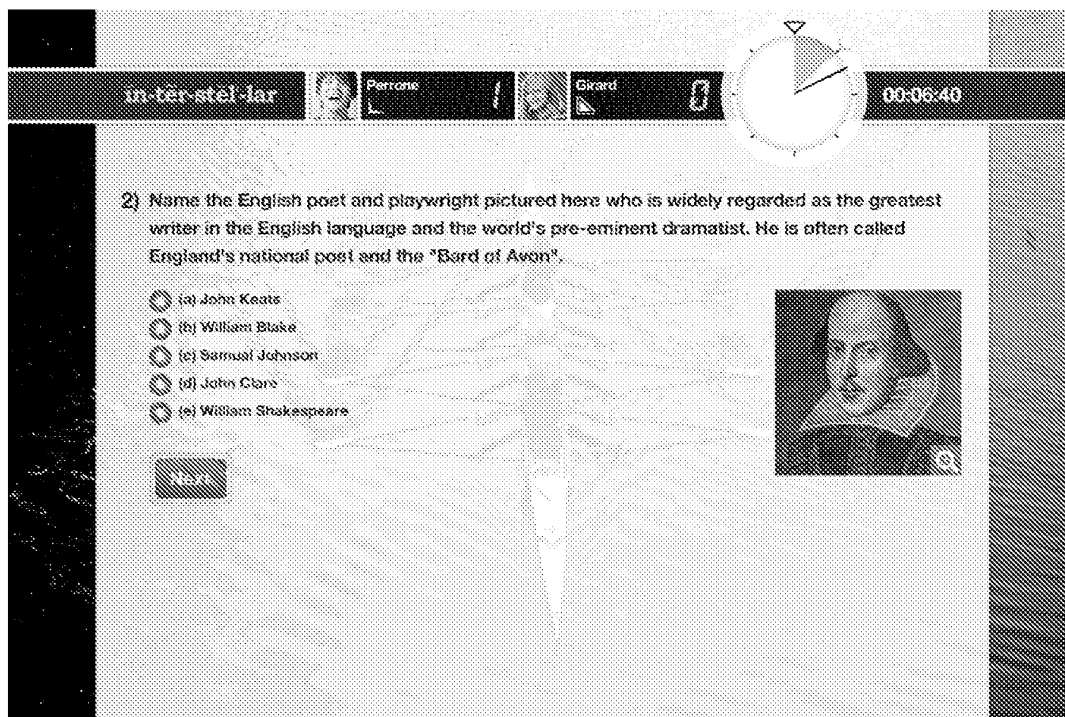


Figure 110

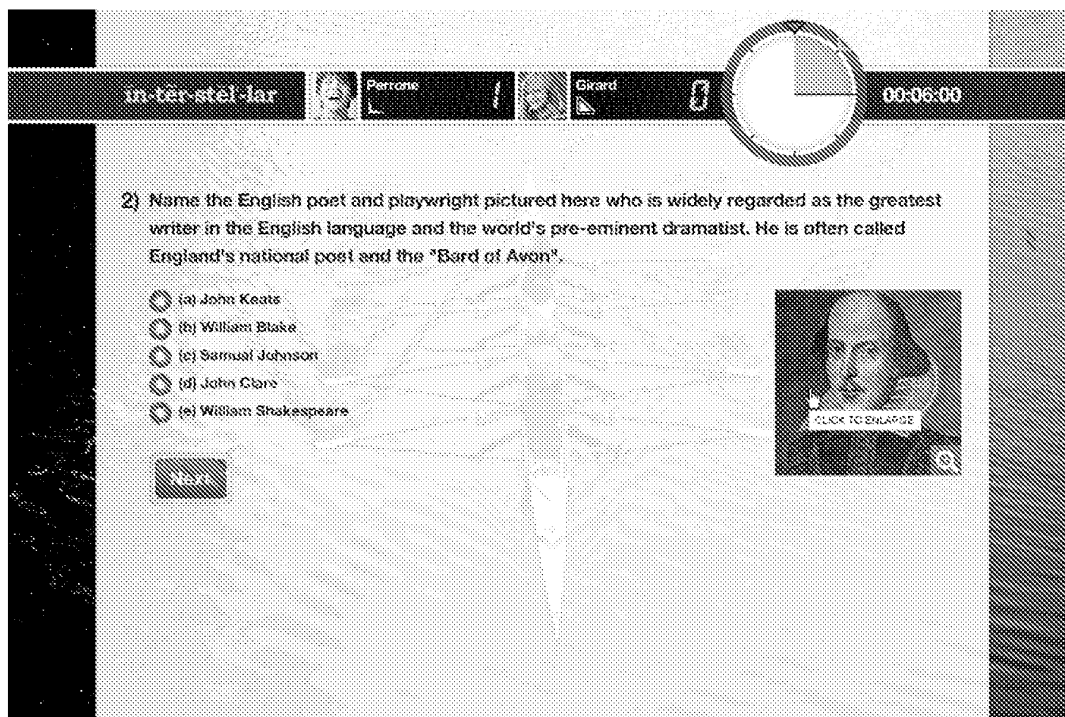


Figure 111



Figure 112

