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Signature	/Larry E. Vierra/	Date (YYYY-MM-DD)	2009-01-06
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SKILL AND PARTICIPATION BASED PRIZING

Inventors:

Matt Van Gorder

Brett Johnson

BACKGROUND

[0001] The console and personal computer-based video game experience has evolved to include multiplayer online gaming. Gaming systems have evolved from one in which an isolated gaming experience was provided into one where users share a common game experience though networked systems. This provides a rich, interactive experience which may be shared in real time between friends and other gamers.

[0002] Games consoles, such as the Xbox 360™ game console, have been used for many years to allow users to play electronic games with others sharing the game console. Such games consoles can also be used to play electronic games with others over a network. As an example, the game console is connected to a game server that controls the game play. Such online game play permits users to interact with many more players than is possible when play is limited to those using the same device. Note that a personal computer (PC) could be used to play multi-player online games instead of a game console and that a PC and game console can participate in the same game session.

[0003] Some online games are designed with the intent of having a very large audience. That is, the game becomes more interesting when hundreds, thousands, or even tens of thousands of user play concurrently. Such game play is sometimes referred to as "massively multi-player online gaming." Some online games have achieved such enormous popularity that a large online audience can be almost guaranteed for at least significant portions of each day.

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SUMMARY

[0004] A method for awarding both a participation-based prize and skill-based prize based solely upon a user, participating in a multiuser game, answering a question presented during the game. In each round of the game, a trivia question and a plurality of answer choices are electronically delivered to a game console associated with a user participating in the multiuser game. Each user participating in the game selects one of the plurality of answer choices presented to them. Upon receiving a selected answer choice from a game console, a participation-based prize is automatically awarded to the user associated with the console. When the answer choice correctly answers the question, an accuracy score and at least one answer bonus is awarded to the user associated with the console. When the answer choice incorrectly answers the question, only a speed bonus is awarded to the user associated with the console. When the multiplayer game ends, users participating in the multiplayer game are warded with one or more skill-based prizes based on a total score that includes the accuracy score and answer bonuses, and the speed bonus, awarded for each round of the multiuser game.

[0005] In some embodiments, the participation-based prize is a sweepstakes entry. Sweepstakes entries are associated with the user and saved as a sweepstakes record in the user's account. At certain periods during the season of the game, a sweepstakes drawing is held. The drawing is based on a sweepstakes account containing a number of the user's gamertag equal to the number of sweepstakes records associated with the user.

[0006] In some embodiments, skill-based prizes are based on a total score consisting of an accuracy score, speed bonus, streak bonus and prize ladder bonus awarded to the user for each round of the game. An accuracy score is awarded to a user for selecting an answer choice that correctly answers the question. A speed bonus is awarded based on the amount of time a user takes to select an answer choice. A streak bonus is awarded based on the number of consecutively correctly answered questions. A prize ladder bonus is awarded to a contestant or user within the group competing against the

contestant.

[0007] This Summary is provided to introduce a selection of concepts in a simplified form that are further described below in the Detailed Description. This Summary is not intended to identify key features or essential features of the claimed subject matter, nor is it intended to be used as an aid in determining the scope of the claimed subject matter. The claimed subject matter is not limited to implementations that solve any or all disadvantages noted in the Background.

BRIEF DESCRIPTION OF THE DRAWINGS

[0008] FIG. 1 is an isometric view of an exemplary gaming and media system.

[0009] FIG. 2 is an exemplary functional block diagram of components of the gaming and media system shown in FIG. 1.

[0010] FIG. 3 is a block diagram of an exemplary operating environment for awarding prizes.

[0011] FIG. 4 depicts an embodiment of a flow chart of steps for awarding prizes to users participating in the game.

[0012] FIG. 5 depicts an embodiment of a flow chart of steps for determining a speed bonus.

[0013] FIG. 6 depicts a schematic diagram of a heuristic for determining the speed bonus.

[0014] FIG. 7 depicts an embodiment of a flow chart of steps for determining a streak bonus.

[0015] FIG. 8 depicts an embodiment of a flow chart of steps for determining a ladder award.

[0016] FIG. 9 depicts an embodiment of a prize ladder record stored in a database.

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DETAILED DESCRIPTION

[0017] The technology described herein relates to a system for delivering participation-based prizing and skill-based prizing to users participating in a multiplayer game based on a single trigger mechanism - the user answering a question presented during the game. A user receives a participation-based prize, i.e., a sweepstakes entry, every time the user answers a question. By awarding a participation-based prize, the user is incentivized to participate in the game. The user also competes for skill-based prizes, i.e., points, electronic games, etc., by answering questions presented in the game correctly and quickly.

[0018] FIG. 1 shows an exemplary gaming and media system 100. The following discussion of FIG. 1 is intended to provide a brief, general description of a suitable environment in which concepts presented herein may be implemented. As shown in FIG. 1, gaming and media system 100 includes a game and media console (hereinafter "console") 102. In general, console 102 is one type of computing system, as will be further described below. Console 102 is configured to accommodate one or more wireless controllers, as represented by controllers 104(1) and 104(2). Console 102 is equipped with an internal hard disk drive (not shown) and a portable media drive 106 that support various forms of portable storage media, as represented by optical storage disc 108. Examples of suitable portable storage media include DVD, CD-ROM, game discs, and so forth. Console 102 also includes two memory unit card receptacles 125(1) and 125(2), for receiving removable flash-type memory units 140. A command button 135 on console 102 enables and disables wireless peripheral support.

[0019] As depicted in FIG. 1, console 102 also includes an optical port 130 for communicating wirelessly with one or more devices and two USB (Universal Serial Bus) ports 110(1) and 110(2) to support a wired connection for additional controllers, or other peripherals. In some implementations, the number and arrangement of additional ports may be modified. A power button 112 and an eject button 114 are also positioned on the front face of game console 102. Power button 112 is selected to apply power to the game console, and can also provide access to other features and controls, and eject button 114

alternately opens and closes the tray of a portable media drive 106 to enable insertion and extraction of a storage disc 108.

[0020] Console 102 connects to a television or other display (such as monitor 150) via A/V interfacing cables 120. In one implementation, console 102 is equipped with a dedicated A/V port (not shown) configured for content-secured digital communication using A/V cables 120 (e.g., A/V cables suitable for coupling to a High Definition Multimedia Interface "HDMI" port on a high definition monitor 150 or other display device). A power cable 122 provides power to the game console. Console 102 may be further configured with broadband capabilities, as represented by a cable or modem connector 124 to facilitate access to a network, such as the Internet. The broadband capabilities can also be provided wirelessly, through a broadband network such as a wireless fidelity (Wi-Fi) network.

[0021] Each controller 104 is coupled to console 102 via a wired or wireless interface. In the illustrated implementation, the controllers 104 are USB-compatible and are coupled to console 102 via a wireless or USB port 110. Console 102 may be equipped with any of a wide variety of user interaction mechanisms. In an example illustrated in FIG. 1, each controller 104 is equipped with two thumbsticks 132(1) and 132(2), a D-pad 134, buttons 136, and two triggers 138. These controllers are merely representative, and other known gaming controllers may be substituted for, or added to, those shown in FIG. 1.

[0022] In one implementation, a memory unit (MU) 140 may also be inserted into controller 104 to provide additional and portable storage. Portable MUs enable users to store game parameters for use when playing on other consoles. In this implementation, each controller is configured to accommodate two MUs 140, although more or less than two MUs may also be employed.

[0023] Gaming and media system 100 is generally configured for playing games stored on a memory medium, as well as for downloading and playing games, and reproducing pre-recorded music and videos, from both electronic and hard media sources.

With the different storage offerings, titles can be played from the hard disk drive, from an optical disk media (e.g., 108), from an online source, or from MU 140.

[0024] During operation, console 102 is configured to receive input from controllers 104 and display information on display 150. For example, console 102 can display a user interface on display 150 to allow a user to select a game using controller 104 and display achievement information as discussed below.

[0025] FIG. 2 is a functional block diagram of gaming and media system 100 and shows functional components of gaming and media system 100 in more detail. Console 102 has a central processing unit (CPU) 200, and a memory controller 202 that facilitates processor access to various types of memory, including a flash Read Only Memory (ROM) 204, a Random Access Memory (RAM) 206, a hard disk drive 208, and portable media drive 106. In one implementation, CPU 200 includes a level 1 cache 210 and a level 2 cache 212, to temporarily store data and hence reduce the number of memory access cycles made to the hard drive 208, thereby improving processing speed and throughput.

[0026] CPU 200, memory controller 202, and various memory devices are interconnected via one or more buses (not shown). The details of the bus that is used in this implementation are not particularly relevant to understanding the subject matter of interest being discussed herein. However, it will be understood that such a bus might include one or more of serial and parallel buses, a memory bus, a peripheral bus, and a processor or local bus, using any of a variety of bus architectures. By way of example, such architectures can include an Industry Standard Architecture (ISA) bus, a Micro Channel Architecture (MCA) bus, an Enhanced ISA (EISA) bus, a Video Electronics Standards Association (VESA) local bus, and a Peripheral Component Interconnects (PCI) bus also known as a Mezzanine bus.

[0027] In one implementation, CPU 200, memory controller 202, ROM 204, and RAM 206 are integrated onto a common module 214. In this implementation, ROM 204 is configured as a flash ROM that is connected to memory controller 202 via a PCI bus

and a ROM bus (neither of which are shown). RAM 206 is configured as multiple Double Data Rate Synchronous Dynamic RAM (DDR SDRAM) modules that are independently controlled by memory controller 202 via separate buses (not shown). Hard disk drive 208 and portable media drive 106 are shown connected to the memory controller 202 via the PCI bus and an AT Attachment (ATA) bus 216. However, in other implementations, dedicated data bus structures of different types can also be applied in the alternative.

[0028] A three-dimensional graphics processing unit 220 and a video encoder 222 form a video processing pipeline for high speed and high resolution (e.g., High Definition) graphics processing. Data are carried from graphics processing unit 220 to video encoder 222 via a digital video bus (not shown). An audio processing unit 224 and an audio codec (coder/decoder) 226 form a corresponding audio processing pipeline for multi-channel audio processing of various digital audio formats. Audio data are carried between audio processing unit 224 and audio codec 226 via a communication link (not shown). The video and audio processing pipelines output data to an A/V (audio/video) port 228 for transmission to a television or other display. In the illustrated implementation, video and audio processing components 220-228 are mounted on module 214.

[0029] FIG. 2 shows module 214 including a USB host controller 230 and a network interface 232. USB host controller 230 is shown in communication with CPU 200 and memory controller 202 via a bus (e.g., PCI bus) and serves as host for peripheral controllers 104(1)-104(4). Network interface 232 provides access to a network (e.g., Internet, home network, etc.) and may be any of a wide variety of various wire or wireless interface components including an Ethernet card, a modem, a wireless access card, a Bluetooth module, a cable modem, and the like.

[0030] In the implementation depicted in FIG. 2, console 102 includes a controller support subassembly 240 for supporting four controllers 104(1)-104(4). The controller support subassembly 240 includes any hardware and software components needed to support wired and wireless operation with an external control device, such as for

example, a media and game controller. A front panel I/O subassembly 242 supports the multiple functionalities of power button 112, the eject button 114, as well as any LEDs (light emitting diodes) or other indicators exposed on the outer surface of console 102. Subassemblies 240 and 242 are in communication with module 214 via one or more cable assemblies 244. In other implementations, console 102 can include additional controller subassemblies. The illustrated implementation also shows an optical I/O interface 235 that is configured to send and receive signals that can be communicated to module 214.

[0031] MUs 140(1) and 140(2) are illustrated as being connectable to MU ports "A" 130(1) and "B" 130(2) respectively. Additional MUs (e.g., MUs 140(3)-140(6)) are illustrated as being connectable to controllers 104(1) and 104(3), i.e., two MUs for each controller. Controllers 104(2) and 104(4) can also be configured to receive MUs (not shown). Each MU 140 offers additional storage on which games, game parameters, and other data may be stored. In some implementations, the other data can include any of a digital game component, an executable gaming application, an instruction set for expanding a gaming application, and a media file. When inserted into console 102 or a controller, MU 140 can be accessed by memory controller 202.

[0032] A system power supply module 250 provides power to the components of gaming system 100. A fan 252 cools the circuitry within console 102.

[0033] An application 260 comprising machine instructions is stored on hard disk drive 208. When console 102 is powered on, various portions of application 260 are loaded into RAM 206, and/or caches 210 and 212, for execution on CPU 200, wherein application 260 is one such example. Various applications can be stored on hard disk drive 208 for execution on CPU 200.

[0034] Gaming and media system 100 may be operated as a standalone system by simply connecting the system to monitor 150 (FIG. 1), a television, a video projector, or other display device. In this standalone mode, gaming and media system 100 enables one or more players to play games, or enjoy digital media, e.g., by watching movies, or listening to music. However, with the integration of broadband connectivity made

available through network interface 232, gaming and media system 100 may further be operated as a participant in a larger network gaming community, as discussed below in connection with FIG. 3.

[0035] FIG. 3 provides a block diagram of an environment for implementing the present technology. In one example, multiple consoles 300A-300X are coupled to a network 306 and can communicate with a console service 302 having one or more servers through network 306. Also present and coupled to the network is a gaming service provider 350. In one embodiment, network 306 comprises the Internet, though other networks such as LAN or WAN are contemplated. Each of the devices illustrated in FIG. 3 include a communication component capable of receiving information from and transmitting information to consoles 300A-X and provide a collection of services that applications running on consoles 300A-X may invoke and utilize.

[0036] The console service 302 and the gaming service 350 may be combined and offered by a single service provider and/or on a single server. Alternatively, the service providers may be different entities. In yet another embodiment, the gaming service server may be provided as a product in the form of hardware and software included on a non-volatile storage medium.

[0037] Consoles 300A-X may invoke user login service 308, which is used to authenticate a user on consoles 300A-X. During login, login service 308 obtains a gamer tag (a unique identifier associated with the user) and a password from the user as well as a console identifier that uniquely identifies the console that the user is using and a network path to the console. The gamer tag and password are authenticated by comparing them to user records 310 in a database 312, which may be located on the same server as user login service 308 or may be distributed on a different server or a collection of different servers. Once authenticated, user login service 308 stores the console identifier and the network path in user records 310 so that messages and information may be sent to the console.