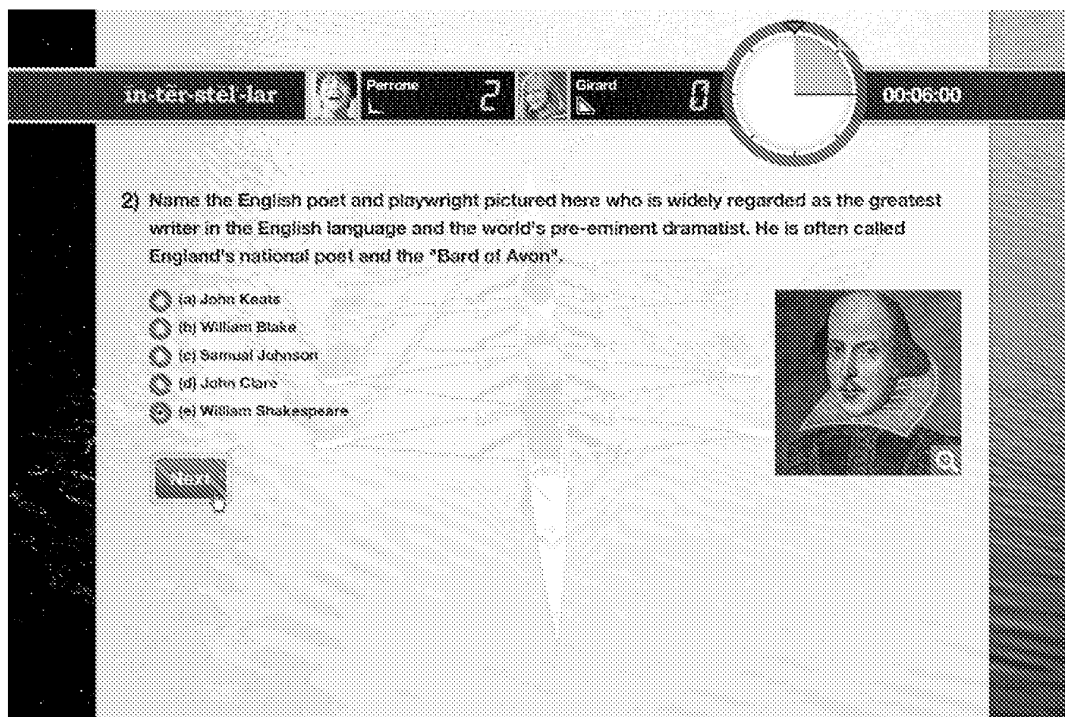


Figure 113

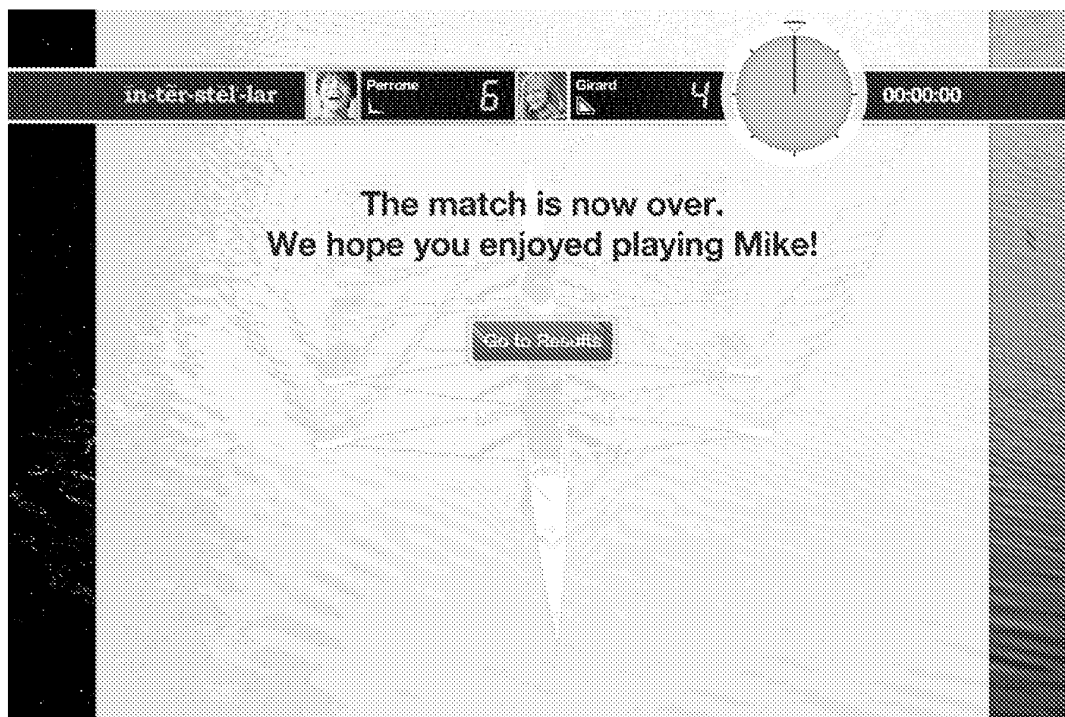


Figure 114

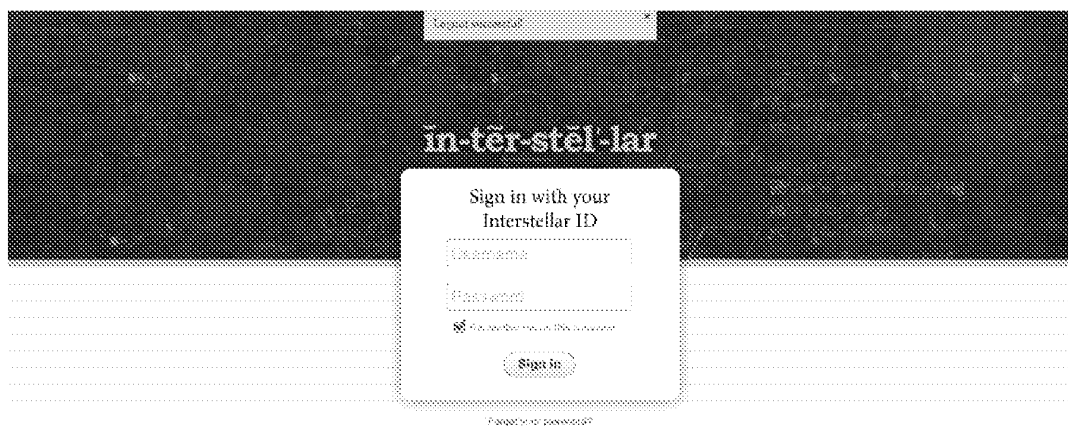


Figure 115

DOCKET NO.: TKEL-0002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Timothy J. Kelley, et al.