[0038] User records 310 can include additional information about the user such as

game records and friends list. Game records 314 include information for a user identified by a gamer tag and can include statistics for a particular game, achievements acquired for particular game and/or other game specific information. Records 310 may also include prizing information associated with the user. As will be discussed in more detail below, the technology described herein awards participation-based prizes and skill-based prizes. When a user is awarded either a participation-based prize or a skill-based prize, a prize record is created by console service 302 and stored in records 310.

[0039] The friends list 314 includes an indication of friends of a user that are also connected to or otherwise have user account records with console service 302. The term "friend" as used herein can broadly refer to a relationship between a user and another gamer, where the user has requested that the other gamer consent to be added to the user's friends list, and the other gamer has accepted. This may be referred to as a two-way acceptance. A two-way friend acceptance may also be created where another gamer requests the user be added to the other gamer's friends list and the user accepts. At this point, the other gamer may also be added to the user's friends list. While friends will typically result from a two-way acceptance, it is conceivable that another gamer be added to a user's friends list, and be considered a "friend," where the user has designated another gamer as a friend regardless of whether the other gamer accepts. It is also conceivable that another gamer will be added to a user's friends list, and be considered a "friend," where the other user has requested to be added to the user's friends list, or where the user has requested to be added to the other gamer's friends list, regardless of whether the user or other gamer accepts in either case.

[0040] User records 310 also include additional information about the user including games that have been downloaded by the user and licensing packages that have been issued for those downloaded games, including the permissions associated with each licensing package. Portions of user records 310 can be stored on an individual console, in database 312 or on both. If an individual console retains game records 314 and/or friends list 316, this information can be provided to console service 302 through network 306. Additionally, the console has the ability to display information associated with game records 314 and/or friends list 316 without having a connection to console service 302.

[0041] Gameplay management services 305 manage multiplayer games by aggregating events from users, executing gameplay rules and outputting results to users involved in individual multiplayer games. Gameplay services 305 may manage a plurality of multiplayer game events concurrently.

[0042] The console service 302 also includes a message service 320 which permits one console, such as console 300A, to send a message to another console, such as console 300B. The message service 320 is known, the ability to compose and send messages from a console of a user is known, and the ability to receive and open messages at a console of a recipient is known. Mail messages can include emails, text messages, voice messages, attachments and specialized in-text messages known as invites, in which a user playing the game on one console invites a user on another console to play in the same game while using network 306 to pass gaming data between the two consoles so that the two users are playing from the same session of the game. Friends list 316 can also be used in conjunction with message service 320.

[0043] In accordance with the technology, a gaming service provider 350 may host a gaming service server 375 to allow a multitude of users on consoles 300A-300X participate in a group game environment based on programmatic content scheduled for participation between a designated start time and a designated end time. The group may be as small as two users and may include hundreds of thousands of users. The gaming service server 350 obtains game data and state information from the console service 302, which it uses to provide information to console users. It will be understood that the gaming service provider 350 and the console service 302 may be integrated into a single service and/or a single server. Alternatively, the gaming service 350 may not be managed by the same administrator of the console service 302 or different administrators.

[0044] Console 300X illustrates functional components which may be present on each of the consoles 300A – 300X. Each console 300A – 300X may be of a type such as that illustrated in FIGS. 1 and 2, in which embodiment the functional components may comprise one or more sets of instructions or applications instructing the processor 200 to perform the functions described herein. Such functional components may be

implemented in hardware, software or a combination of hardware or software. Moreover, the instructions may be embodied in a computer readable medium. A computer readable medium may include both volatile and nonvolatile, removable and non-removable media implemented in any method or technology for storage of information such as computer readable instructions, data structures, program modules or other data. Computer readable media includes, but is not limited to, RAM, ROM, EEPROM, flash memory or other memory technology, CD-ROM, digital versatile disks (DVD) or other optical disk storage, magnetic cassettes, magnetic tape, magnetic disk storage or other magnetic storage devices, or any other medium which can be used to store the desired information and which can accessed by computer 710.

[0045] Also shown in FIG. 3 with respect to the gaming service server 350 are gaming status services 322 and game management services 330. The game status services 322 collect user game statistics and tracks which friends of a particular user on one of the consoles 300a-300x are participating or scheduled to participate in an online program game. Game management services provide the gaming environment while actual control over game play is handled by the console service. In addition, the game management services provide organization of the program game content, breaking down the games into different sections, episodes, organizing the games into different channels, and ensuring that localized content is directed to the proper console and user.

[0046] In accordance with the technology, scheduled programmatic game content is delivered to a console or other processing device at a specific time and for a specific duration. A multiplayer game is scheduled in a manner similar to a broadcast television program -- the game has a fixed start and a fixed end time. Users select to participate in the game either within a pre-game window in advance of the scheduled programmatic time. When a user selects to participate in a game, the game management services and a programmatic content engine on the console ensures that the user has the necessary content and application programs in order to participate in the game.

[0047] Game status services 322 allow a user to determine which of the user's friends might be participating in an upcoming game. Also included in the gaming is a scheduling

database 314 and a library of game applications 312. As discussed below, game play in a scheduled game is enabled by a game application. Game applications may comprise instructions executed on each of the consoles to allow one or more users interacting with the console to participate in the scheduled programmatic game. Application instructions necessary to enable game play an be downloaded in whole or in part when a user schedules activity in a prescheduled game, or retrieved from a storage medium in the console. Schedule database 314 tracks both the programmatic content scheduling -- when particular game activities are to occur and end -- as well as which users have indicated a willingness or desire to participate in the scheduled game. Information from the schedule database 314 can be used to provide status services to each console to indicate which of the user's particular friends might be participating in a programmatic game.

[0048] Console 300X illustrates functional components present on a console or other processing device in order to implement the technology discussed herein. Console 300X (as well as consoles 300a-300n) will include one or more game applications 360a, 360b. The game applications may be delivered via a download from the game applications data store 312, may be present in non-volatile memory such as Flash ROM memory 204 in the console, or may be provided on a computer storage medium such as a CD ROM, or other disk. A programmatic content engine 380 is also utilized on the console. The programmatic content engine provides a game selection interface (not shown), parental control functionality, game reminder functionality, and friend or game status updates. The programmatic content engine may also provide a set of foundational components such as libraries, methods, tools and data which are re-usable by programmatic content games running on the console.

[0049] When games are executed on the console, new game events 355 occur when a user provides input to the game, or as a result of other user's input to the game being returned to the console. Events caused by user activity on the console are transmitted to the console service 302 which manages the game playing function.

[0050] FIG. 4 illustrates exemplary steps for awarding participation-based prizes and

skill-based prizes to the users participating in the multiuser game. For the sole purpose of describing the technology herein, the users participating in the multiuser game are divided into three categories of players: a contestant, a group of users competing against the contestant (the "group") and viewers. The contestant is a single user. The group consists of at least other two users (e.g., that are not the contestant). Viewers consist of at least one other user that is not either the contestant or in the group. The multiuser game includes multiple rounds, wherein a trivia question is presented in each round to the users participating in the game. The contestant, the group, and viewers all participate in answering the question presented in each round of the game. The trivia game described above is exemplary only, and is not intended to limit the scope of the technology described herein. Other types of multiuser games, whereby a user competes against at least one other user, are within the scope of the technology described herein. The steps shown in Fig. 4 will be described with reference to a single user. However, it is understood that these steps are performed for each user participating in the multiuser game.

[0051] At step 402, gaming service provider 350 delivers a first question with answer choices to the user's game console 300. As will be described in more detail later, the question is presented to each player first followed by three answer choices. In some embodiments, each answer choice is presented individually to the user with a pause between answer choices (e.g., answer choice X is presented, 0.75 second pause, answer choice A is presented, 0.75 second pause, answer choice B is presented). This way, a user has the opportunity to read the questions before the answer choices are presented. The user also has a small window of time to select the answer choice just displayed before the next answer choice is presented. At step 404, console service 302 determines if the player participating in the game answered the question provided at step 402.

[0052] If the user answered the question, gaming service provider 350 awards a participation-based prize to the player, at step 406. A player receives a participation-based prize regardless of whether the user answers the questions correctly or not. The participation prize incentivizes a user to participate in the game. In some embodiments, the participation-based prize awarded at step 406 is a sweepstakes entry. In some

embodiments, console service 302 creates a participation-based prize record associated with the user for every question the user answers, and stores the record in records database 314. In other embodiments, a single participation-based prize record associated with the user keeps track of a running total of the number of participation-based prizes the user has been awarded. Gaming service provider 350 conducts a sweepstakes drawing during the season. Any number of sweepstakes drawings may occur. In some embodiments, a user is limited to a predetermined number of sweepstakes entries per drawing. In other embodiments, a user receives a sweepstakes entry for every question answered.

[0053] At step 408, gaming service provider 350 determines if the answer choice selected by the user correctly answers the question provided at step 402. If the answer choice selected by the user correctly answers the question, gaming service provider 350 awards an accuracy score plus any bonuses that the user may have qualified for, at step 410. In some embodiments, the accuracy score is 400 points. Of course, the accuracy score may comprise any number of points. The bonuses a user may receive include, but are not limited to, a speed bonus, a streak bonus and, if the user is the contestant or in the group, a prize ladder bonus. These bonuses will be described in more detail later herein. The bonuses mentioned above are exemplary only, and are not intended to limit the scope of the technology described herein. It is within the scope of the technology described herein to award any type and number of bonuses to a user.

[0054] At step 412, gaming service provider 350 determines if the round of questions is completed. For example, the web-based game may consist of ten rounds of questions, where one question is provided per round. In this instance, gaming service provider 350 determines whether the last question provided at step 402 was the tenth question presented to the user. If not, the next question in the round is presented to the user participating in the game, at step 402. Steps 404-412 are then repeated.

[0055] If, however, it is determined, at step 412, that the question provided in step 402 was the tenth question, skill-based prizes are awarded to the user, if the user qualified for any skill prizes at all, at step 414. Skill-based prizes are awarded based on the total

score and bonuses awarded to the user throughout the game, and will be discussed in more detail later herein.

[0056] If, at step 404, gaming service provider 350 determines that the user did not correctly answer the question, gaming service provider 350 determines if the player is the contestant, at step 416. As discussed above, the contestant is eliminated from the game upon incorrectly answering (including not answering) a single question in the game. If the user is not the contestant, gaming service provider 350 determines if the question presented at step 402 was the tenth question, at step 412. If, however, the user that incorrectly answered the question is the contestant, gaming service provider 350 determines that the game is over because the contestant has been eliminated from the game, and awards skill-based prizes to the users that qualify for the prizes, at step 418.

[0057] If a user answers the question (step 404), but did not answer the question correctly (step 408), gaming service provider 350 again determines if the user is the contestant, at step 420, to determine if the game is over. If the user that incorrectly answered the question is the contestant, gaming service provider 350 determines that the game is over because the contestant has been eliminated from the game, and awards skill-based prizes to qualifying users, at step 418. If, however, the user that incorrectly answered the question is not the contestant, gaming service provider 350 determines a speed bonus to award to the user, at step 422. Fig. 5, described later herein, provides additional detail of determining a speed bonus. Gaming service provider 350 then proceeds to determine if the game is over (e.g., last question was the tenth question), at step 412.

[0058] Fig. 5 illustrates exemplary steps for determining the speed bonus at steps 410, 422 in Fig. 4. At step 502, console service 302 receives the answer choice selected by the user. At step 504, it is determined whether the answer choice selected by the user correctly answers the question. If the answer choice selected by the user correctly answers the question, it is determined whether the user selected the correct answer within an "instant answer" bonus time, at step 506. If the user selected the correct answer choice within this time, an instant answer bonus is awarded to the user, at step 516. If the

user selected the correct answer choice, but not within the instant bonus time period, the use is not awarded the instant answer bonus. The user may still qualify for a bonus associated with answering the question however. At step 508, it is determined whether the user selected the correct answer choice before a question timer began. If the user selected the correct answer choice prior to the start of the answer timer, the user is awarded a pre-timer bonus in addition to receiving an accuracy score (step 410 in Fig. 4). At step 512, a total speed bonus is determined. For example, the bonuses awarded to the user in Fig. 5 are cumulative. Thus, if a user is awarded an "instant answer" bonus and a pre-timer bonus, the total speed bonus equals the "instant answer" bonus plus the pre-timer bonus. If the user selects the correct answer choice, but not within the "instant answer" time period of before the answer timer started, the user is awarded only a timer bonus (in addition to the accuracy score), at step 514. .

[0059] Fig. 6 provides an exemplary speed bonus timeline for determining an "instant answer" bonus, a timer bonus and a pre-timer bonus. In the Fig. 6 example, a question is first presented to a user participating in the game. Three answer choices, X, A and B, are displayed one at a time to the user. Answer choice X is first displayed to the user, and remains the only displayed answer choice for 0.75 seconds. Answer choice A is then presented to the user. Answer choices X and A remain the only two answer choices available to the user for another 0.75 seconds. Answer choice B is then presented to the user. Answer choices X, A and B are displayed to the user for another 1.75 seconds until a four second timer begins. A user must select answer choice X, A or B before the four second timer expires. Otherwise, it is determined that the user did not select an answer choice. The time period mentioned above and shown in Fig. 6 are exemplary only, and are not intended to limit the scope of the technology described herein. More than (or fewer than) three answer choices may be presented to a user, answer choices may remain displayed to the user for a longer or shorter period of time, the timer may be longer than four seconds, and so on.

[0060] Fig. 6 also illustrates bonuses that a user may receive based on when the user selects an answer choice. Fig. 6 illustrates that there are several bonuses a user may receive depending on how fast the user selects an answer choice. These points are

rewarded to a user regardless of whether the user selects the answer choice that correctly answers the question. In other words, these bonus points are awarded in addition to the accuracy score awarded if the user selects the answer choice that correctly answers the question. As discussed above (steps 506-508), if a user selects the answer choice that correctly answers the question within an "instant answer" time period, the user is awarded an "instant answer" bonus. The "instant answer" time period in Fig. 6 is shown as 0.75 seconds for each answer question. In other words, at step 506 in Fig. 5, it is determined whether the user selected the answer choice (e.g., answer choice X, A or B) within 0.75 seconds of the answer choice being displayed to the user.

[0061] A user may also receive a pre-time bonus worth of 100 points if the user selects an answer choice prior to the start of the 4 second timer. Fig. 6 illustrates that a user may also receive a speed bonus of up to 100 points based on how fast the user selects an answer choice after it is displayed. As shown in Fig. 6, the speed bonus associated with answer choice X is a sliding scale that begins at 100 points when answer choice X is first displayed and declines towards 0 points when the 4 second timer begins. Thus, if a user selects answer choice X after the 0.75 second "instant answer" time period has passed (and answer choice A has been displayed), but before the 4 second timer begins, the user receives some portion of the 100 point speed bonus. The same is true for selecting answer choices A and B.

[0062] Fig. 7 illustrates exemplary steps for determining a streak bonus, which is determined at step 410 in Fig. 4 and is awarded to a user for each round of the game. A streak bonus is intended to reward a user that consecutively correctly answers more than one question. At step 702, it is determined whether the user selected the answer choice that correctly answers the question. If the user selected an answer choice that incorrectly answers a question, no streak bonus is award, at step 704. The steps in Fig. 7 will then be repeated in response to the next question. If, however, the user selected the answer choice that correctly answers the question, the number of question consecutively correctly answered by the user is determined, at step 706. At step 708, a streak bonus is awarded to the user.

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[0063] In some embodiments, a streak bonus increases with every consecutive question answered correctly. For example, a user may receive a streak bonus of 200 points for answering correctly two questions in a row, 300 points for correctly answering three questions in a row, and so on. A streak bonus is awarded in each round of the game. In some embodiments, a streak bonus of 1000 points is awarded to a user that correctly answers ten questions in a row, and 100 points for each question correctly answered after that. In other embodiments, the streak bonus does not cap out at 1000 points and keeps increasing with every correctly answered question. These point totals are exemplary only, and are not intended to limit the scope of the technology described herein. A streak bonus may also consist of something other than points. For example, a streak bonus may comprise an arcade game or other type of prizes.

[0064] Fig. 8 illustrates exemplary steps for determining a ladder bonus, which is determined at step 410 in Fig. 4. A ladder bonus consists of a pool of prizes that may be awarded only to the contestant or a user that is within the group competing against the contestant. As mentioned above, the contestant competes against the users in the group and is eliminated from the game upon incorrectly answering a question. At step 802, it is determined that the contestant answered the question. If the answer choice selected by the contestant correctly answers the question (determined at step 804), the number of users in the group that incorrectly answered the question is determined, at step 806. An award, which is based on the number of users in the group that incorrectly answered the question, is determined at step 808.

[0065] At step 810, it is determined whether the contestant has exited the game. If the contestant has not exited the game, steps 802-808 are repeated. If the contestant exited the game at step 810, the game has ended and the prizes awarded to all participants in the game (described above) are delivered to the users, at step 812. Using the trivia game example provided above, prizes awarded to the contestant, users in the group competing against the contestant and users in the crowd are delivered to each user, at step 812. At step 814, the game concludes.

[0066] If the contestant incorrectly answered the question presented at step 802

(determined at step 804), the contestant is eliminated, at step 816. At step 818, the total number of users in the group competing against the contestant is determined. At step 820, a prize is determined to award to each of the users remaining in the group after the contestant was eliminated. As will be discussed in more detail later, the proze is based on the number of remaining users. At step 822, the prize determined at step 820 is delivered to each user in the group.

[0067] Fig. 9 illustrates an exemplary prize ladder record 900. Prize ladder records 902-922 each include a Group_Eliminated field 924, a Player_wins field 926, and a Group_players field 928. Group_Eliminated field 924 indicates the total number of users in the group eliminated (running total) in the game. Player_wins field 926 indicates the number of points awarded to the contestant when the number of user eliminated reaches the total in field 924. Field 928 indicates the prize awarded to each remaining user in the group when the contestant is eliminated from the game. As discussed above, if the contestant is not eliminated for a round, the number of users in the group eliminated from the round is determined. Using an example where 42 users in the group have been eliminated in the game after the last round of questions, record 910 is identified because more than 40 users in the group are eliminated, but less than 50 users in the group have been eliminated. Thus, the contestant, if they exited the game at the end of the round, would be entitled to a prize ladder bonus of 800 points. If, however, the contestant was eliminated from the game at this point, the users in the group would be awarded one arcade game according to record 908.

[0068] The foregoing detailed description of the inventive system has been presented for purposes of illustration and description. It is not intended to be exhaustive or to limit the inventive system to the precise form disclosed. Many modifications and variations are possible in light of the above teaching. The described embodiments were chosen in order to best explain the principles of the inventive system and its practical application to thereby enable others skilled in the art to best utilize the inventive system in various embodiments and with various modifications as are suited to the particular use contemplated. It is intended that the scope of the inventive system be defined by the claims appended hereto.

Claims

We claim:

1. A computer-implemented method for awarding prizes to a plurality of users participating in a multiuser game via a user console, wherein the multiuser game includes multiple rounds of trivia questions, comprising the steps of:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with a user participating in the multiuser game;

(b) receiving, from the game console, a selection of one of the plurality of answer choices delivered in step (a);

(c) upon receiving a selected answer choice in step (b) from the game console, automatically awarding a participation-based prize to the user associated with the console;

(d) when the answer choice received in step (b) correctly answers the question, awarding an accuracy score and at least one answer bonus to the user associated with the console;

(e) when the answer choice received in step (b) incorrectly answers the question, awarding only a speed bonus to the user associated with the console; and

(f) when the multiplayer game has ended, awarding users participating in the multiplayer game with one or more skill-based prizes, wherein the skill-based prizes are based on a total score that includes the accuracy score and answer bonuses awarded in step (d) and the speed bonus awarded in step (e) for each round of the multiuser game.

2. The computer-implemented method as recited in claim 1, wherein step (c) of automatically awarding a participation-based prize to the user associated with the console comprises the steps of:

generating a sweepstakes record;

identifying a gamertag associated with the user; and

associating the sweepstakes record with the gamertag.

3. The computer-implemented method as recited in claim 1, wherein step (d) of awarding an accuracy score and at least one answer bonus to the user associated with the console comprises the steps of:

determining a speed bonus;

determining a streak bonus; and

determining a prize ladder bonus.

4. The computer-implemented method as recited in claim 3, wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

5. The computer-implemented method as recited in claim 3, wherein determining a streak bonus comprises the steps of:

determining the number of consecutive answer choices previously selected by the user that correctly answered the question presented in the prior round; and

awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user.

6. The computer-implemented method as recited in claim 3, wherein awarding a pre-timer bonus comprises the steps of:

determining whether the answer timer began prior to the user selecting an answer choice;

when the answer choice is selected prior to the start of the answer timer, awarding a pre-timer bonus; and

when the answer choice is selected after the start of the answer timer, awarding a

timer bonus.

7. The computer-implemented method as recited in claim 1, wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

8. A computer-implemented method for awarding prizes to a plurality of users each participating in a multiuser game via a user console, wherein each round of the multiuser game presents a trivia question to each user, comprising the steps of:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with a user participating in the multiuser game;

(b) receiving, from the game console, a selection of one of the plurality of answer choices delivered in step (a); and

(c) upon receiving a selected answer choice in step (b) from the game console, automatically awarding an electronic participation-based prize and a skill-based prize to the user associated with the console.

9. The computer-implemented method as recited in 8, further including the steps of:

(d) generating a participation-based prize record representative of the electronic participation-based prize awarded in step (c);

(e) generating a skill-based prize record representative of the electronic skill-based prize awarded in step (c);

(f) associating the participation-based record and skill-based record with the user; and

(g) storing the participation-based prize record and skill-based prize record in

a database.

10. The computer-implemented method as recited in claim 8, wherein automatically awarding an electronic participation-based prize to the user associated with the console comprises the steps of:

generating a sweepstakes record;

identifying a gamertag associated with the user; and

associating the sweepstakes record with the gamertag.

11. The computer-implemented method as recited in claim 8, wherein automatically awarding an electronic skill-based prize comprises the steps of:

awarding an accuracy score and at least one answer bonus to the user associated with the console.

12. The computer-implemented method as recited in claim 11, wherein awarding at least one answer bonus comprises the steps of:

determining a speed bonus;

determining a streak bonus; and

determining a prize ladder bonus.

13. The computer-implemented method as recited in claim 12, wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

14. The computer-implemented method as recited in claim 12, wherein determining a streak bonus comprises the steps of:

determining the number of consecutive answer choices previously selected by the user that correctly answered the question presented in the prior round; and

awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user.

15. The computer-implemented method as recited in claim 12, wherein awarding a pre-timer bonus comprises the steps of:

determining whether the answer timer began prior to the user selecting an answer choice;

when the answer choice is selected prior to the start of the answer timer, awarding a pre-timer bonus; and

when the answer choice is selected after the start of the answer timer, awarding a timer bonus.

16. A system for awarding prizes to a plurality of users each participating in a multiuser game via a user console, wherein each round of the multiuser game presents a trivia question to each user, comprising:

a game service server configured to,

deliver, per round of the game, a trivia question and a plurality of answer choices to a game console server associated with a user participating in the game;

receive, from the game console server, a selection of one of the plurality of answer choices delivered to the game console server;

upon receiving a selected answer choice in step (b) from the game console, automatically award an electronic participation-based prize and a skill-based prize to the user associated with the console;

the game console server configured to,

deliver the trivia question and plurality of answer choices received from

the game service server to the user participating in the game;

receive, from the user participating in the game, a selection of one of the plurality of answer choices;

associate a participation-based prize record representing the participation-base prize awarded by the game service server with the user;

associate a skill-based prize record representing the skill-base prize awarded by the game service server with the user; and

store the participation-based record and skill-based record in a database.

17. The system as recited in claim 16, wherein the game console server associates a participation-based prize record representing the participation-base prize awarded by the game service server with the user by:

identifying a gamertag associated with the user; and

associating the participation-based prize record with the gamertag.

18. The system as recited in claim 16, wherein the game console server associates a skill-based prize record representing the skill-base prize awarded by the game service server with the user by:

upon receiving a selection of an answer choice, award a total score for the round to the user associated with the console, wherein the total score includes an accuracy score and at least one answer bonus;

generate a total score record; and

associate the total score record with the user's gamertag.

19. The system as recited in claim 18, wherein the at least one answer bonus includes a speed bonus, a streak bonus, and a prize ladder bonus.

20. The system as recited in claim 19, wherein the game console service determined a speed bonus by:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

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ABSTRACT

A method for awarding prizes to a plurality of users each participating in a multiuser game via a user console. For each round of the multiuser game, a trivia question and at least two answer choices are electronically delivered to each user participating in the multiuser game. A selection of one of the plurality of answer choices is received from the game console service that delivered the question to the user. Upon receiving the selected answer choice from the game console service, both an electronic participation-based prize and a skill-based prize are electronically awarded to the user associated with the console.

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Electronic Patent Application Fee Transmittal				
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Filing Date:				
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING			
First Named Inventor/Applicant Name:	Matt Van Gorder			
Filer:	Larry E. Vierra/Hyo Kim			
Attorney Docket Number:	MSFT-01303US0			
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:				
Utility application filing	1011	1	330	330
Utility Search Fee	1111	1	540	540
Utility Examination Fee	1311	1	220	220
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
	Total in USD ($)			**1090**

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File Listing:

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

1	Drawings-only black and white line drawings	1303-figs.pdf	78859 5768e6523080479f7b97c55a5ed751907d1eaf0d	no	8
Warnings:					
Information:					
2	Oath or Declaration filed	1303-declaration.pdf	218560 6a3a2c64017a58f69b2937165f1a9c1aefd0c2b2	no	3
Warnings:					
Information:					
3	Application Data Sheet	1303-ads.pdf	978962 c901902cabce9b8bc8a69c7a7368b8bdad5c3beb	no	4
Warnings:					
Information:					
4	Information Disclosure Statement (IDS) Filed (SB/08)	1303-ids-001.pdf	610330 ac4a66ed966a18d5aeb4aa7b0080aa7a40cb3ac2	no	4
Warnings:					
Information:					
5		1303us0-app.pdf	165599 2abbb740d93edb70fa319b1a980a6fd25d004764	yes	28

Multipart Description/PDF files in .zip description

Document Description	Start	End
Specification	1	20
Claims	21	27
Abstract	28	28

Warnings:					
Information:					
6	NPL Documents	1-VS-100.pdf	1167047 9e41a24bc3d48e2f27cdc46792377201a866666c	no	7
Warnings:					
Information:					
7	NPL Documents	1-vs-100-skill-based-prizes.pdf	2251711 18872a6d0b5a14b5fcb5696d44384dd01a16a2b0	no	19
Warnings:					
Information:					

8	Fee Worksheet (PTO-875)	fee-info.pdf	32820 bf715627350730f0a7bf55db07b69ba0406fcdee	no	2
Warnings:					
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			Total Files Size (in bytes):	5503888	

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New International Application Filed with the USPTO as a Receiving Office
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Title:	SKILL AND PARTICIPATION BASED PRIZING		
Applicants:	Van Gorder, et al.	Docket No.:	MSFT-01303US0
Appl. No.:	Unknown	Atty:	Larry E. Vierra
Filing Date:	Herewith	Phone:	(415) 369-9660