For: SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION

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

Dear Commissioner:

**AUTHORIZATION TO TREAT A REPLY AS INCORPORATING AN EXTENSION OF
TIME UNDER C.F.R. §1.136(a)(3)**

The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050.

Date: April 4, 2012

/Michael P. Dunnam/
Michael P. Dunnam
Registration No. 32,611

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION		
First Named Inventor/Applicant Name:		Timothy J. Kelley		
Filer:		Michael Paul Dunnam/Denise Marvel		
Attorney Docket Number:		TKEL-0002		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	95	95
Utility Search Fee	2111	1	310	310
Utility Examination Fee	2311	1	125	125
Pages:				
Claims:				
Claims in excess of 20	2202	22	30	660
Miscellaneous-Filing:				
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1190

Electronic Acknowledgement Receipt	
EFS ID:	12468683
Application Number:	13439305
International Application Number:	
Confirmation Number:	8456
Title of Invention:	SYSTEM AND METHOD FOR ON-LINE ACADEMIC COMPETITION
First Named Inventor/Applicant Name:	Timothy J. Kelley
Customer Number:	23377
Filer:	Michael Paul Dunnam/Denise Marvel
Filer Authorized By:	Michael Paul Dunnam
Attorney Docket Number:	TKEL-0002
Receipt Date:	04-APR-2012
Filing Date:	
Time Stamp:	15:36:07
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1190
RAM confirmation Number	2299
Deposit Account	233050
Authorized User	
<p>The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees)</p> <p>Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)</p>	

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	Transmittal of New Application	TKEL-0002_Application_Transmittal.PDF	321318	no	2
			d8cdc06f23feccc633c29f86034dc5e4ea5b0b20		
Warnings:					
Information:					
2	Application Data Sheet	TKEL-0002_ADS.PDF	1421352	no	5
			0d26f7b4e5b5ea43ab0d1d3e2e62ce4c16015e49		
Warnings:					
Information:					
3		TKEL-0002_Application_as_filed.PDF	355181	yes	73
			ae3107a4bc6acc3356f5dc872b523b242bb c0545		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	64	
	Claims		65	72	
	Abstract		73	73	
Warnings:					
Information:					
4	Drawings-only black and white line drawings	REVISED-figures.PDF	23327603	no	115
			8764ee863c548a1709fee091c99d5b41ffc673fd		
Warnings:					
The page size in the PDF is too large. The pages should be 8.5 x 11 or A4. If this PDF is submitted, the pages will be resized upon entry into the Image File Wrapper and may affect subsequent processing					
Information:					
5	Authorization for Extension of Time all replies	TKEL-0002_Authorization_for_Extension.PDF	67421	no	1
			3f038e5fc2e5ed3c876badb3b0f7dbb9acbc6e8f		
Warnings:					
Information:					
6	Fee Worksheet (SB06)	fee-info.pdf	36466	no	2
			88a815da8ecfe1df9b30025da20785811be73df5		

Warnings:	
Information:	
Total Files Size (in bytes):	25529341
<p>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.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>	

SCORE Placeholder Sheet for IFW Content

Application Number: 13439305

Document Date: 4/4/2012

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

- Drawings – Other than Black and White Line Drawings

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

To access the documents in the SCORE database, refer to instructions developed by SIRA.

At the time of document entry (noted above):

- Examiners may access SCORE content via the eDAN interface.
- Other USPTO employees can bookmark the current SCORE URL (<http://es/ScoreAccessWeb/>).
- External customers may access SCORE content via the Public and Private PAIR interfaces.