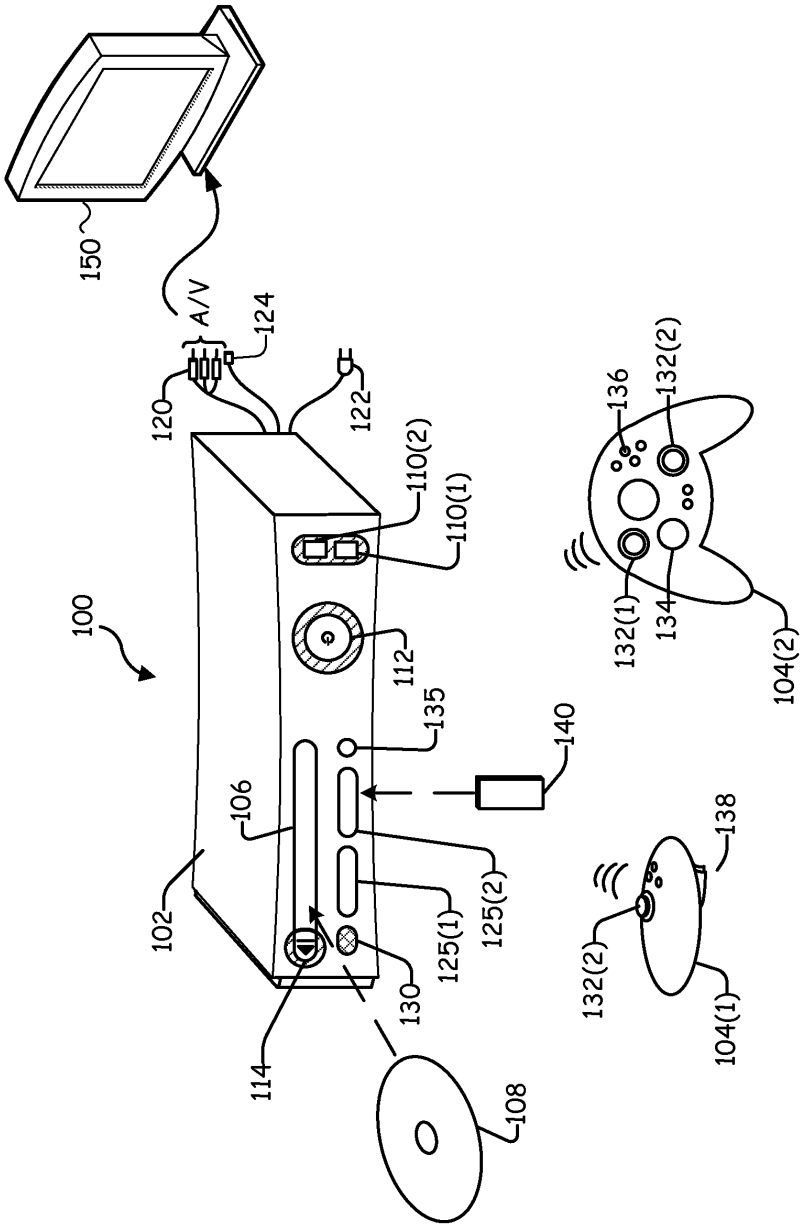
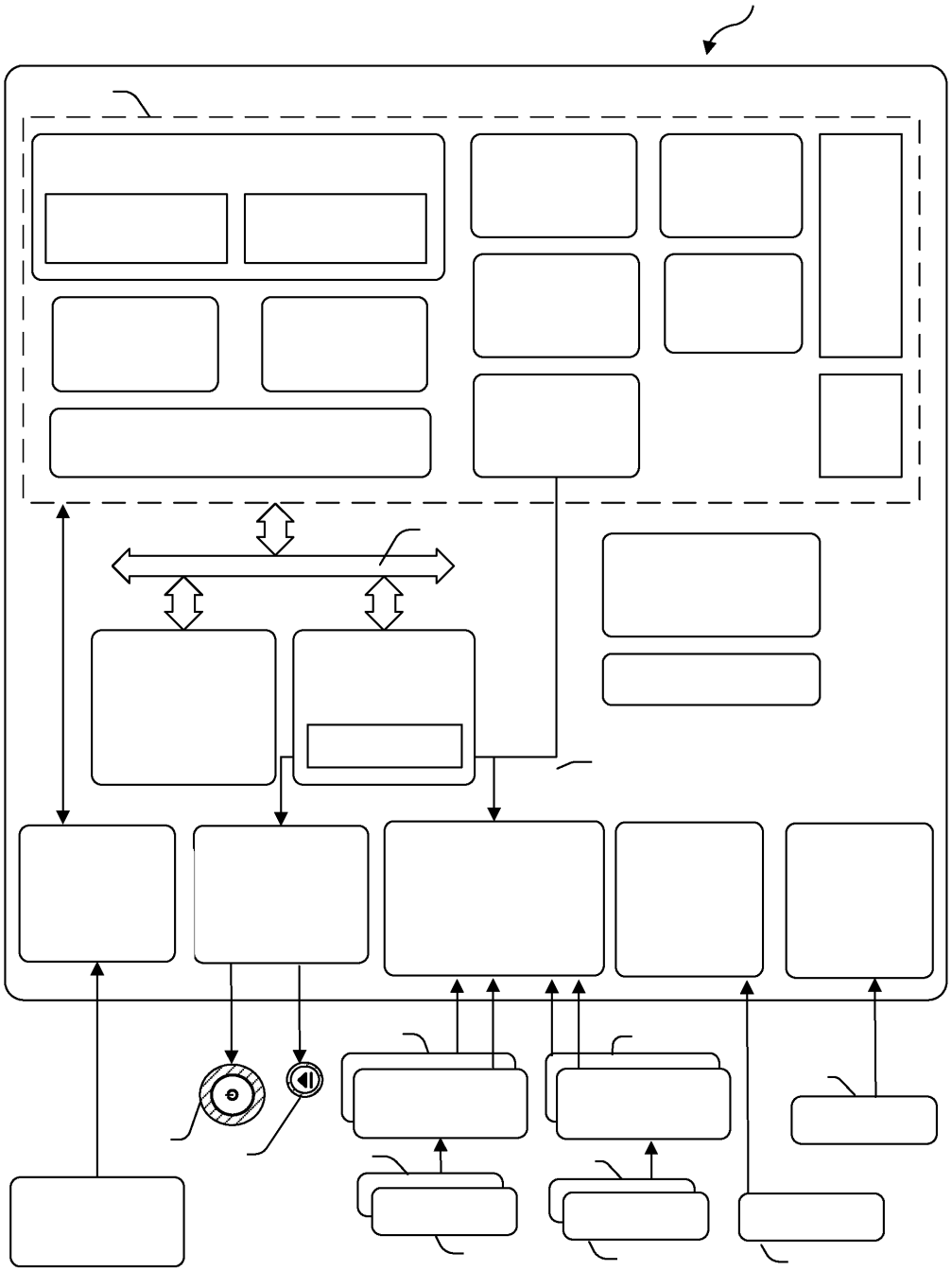
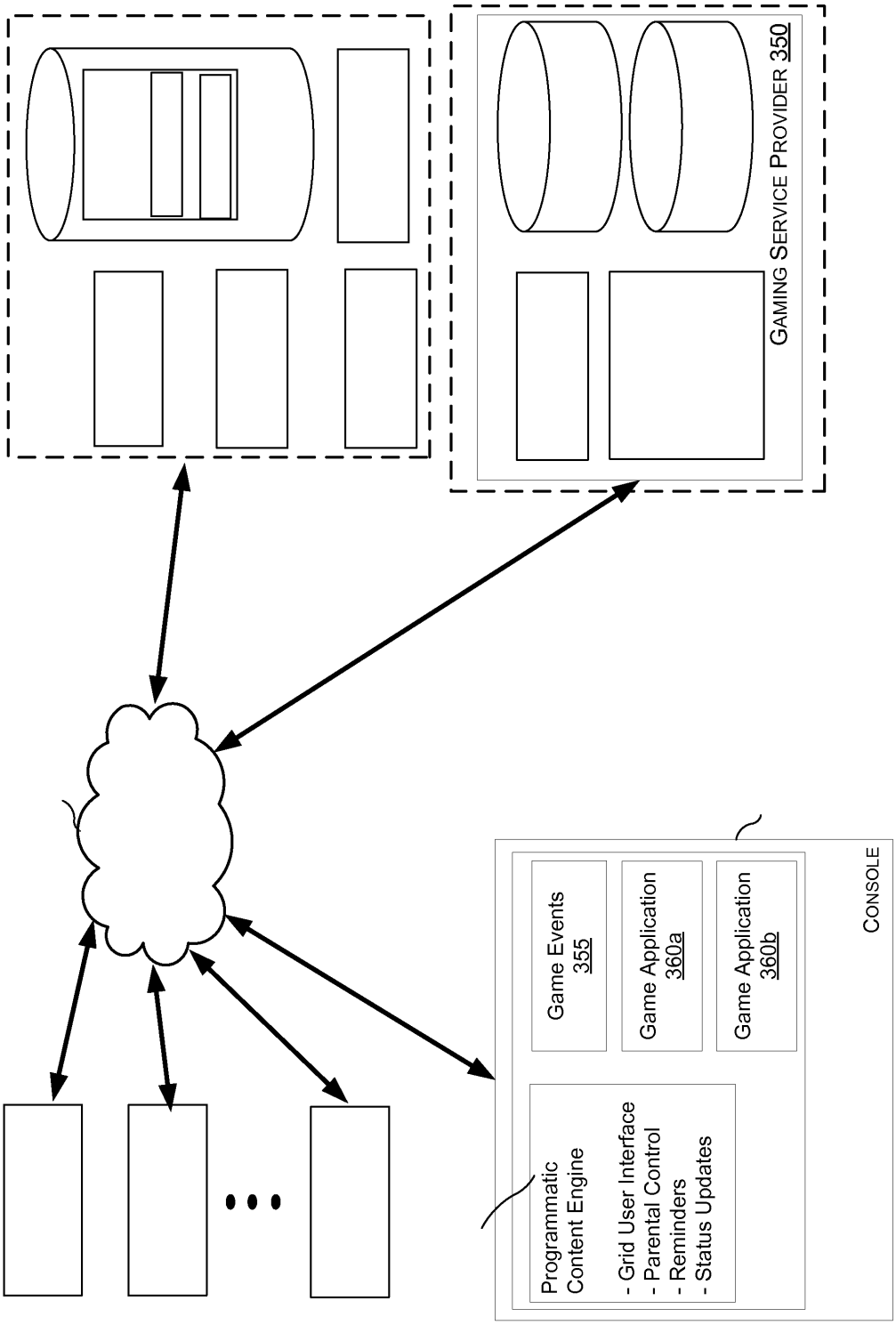


FIG. 1

Title:	SKILL AND PARTICIPATION BASED PRIZING		
Applicants:	Van Gorder, et al.	Docket No.:	MSFT-01303US0
Appl. No.:	Unknown	Atty:	Larry E. Vierra
Filing Date:	Herewith	Phone:	(415) 369-9660

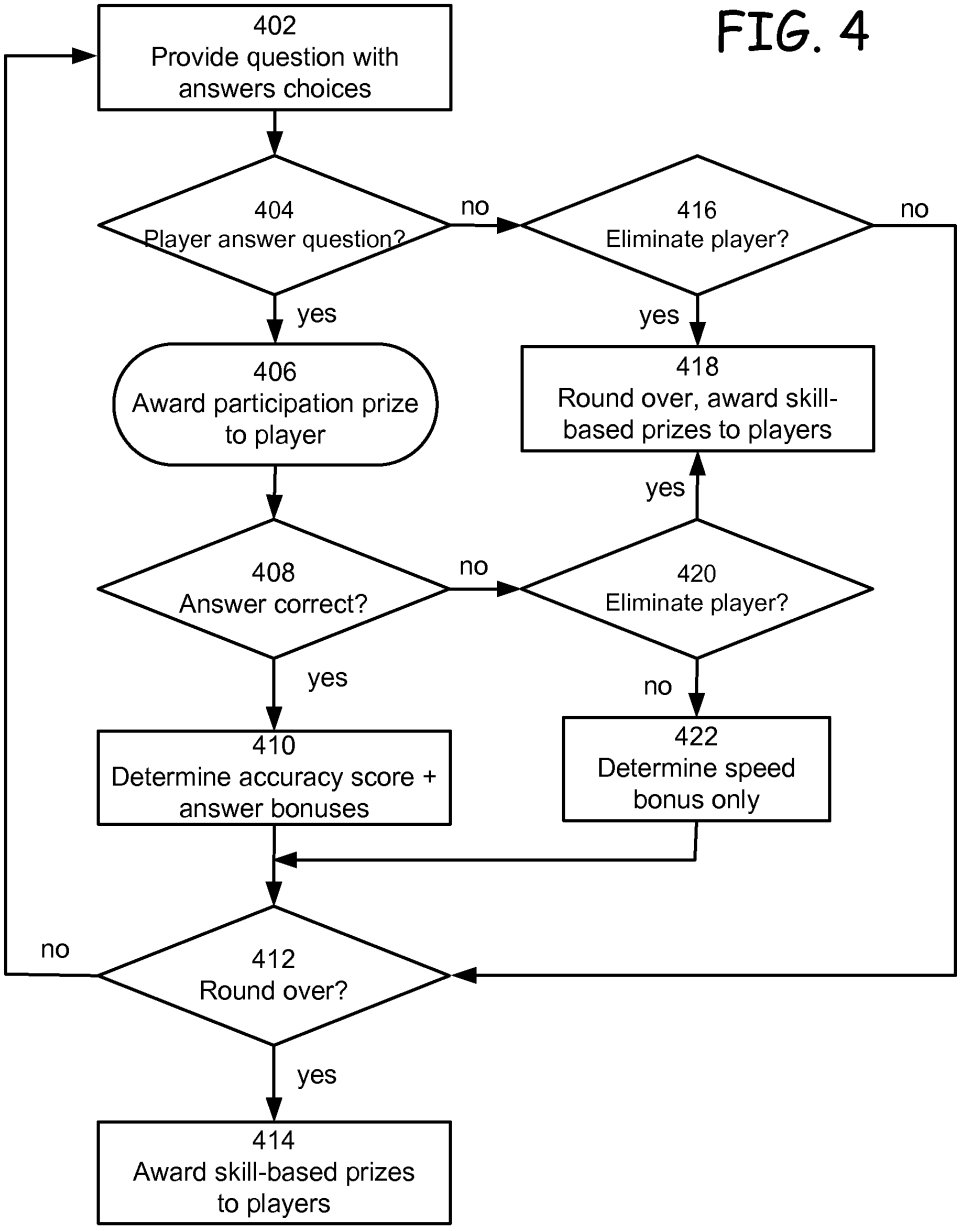


Title:	SKILL AND PARTICIPATION BASED PRIZING		
Applicants:	Van Gorder, et al.	Docket No.:	MSFT-01303US0
Appl. No.:	Unknown	Atty:	Larry E. Vierra
Filing Date:	Herewith	Phone:	(415) 369-9660



Title:	SKILL AND PARTICIPATION BASED PRIZING		
Applicants:	Van Gorder, et al.	Docket No.:	MSFT-01303US0
Appl. No.:	Unknown	Atty:	Larry E. Vierra
Filing Date:	Herewith	Phone:	(415) 369-9660

FIG. 4



Title:	SKILL AND PARTICIPATION BASED PRIZING		
Applicants:	Van Gorder, et al.	Docket No.:	MSFT-01303US0
Appl. No.:	Unknown	Atty:	Larry E. Vierra
Filing Date:	Herewith	Phone:	(415) 369-9660

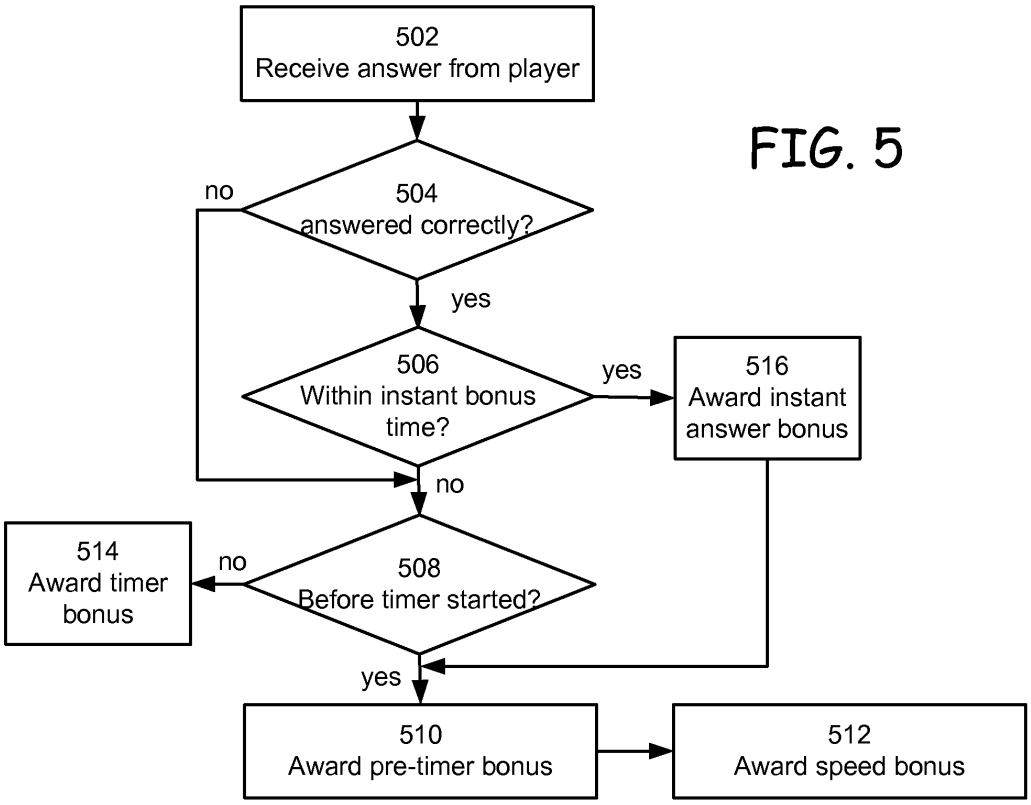


FIG. 5

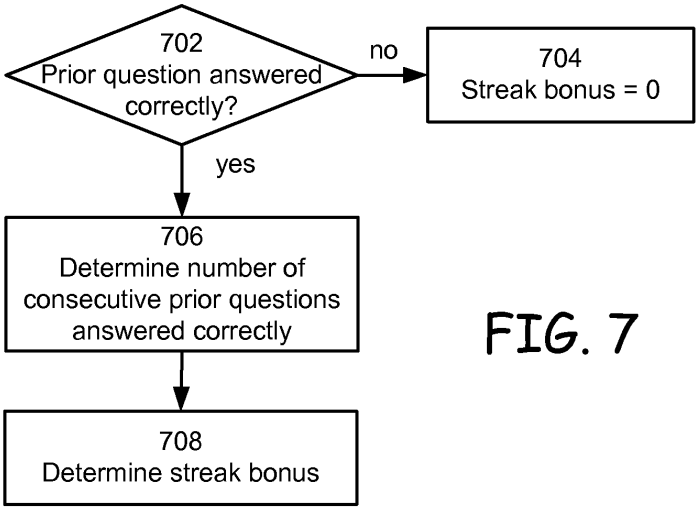


FIG. 7

Title: SKILL AND PARTICIPATION BASED PRIZING
Applicants: Van Gorder, et al. Docket No.: MSFT-01303US0
Appl. No.: Unknown Atty: Larry E. Vierra
Filing Date: Herewith Phone: (415) 369-9660

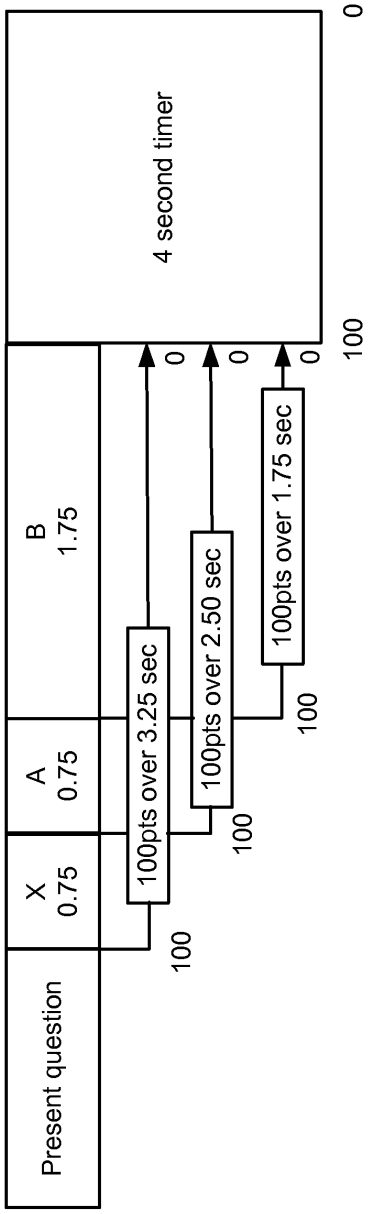
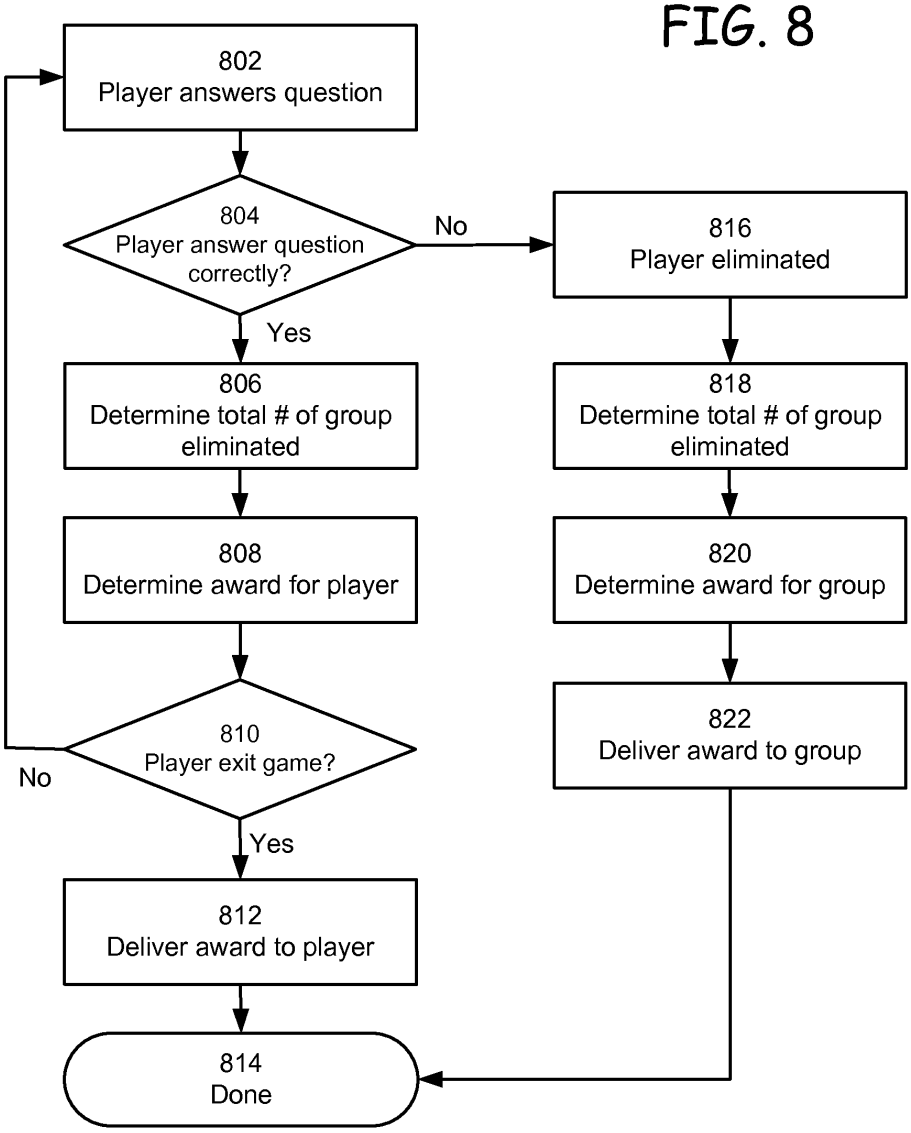


FIG. 6

Title: SKILL AND PARTICIPATION BASED PRIZING
Applicants: Van Gorder, et al. Docket No.: MSFT-01303US0
Appl. No.: Unknown Atty: Larry E. Vierra
Filing Date: Herewith Phone: (415) 369-9660

FIG. 8



Title: SKILL AND PARTICIPATION BASED PRIZING
Applicants: Van Gorder, et al. Docket No.: MSFT-01303US0
Appl. No.: Unknown Atty: Larry E. Vierra
Filing Date: Herewith Phone: (415) 369-9660

FIG. 9

Group Eliminated	Player wins (points)	Group players win:	Groupings
0-9	0	Nothing	1
10	150	Nothing	1
20	300	Nothing	2
30	600	Nothing	2
40	800	1 arcade game	3
50	1200	1 arcade game	3
60	2000	1 arcade game + 80	4
70	3000	1 arcade game + 160	4
80	5000	1 arcade game + 400	5
90	6000	1 arcade game + 800	4
100	10000	--	5

PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO. MSFT-01303US0 MS DOCKET NO. 328192.01

As a below named inventor, I hereby declare that:
My residence/post office address and citizenship are as stated below next to my name;
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SKILL AND PARTICIPATION BASED PRIZING

the specification of which is filed herewith unless the following box is checked:
( ) was filed on _____ as US Application Serial No. or PCT International Application Number _____ and was amended on _____ (if applicable).
I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Authorization To Permit Access To Application by Participating Offices
X If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified application is filed access to the above-identified patent application, and related applications, in accordance with 37 CFR 1.14(c) and (h).

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

Foreign Application(s) and/or Claim of Foreign Priority
I hereby claim foreign priority benefits under 35 U.S.C. 119(a) - (d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES:___ NO:
			YES:___ NO:

POWER OF ATTORNEY:
As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) associated with

Customer No. 47766

to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send Correspondence to:	Direct Telephone Calls To:
Larry E. Vierra, Esq. Vierra Magen Marcus & DeNiro LLP 575 Market Street, Suite 2500 San Francisco, California 94105	Larry E. Vierra 415.369.9660

Milestone Entertainment, LLC - Ex2008
Activision Blizzard, Inc. v. Milestone Entertainment, LLC
IPR2025-0711
Page 46

DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO. MSFT-01303US0 MS DOCKET NO. 328192.01

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

Full Name of Inventor: Matt Van Gorder Citizenship: U.S.A

Residence: Redmond, Washington

Post Office Address: c/o Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

Inventor's Signature

1/04/2010
Date

DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO. MSFT-01303US0 MS DOCKET NO. 328192.01

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

Full Name of Inventor: Brett Johnson Citizenship: U.S.A.

Residence: Woodinville, Washington

Post Office Address: c/o Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

Inventor's Signature

Date 1/4/2010

PTO/SB/14 (08-05)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	MSFT-01303US0
	Application Number	
Title of Invention	SKILL AND PARTICIPATION BASED PRIZING	

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

Secrecy Order 37 CFR 5.2

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

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
	Matt	Van	Gorder	

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

City	Redmond	State/Province	WA	Country of Residence i	US

Citizenship under 37 CFR 1.41(b) i US

Mailing Address of Applicant:

Address 1	Microsoft Corporation
Address 2	One Microsoft Way

City	Redmond	State/Province	WA
Postal Code	98052	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
	Brett		Johnson	

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

City	Woodinville	State/Province	WA	Country of Residence i	US

Citizenship under 37 CFR 1.41(b) i US

Mailing Address of Applicant:

Address 1	Microsoft Corporation
Address 2	One Microsoft Way

City	Redmond	State/Province	WA
Postal Code	98052	Country i	US

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

Correspondence Information:

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

PTO/SB/14 (08-05)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	MSFT-01303US0
	Application Number	
Title of Invention	SKILL AND PARTICIPATION BASED PRIZING	

☐ An Address is being provided for the correspondence Information of this application.			
Customer Number	47766		
Email Address	lvierra@vierramagen.com	Add Email	Remove Email

Application Information:

Title of the Invention	SKILL AND PARTICIPATION BASED PRIZING		
Attorney Docket Number	MSFT-01303US0	**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)	8	**Suggested Figure for Publication (if any)**	
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 been and will not be the subject of an application filed in another country, or under a multilateral 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	○ US Representative (37 CFR 11.9)
Customer Number	47766		

Domestic Priority Information:

This section allows for the applicant to claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c). 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 Priority Data may be generated within this form by selecting the **Add** button. Add

PTO/SB/14 (08-05)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	MSFT-01303US0
	Application Number	
Title of Invention	SKILL AND PARTICIPATION BASED PRIZING	

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

If the Assignee is an Organization check here. ☒

Organization Name	Microsoft Corporation		
Mailing Address Information:			
Address 1	One Microsoft Way		
Address 2			
City	Redmond	**State/Province**	WA
Country [i] US		Postal Code	98052
Phone Number		Fax Number	
Email Address			

Additional Assignee Data may be generated within this form by selecting the **Add** button. 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	/Larry E. Vierra/			Date (YYYY-MM-DD)	2010-01-06
First Name	Larry	Last Name	Vierra	Registration Number	33809

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.

PTO/SB/06 (12-04)

Filing Date: 01/06/2010

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number **12/652,829**

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)	1		OR	LARGE ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	**330**
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	**540**
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	**220**
TOTAL CLAIMS (37 CFR 1.16(i))	**20** 1	**0**	X$ 26		OR	2X$52	**0**
INDEPENDENT CLAIMS (37 CFR 1.16(h))	**3** minus 3 =	**0**	X$110			1X$220	**0**
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $270 ($135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			195			390	
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	**1090**

APPLICATION AS AMENDED – PART II

		(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDI-TIONAL FEE ($)		RATE ($)	ADDI-TIONAL FEE ($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A	
						TOTAL ADD'T FEE		OR	TOTAL ADD'T FEE	

		(Column 1)		(Column 2)	(Column 3)			OR		
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDI-TIONAL FEE ($)		RATE ($)	ADDI-TIONAL FEE ($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A	
						TOTAL ADD'T FEE		OR	TOTAL ADD'T 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.

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/652,829	01/06/2010	Matt Van Gorder	MSFT-01303US0

CONFIRMATION NO. 1896

47766
VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 2500
SAN FRANCISCO, CA 94105

FORMALITIES LETTER

OC000000039742199

Date Mailed: 01/21/2010

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

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

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121(d) are required. The drawings submitted are not acceptable because:
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 2,3. A brief description of the several views of the drawings (see 37 CFR 1.74) should be added or amended to correspond to the corrected numbering of the figures. See also 37 CFR 1.77(b)(7).

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

Replies should be mailed to:

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

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
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/smunpanthovong/

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United States Patent and Trademark Office
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
12/652,829	01/06/2010	3714	1090	MSFT-01303US0	20	3

CONFIRMATION NO. 1896

47766
VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 2500
SAN FRANCISCO, CA 94105

FILING RECEIPT

OC00000039742198

Date Mailed: 01/21/2010

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)

Matt Van Gorder, Redmond, WA;
Brett Johnson, Woodinville, WA;

Assignment For Published Patent Application

MICROSOFT CORPORATION, Redmond, WA

Power of Attorney: The patent practitioners associated with Customer Number 47766

Domestic Priority data as claimed by applicant

Foreign Applications

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

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The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/652,829**

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

Non-Publication Request: No

Early Publication Request: No

Title

SKILL AND PARTICIPATION BASED PRIZING

Preliminary Class

463

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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

NOT GRANTED

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REPLACEMENT SHEET
Appln. No. 12/652,829

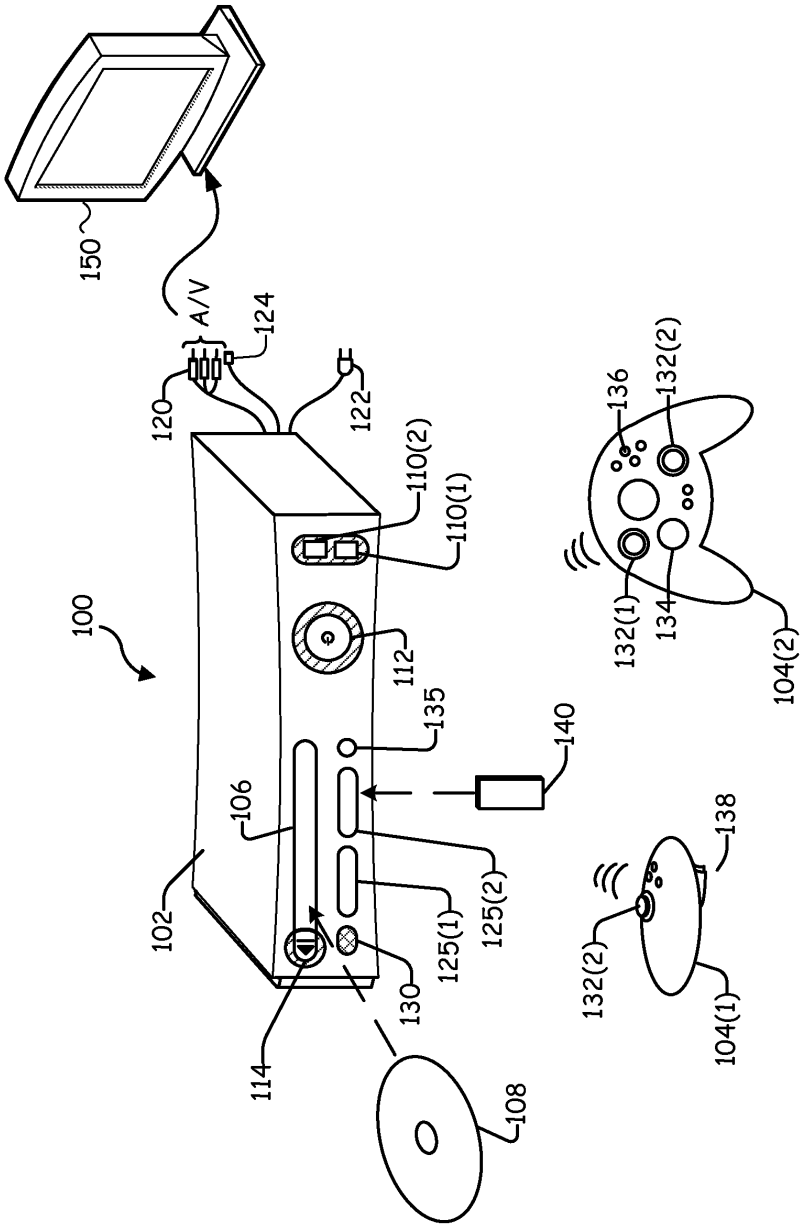


FIG. 1

REPLACEMENT SHEET
Appln. No. 12/652,829

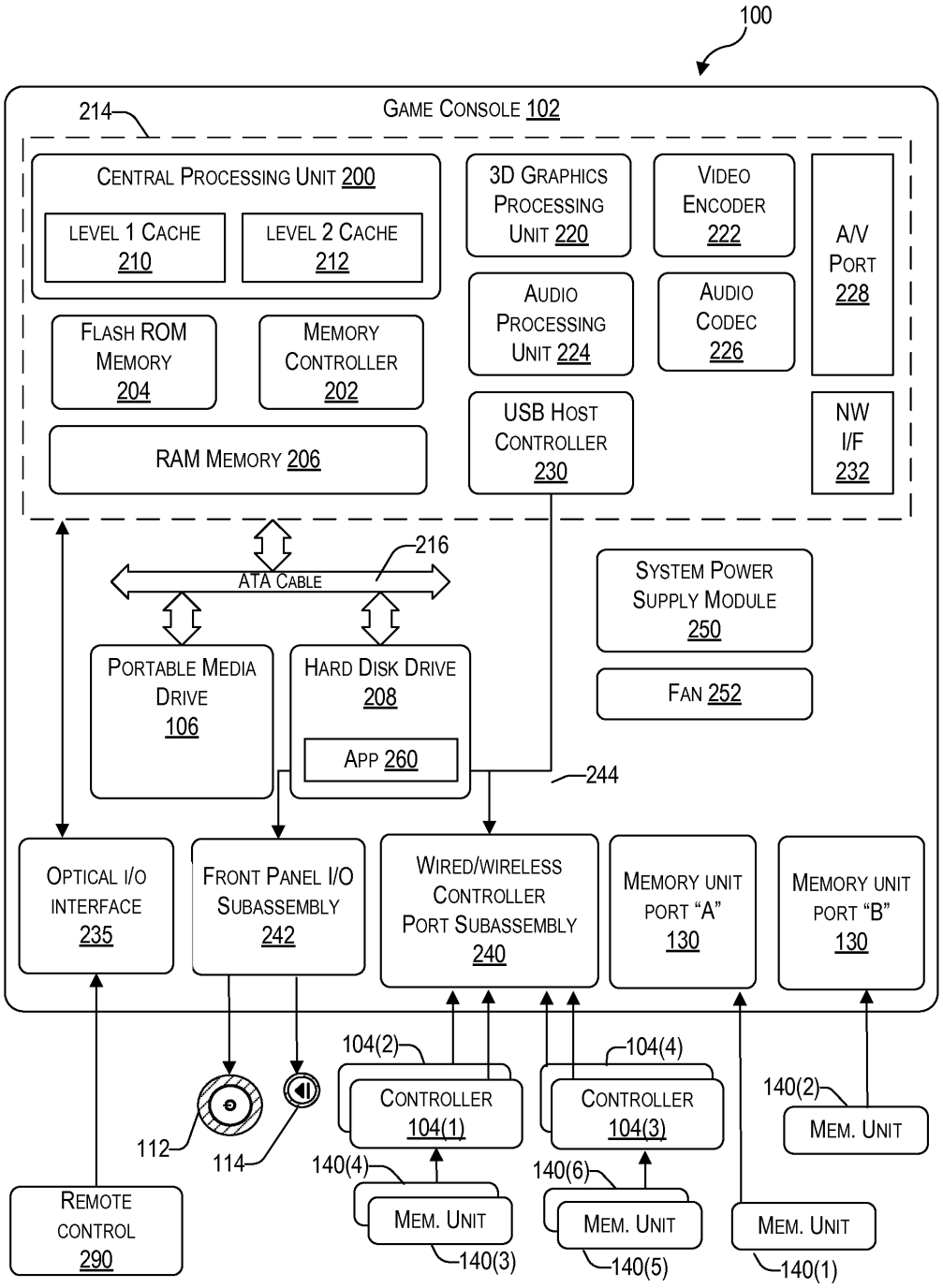


FIG. 2

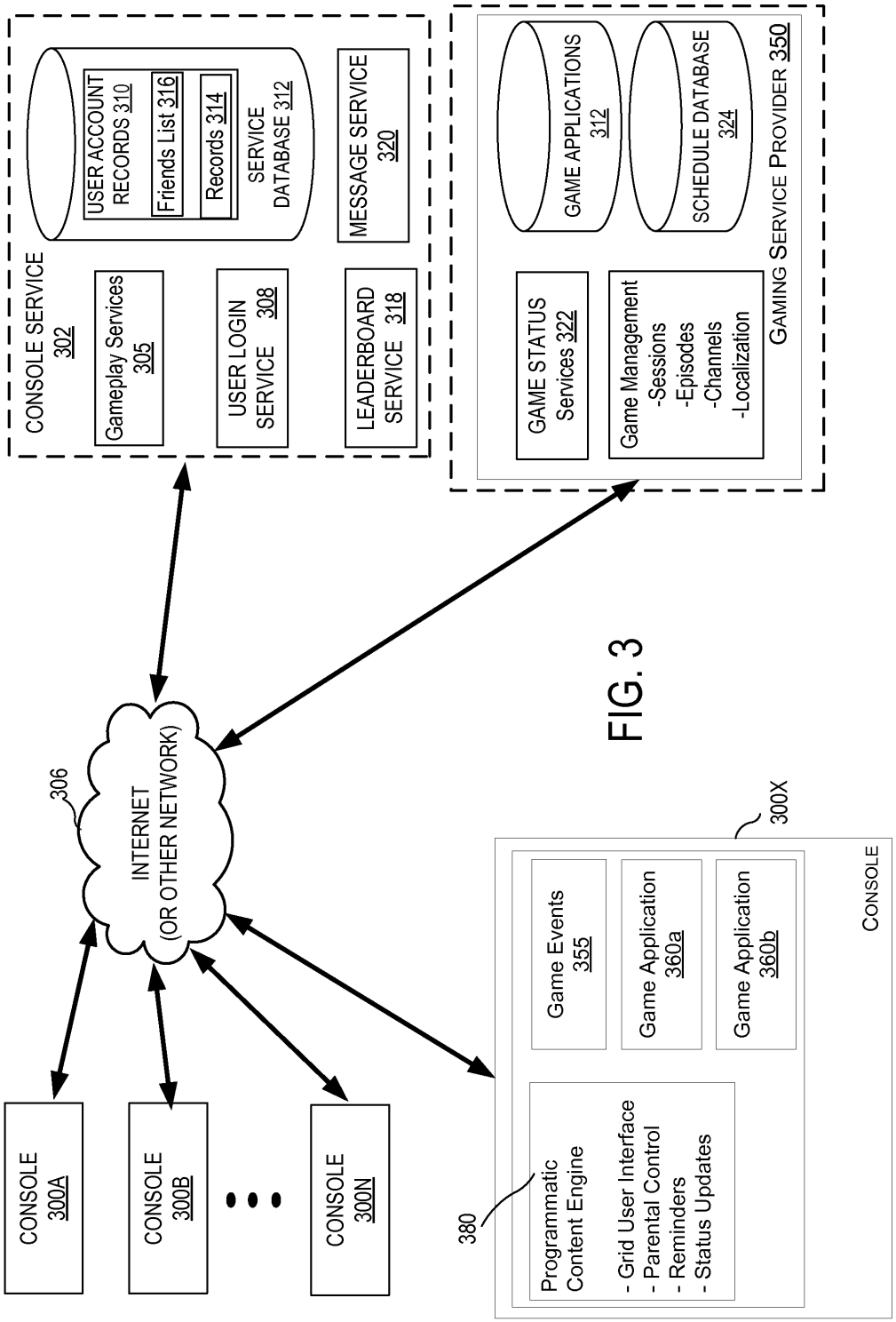
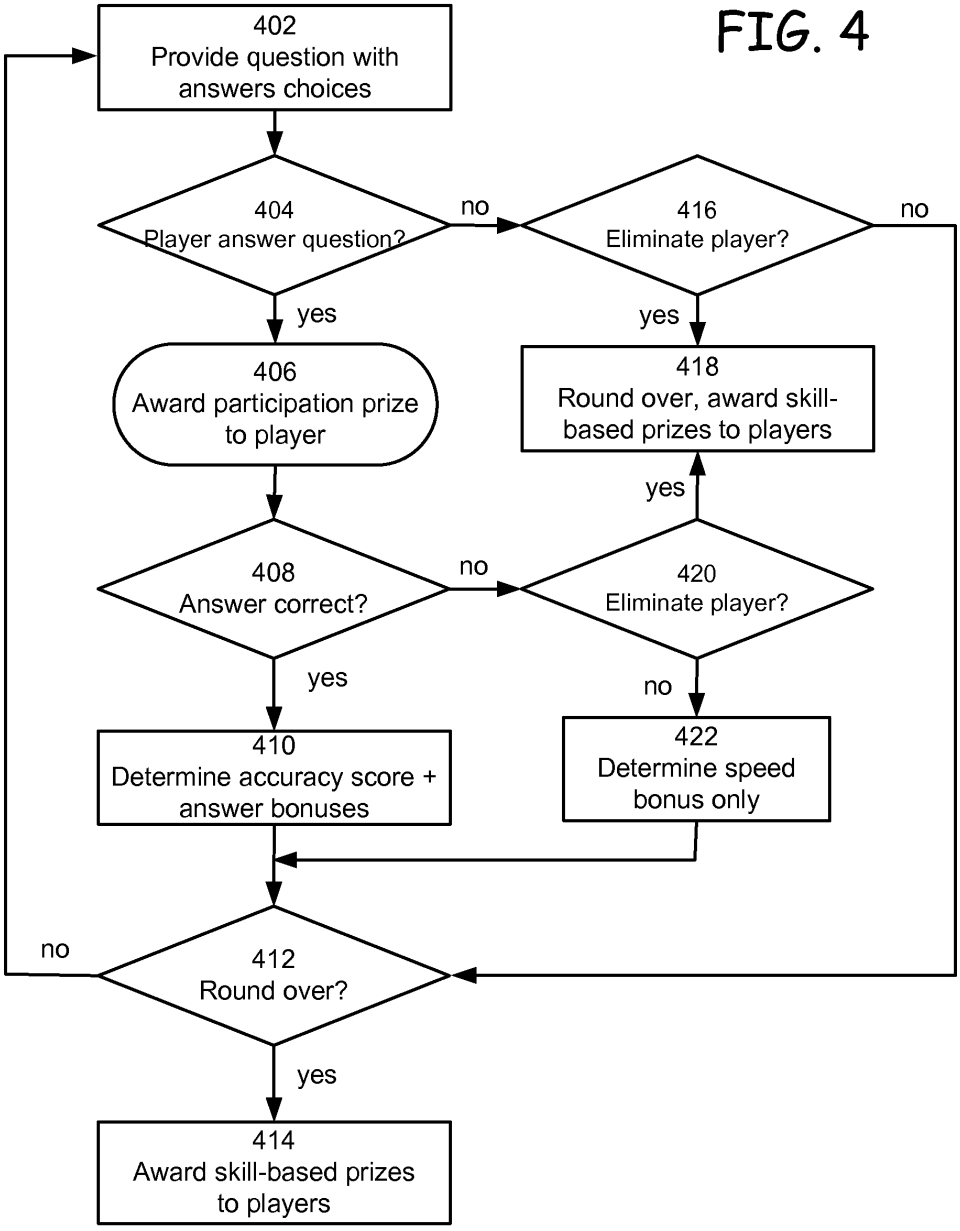

CONSOLE SERVICE 302
USER ACCOUNT RECORDS 310
Friends List 316
Records 314
SERVICE DATABASE 312
MESSAGE SERVICE 320
Gameplay Services 305
USER LOGIN SERVICE 308
LEADERBOARD SERVICE 318
GAMING SERVICE PROVIDER 350
GAME APPLICATIONS 312
SCHEDULE DATABASE 324
GAME STATUS Services 322
Game Management
-Sessions
-Episodes
-Channels
-Localization
306
INTERNET (OR OTHER NETWORK)
CONSOLE 300A
CONSOLE 300B
CONSOLE 300N
300X
CONSOLE
Game Events 355
Game Application 360a
Game Application 360b
380
Programmatic Content Engine
- Grid User Interface
- Parental Control
- Reminders
- Status Updates

FIG. 3

REPLACEMENT SHEET
Appln. No. 12/652,829

FIG. 4



REPLACEMENT SHEET
Appln. No. 12/652,829

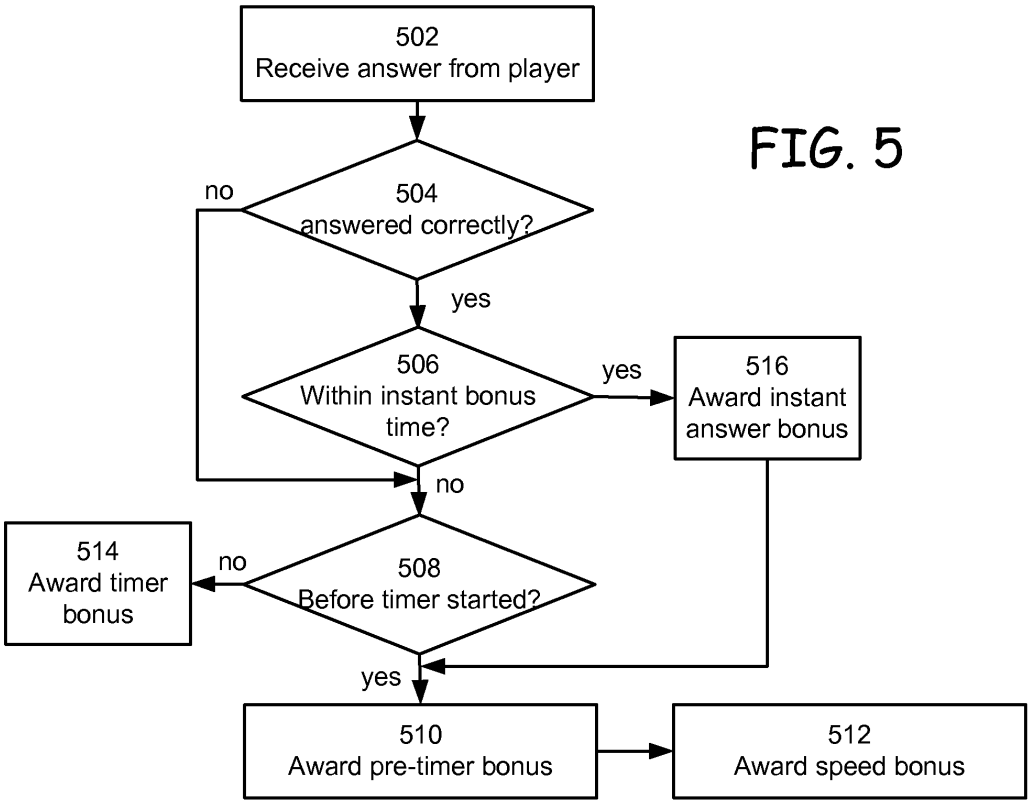


FIG. 5

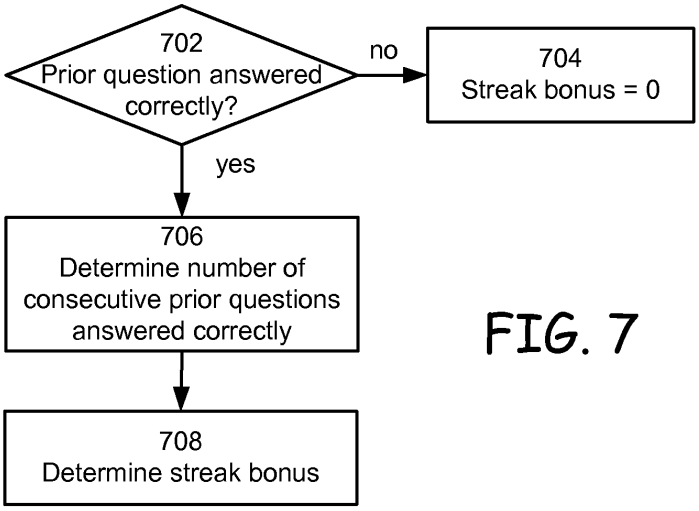


FIG. 7

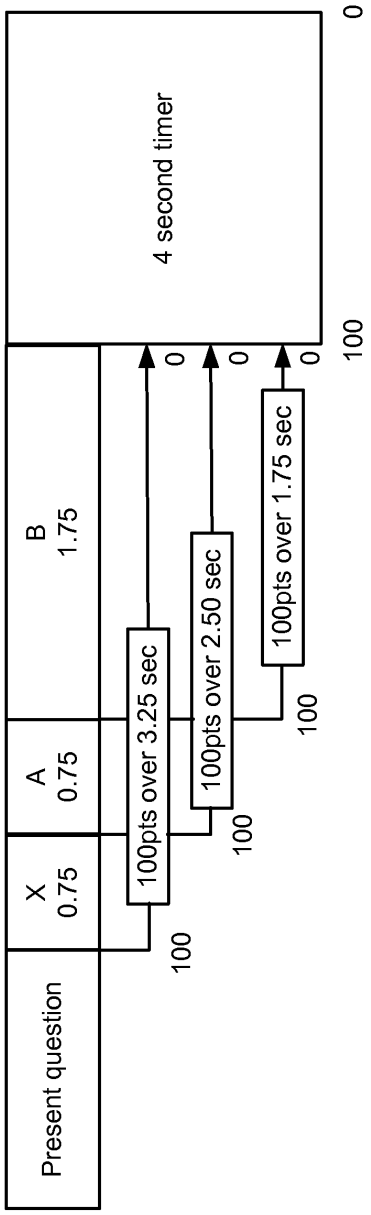

Present question
X
0.75
A
0.75
B
1.75
4 second timer
0
100
100pts over 3.25 sec
100pts over 2.50 sec
100pts over 1.75 sec
0
0
0
100
100
100

FIG. 6

REPLACEMENT SHEET
Appln. No. 12/652,829

FIG. 8

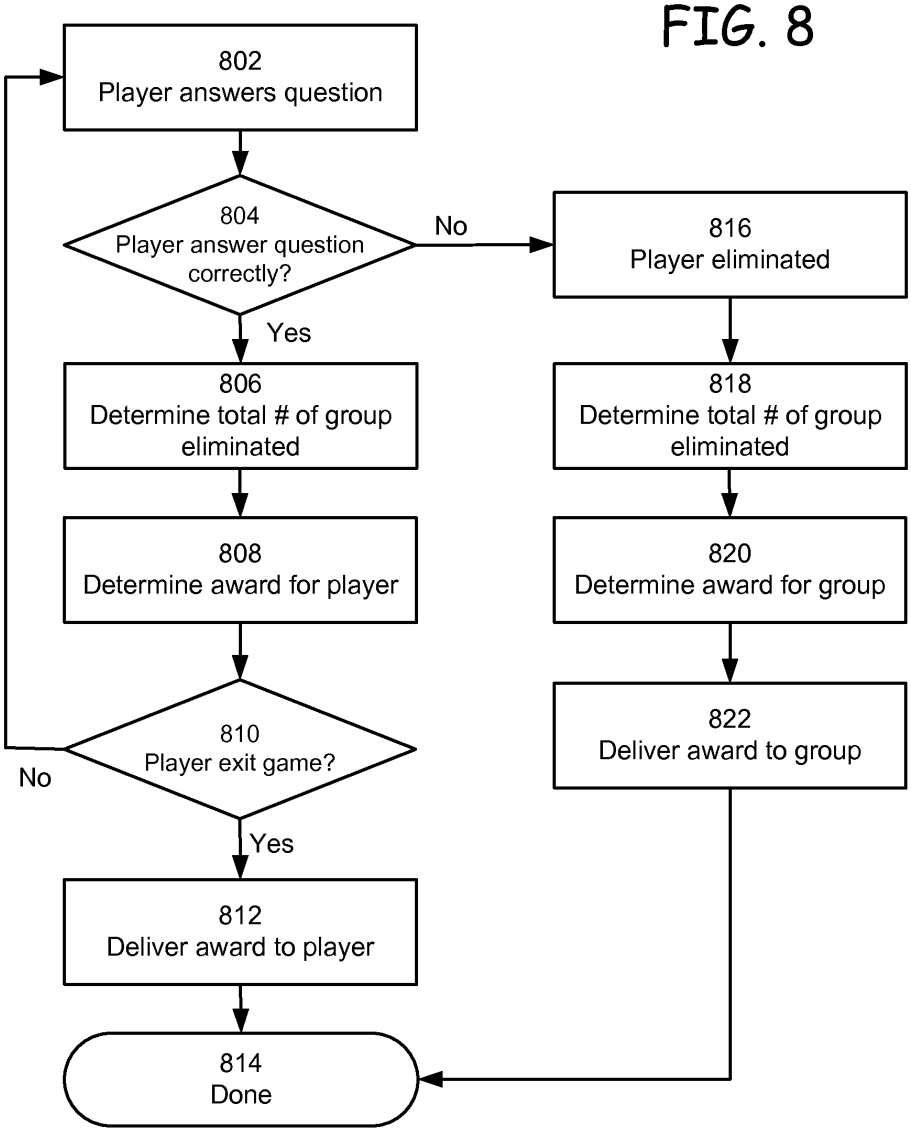


FIG. 9

Group Eliminated	Player wins (points)	Group players win:	Groupings
0-9	0	Nothing	1
10	150	Nothing	1
20	300	Nothing	2
30	600	Nothing	2
40	800	1 arcade game	3
50	1200	1 arcade game	3
60	2000	1 arcade game + 80	4
70	3000	1 arcade game + 160	4
80	5000	1 arcade game + 400	5
90	6000	1 arcade game + 800	4
100	10000	--	5

Electronic Acknowledgement Receipt	
EFS ID:	6977496
Application Number:	12652829
International Application Number:	
Confirmation Number:	1896
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING
First Named Inventor/Applicant Name:	Matt Van Gorder
Customer Number:	47766
Filer:	Larry E. Vierra
Filer Authorized By:	
Attorney Docket Number:	MSFT-01303US0
Receipt Date:	09-FEB-2010
Filing Date:	06-JAN-2010
Time Stamp:	19:06:07
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	Drawings-only black and white line drawings	1303us0-figs-v2.pdf	103772 ef75ea9812cc5f28422ea56d2885f45b3830518a	no	8
Warnings:					
Information:					

Total Files Size (in bytes):	103772

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
12/652,829	01/06/2010	3714	1090	MSFT-01303US0	20	3

CONFIRMATION NO. 1896

47766
VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 2500
SAN FRANCISCO, CA 94105

UPDATED FILING RECEIPT

OC000000040192487

Date Mailed: 02/23/2010

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Applicant(s)

Matt Van Gorder, Redmond, WA;
Brett Johnson, Woodinville, WA;

Assignment For Published Patent Application

MICROSOFT CORPORATION, Redmond, WA

Power of Attorney: The patent practitioners associated with Customer Number 47766

Domestic Priority data as claimed by applicant

Foreign Applications

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The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/652,829**

Projected Publication Date: 07/07/2011

Non-Publication Request: No

Early Publication Request: No

Title

SKILL AND PARTICIPATION BASED PRIZING

Preliminary Class

463

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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/652,829	01/06/2010	Matt Van Gorder	MSFT-01303US0

CONFIRMATION NO. 1896

47766
VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 2500
SAN FRANCISCO, CA 94105

PUBLICATION NOTICE

OC000000048628348

Title:SKILL AND PARTICIPATION BASED PRIZING

Publication No.US-2011-0165924-A1
Publication Date:07/07/2011

NOTICE OF PUBLICATION OF APPLICATION

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

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

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

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/652,829	01/06/2010	Matt Van Gorder	MSFT-01303US0	1896

47766 7590 12/06/2011

VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 2500
SAN FRANCISCO, CA 94105

EXAMINER	
JONES, MARCUS D	

ART UNIT	PAPER NUMBER
3717	

MAIL DATE	DELIVERY MODE
12/06/2011	PAPER

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

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

Office Action Summary	Application No.	Applicant(s)	
	12/652,829	GORDER ET AL.	
	Examiner	Art Unit	
	MARCUS JONES	3717	

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *06 January 2010*.

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) *1-20* 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) *1-20* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

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

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> 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.

2. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 1 recites the limitation "the multiplayer game" in step (f). There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

4. Claims 2-7 are rejected for failing to cure the deficiencies of claim 1.

Claim Rejections - 35 USC § 102

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

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al (US PGPub 2002/0155879).

In reference to claims 1, 8, 9, 11, and 16, Walker discloses: A computer-implemented method for awarding prizes to a plurality of users participating in a

multiuser game via a user console, wherein the multiuser game includes multiple rounds of trivia questions, comprising the steps of:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with a user participating in the multiuser game (see Figure 3B);

(b) receiving, from the game console, a selection of one of the plurality of answer choices delivered in step (a) (par 61, *player provides an answer*);

(c) upon receiving a selected answer choice in step (b) from the game console, automatically awarding a participation-based prize to the user associated with the console (see Figure 9, lead line 950-970, *players receive points whether they answer correctly or not at all*);

(d) when the answer choice received in step (b) correctly answers the question, awarding an accuracy score and at least one answer bonus to the user associated with the console (par 62, *a test is performed during step 1148 (FIG. 11C) to determine if the player responded with the correct answer.*);

(e) when the answer choice received in step (b) incorrectly answers the question, awarding only a speed bonus to the user associated with the console (par 64, *The appropriate payout table 900, 1000 is accessed for the current reward level during step 1172 and the payout corresponding to the generated reel combination is retrieved for an incorrect trivia answer. Where the speed is answering before the reels stop spinning regardless of whether the answer is correct*); and

(f) when the multiplayer game has ended, awarding users participating in the multiplayer game with one or more skill-based prizes, wherein the skill-based prizes are based on a total score that includes the accuracy score and answer bonuses awarded in step (d) and the speed bonus awarded in step (e) for each round of the multiuser game (par 67).

In reference to claims 2, 10, 17 and 18, Walker discloses: wherein step © of automatically awarding a participation-based prize to the user associated with the console comprises the steps of:

Generating a sweepstakes record (par 46, player database 500);

Generating a total score record (par 46, player score);

Identifying a gametag associated with the user (see Figure 5, lead line 520, 525);

Associating the sweepstakes record with the gametag (par 46, *win/loses etc/*)

In reference to claims 3, 12, and 19, Walker discloses: wherein step (d) of awarding an accuracy score and at least one answer bonus to the user associated with the console comprises the steps of:

Determining a speed bonus, a streak bonus, and a prize ladder bonus (par 67).

In reference to claims 4, 7, 13, and 20, Walker discloses: wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice; determining whether the period of time qualifies for an instant answer bonus; and when an answer choice is selected before an answer timer began, awarding a pre- timer bonus (par 61).

In reference to claims 5 and 14, Walker discloses: wherein determining a streak bonus comprises the steps of:

determining the number of consecutive answer choices previously selected by the user that correctly answered the question presented in the prior round; and awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user (par 67).

In reference to claims 6 and 15, Walker discloses: wherein awarding a pre-timer bonus comprises the steps of:

determining whether the answer timer began prior to the user selecting an answer choice; when the answer choice is selected prior to the start of the answer timer, awarding a pre-timer bonus; and When the answer choice is selected after the start of the answer timer, awarding a timer bonus (par 62).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS JONES whose telephone number is (571)270-3773. The examiner can normally be reached on M-F 9-5 EST, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melba Bumgarner can be reached on 571-272-4709. 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.

/Marcus D. Jones/
Examiner, Art Unit 3717

/Melba Bumgarner/
Supervisory Patent Examiner, Art Unit 3717

Notice of References Cited	Application/Control No. 12/652,829	Applicant(s)/Patent Under Reexamination GORDER ET AL.	
	Examiner MARCUS JONES	Art Unit 3717	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0155879 A1	10-2002	Walker et al.	463/20
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12652829	GORDER ET AL.
	Examiner	Art Unit
	MARCUS JONES	3717

SEARCHED			
Class	Subclass	Date	Examiner
463	9	12/3/2011	MDJ

SEARCH NOTES		
Search Notes	Date	Examiner
See attached EAST Search Report	12/3/2011	MDJ

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

PTO/SB/08a (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	
	Filing Date	2009-01-06
	First Named Inventor	Gorder
	Art Unit	
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	5782470		1998-07-21	Langan	
	2	5916024		1999-06-29	Von Kohorn	
	3	6656050	B2	2003-12-02	Busch et al.	
	4	7076434	B1	2006-07-11	Newnam et al.	
	5	7331860	B2	2008-02-19	Herrmann et al.	
If you wish to add additional U.S. Patent citation information please click the Add button.						Add
U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20060287051	A1	2006-12-21	Katz et al.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J./

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	2009-01-06
	First Named Inventor	Gorder
	Art Unit	
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

	2	20080227538	A1	2008-09-18	Kelly et al.			
If you wish to add additional U.S. Published Application citation information please click the Add button. Add								
FOREIGN PATENT DOCUMENTS Remove								
Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐
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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.						T[5]
	1	GILBERT, "1 vs 100 'Skill-Based' Prizes Start July 10 'for the Mob,' Stays in Beta", July 3, 2009, Copyright 2003-2009 Weblogs, Inc., http://www.joystiq.com/2009/07/03/1-vs-100-skill-based-prizes-start-july-10-for-the-mob-stays/						☐
	2	"1 VS 100 Skill Based Rules", XBOX Live, July 12, 2009, website, http://www.xbox.com/en-US/live/1vs100/skillbasedrules.htm						☐
If you wish to add additional non-patent literature document citation information please click the Add button Add								
EXAMINER SIGNATURE								
Examiner Signature	/Marcus Jones/				Date Considered	12/03/2011		
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								

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

EFS Web 2.1.16

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J./

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	485	"1" vs "10"	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:51
L2	206	"1" vs "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:52
L3	3	l2 and game	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:52
L4	2	((MATT) near2 (GORDER)).INV.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 17:45
L5	61	((BRETT) near2 (JOHNSON)).INV.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 17:46
L6	14	US-5782470-$.DID. OR US-5916024-$.DID. OR US-6656050-$.DID. OR US-7076434-$.DID. OR US-7331860-$.DID. OR US-20060287051-$.DID. OR US-20080227538-$.DID.	US-PGPUB; USPAT; EPO; JPO; DERWENT	ADJ	ON	2011/12/03 17:53
L7	12802	game same (trivia or knowledge or quiz or challenge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
L8	3791	l7 and "463".clas.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
L9	840	l8 and (question same answer)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
L10	411	l9 and (speed or accuracy)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:30
L11	140	l10 and ((time or speed) with bonus)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:37
L12	140	l10 and ((time or speed or streak) with bonus)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:38
L13	38	l12 and streak	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:38
L14	84	l12 and (streak or consecutive)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:42

L15	46	14 not 13	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:42
L16	750	463/9.ccls.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
L17	2814	l16 and quiz or trivia	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
L18	302	l7 and 463/9.ccls.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59

EAST Search History (Interference)

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C:\ Documents and Settings\ mjones4\ My Documents\ EAST\ Workspaces \ 12652829_1vs100quizgame.wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12652829	GORDER ET AL.
	Examiner	**Art Unit**
	MARCUS JONES	3717

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

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

CLAIM		DATE								
Final	Original	12/03/2011								
	1	✓								
	2	✓								
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	16	✓								
	17	✓								
	18	✓								
	19	✓								
	20	✓								

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application		)	PATENT APPLICATION
		)	
Inventors:	Gorder	)	
		)	Art Unit: 3717
Application No.:	12/652,829	)	
		)	Examiner: Jones, Marcus D.
Filed:	January 6, 2010	)	
		)	Customer No. 47766
Title:	SKILL AND PARTICIPATION BASED PRIZING	)	
		)	
		)	

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.111

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

Sir:

This RESPONSE is in reply to the Office Action mailed December 6, 2011.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begin on page 2 of this Response.

REMARKS begin on Page 9 of this Response.

Attorney Docket No.: MSFT-01303US0
msft/1303/1303-response-001

AMENDMENTS TO THE CLAIMS

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

1. (currently amended) A computer-implemented method for awarding prizes to a user of a plurality of users participating in a multiuser game ~~via a user console~~, wherein the multiuser game includes multiple rounds of trivia questions, comprising the steps of:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with [[a]] the user participating in the multiuser game;

(b) receiving, from the game console, a selection of one of the plurality of answer choices delivered in step (a);

(c) upon receiving a selected answer choice in step (b) from the game console, automatically awarding a participation-based prize to the user associated with the game console;

(d) when the answer choice received in step (b) correctly answers the question, awarding an accuracy score and at least one answer bonus to the user associated with the game console, the at least one answer bonus includes a first bonus based on a number of different users of the plurality of users participating in the multiuser game that incorrectly answered the question;

(e) when the answer choice received in step (b) incorrectly answers the question, awarding only a speed bonus to the user associated with the game console; and

(f) when the ~~multiplayer~~ multiuser game has ended, awarding the user[[s]] participating in the ~~multiplayer~~ multiuser game with one or more skill-based prizes, wherein the one or more skill-based prizes are based on a total score that includes the accuracy score and the at least one answer bonus[[es]] awarded in step (d) and the speed bonus awarded in step (e) for each round of the multiuser game.

2. (original) The computer-implemented method as recited in claim 1, wherein step (c) of automatically awarding a participation-based prize to the user associated with the console

comprises the steps of:

generating a sweepstakes record;

identifying a gamertag associated with the user; and

associating the sweepstakes record with the gamertag.

3. (original) The computer-implemented method as recited in claim 1, wherein step (d) of awarding an accuracy score and at least one answer bonus to the user associated with the console comprises the steps of:

determining a speed bonus;

determining a streak bonus; and

determining a prize ladder bonus.

4. (original) The computer-implemented method as recited in claim 3, wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

5. (original) The computer-implemented method as recited in claim 3, wherein determining a streak bonus comprises the steps of:

determining the number of consecutive answer choices previously selected by the user that correctly answered the question presented in the prior round; and

awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user.

6. (original) The computer-implemented method as recited in claim 3, wherein awarding a pre-timer bonus comprises the steps of:

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determining whether the answer timer began prior to the user selecting an answer choice;

when the answer choice is selected prior to the start of the answer timer, awarding a pre-timer bonus; and

when the answer choice is selected after the start of the answer timer, awarding a timer bonus.

7. (original) The computer-implemented method as recited in claim 1, wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

8. (currently amended) A computer-implemented method for awarding prizes to a first user of a plurality of users, each of the plurality of users participating in a multiuser game ~~via a user console, wherein each round of the multiuser game presents a trivia question to each user~~, comprising the steps of:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with [[a]] the first user participating in the multiuser game, the multiuser game is provided during a fixed time period between a fixed start time and a fixed end time;

(b) receiving, from the game console, a selection of one of the plurality of answer choices delivered in step (a); and

(c) upon receiving a selected answer choice in step (b) from the game console, automatically awarding an electronic participation-based prize and a skill-based prize to the user associated with the game console, the awarding the skill-based prize includes determining an award based on a number of different users of the plurality of users that incorrectly answered the trivia question.

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9. (original) The computer-implemented method as recited in 8, further including the steps of:

(d) generating a participation-based prize record representative of the electronic participation-based prize awarded in step (c);

(e) generating a skill-based prize record representative of the electronic skill-based prize awarded in step (c);

(f) associating the participation-based record and skill-based record with the user; and

(g) storing the participation-based prize record and skill-based prize record in a database.

10. (original) The computer-implemented method as recited in claim 8, wherein automatically awarding an electronic participation-based prize to the user associated with the console comprises the steps of:

generating a sweepstakes record;

identifying a gamertag associated with the user; and

associating the sweepstakes record with the gamertag.

11. (original) The computer-implemented method as recited in claim 8, wherein automatically awarding an electronic skill-based prize comprises the steps of:

awarding an accuracy score and at least one answer bonus to the user associated with the console.

12. (original) The computer-implemented method as recited in claim 11, wherein awarding at least one answer bonus comprises the steps of:

determining a speed bonus;

determining a streak bonus; and

determining a prize ladder bonus.

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13. (original) The computer-implemented method as recited in claim 12, wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

14. (original) The computer-implemented method as recited in claim 12, wherein determining a streak bonus comprises the steps of:

determining the number of consecutive answer choices previously selected by the user that correctly answered the question presented in the prior round; and

awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user.

15. (original) The computer-implemented method as recited in claim 12, wherein awarding a pre-timer bonus comprises the steps of:

determining whether the answer timer began prior to the user selecting an answer choice;

when the answer choice is selected prior to the start of the answer timer, awarding a pre-timer bonus; and

when the answer choice is selected after the start of the answer timer, awarding a timer bonus.

16. (currently amended) A system for awarding prizes to a user of a plurality of users, each of the plurality of users participating in a multiuser game ~~via a user console, wherein each round of the multiuser game presents a trivia question to each user~~, comprising:

a game service server configured to,

deliver, per round of the multiuser game, a trivia question and a plurality of

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answer choices to a game console server associated with [[a]] the user participating in the multiuser game;

receive, from the game console server, a selection of one of the plurality of answer choices delivered to the game console server;

upon receiving ~~a selected answer choice in step (b)~~ the selection from the game console server, automatically award an electronic participation-based prize and a skill-based prize to the user associated with the game console server, the skill-based prize is awarded based on at least a first bonus associated with a number of different users of the plurality of users participating in the multiuser game that answered the trivia question differently from the user;

the game console server configured to,

deliver the trivia question and plurality of answer choices received from the game service server to the user participating in the multiuser game;

receive, from the user participating in the multiuser game, [[a]] the selection of one of the plurality of answer choices;

associate a participation-based prize record representing the participation-base prize awarded by the game service server with the user;

associate a skill-based prize record representing the skill-base prize awarded by the game service server with the user; and

store the participation-based record and skill-based record in a database.

17. (original) The system as recited in claim 16, wherein the game console server associates a participation-based prize record representing the participation-base prize awarded by the game service server with the user by:

identifying a gamertag associated with the user; and

associating the participation-based prize record with the gamertag.

18. (original) The system as recited in claim 16, wherein the game console server associates a skill-based prize record representing the skill-base prize awarded by the game

service server with the user by:

upon receiving a selection of an answer choice, award a total score for the round to the user associated with the console, wherein the total score includes an accuracy score and at least one answer bonus;

generate a total score record; and

associate the total score record with the user's gamertag.

19. (original) The system as recited in claim 18, wherein the at least one answer bonus includes a speed bonus, a streak bonus, and a prize ladder bonus.

20. (original) The system as recited in claim 19, wherein the game console service determined a speed bonus by:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice;

determining whether the period of time qualifies for an instant answer bonus; and

when an answer choice is selected before an answer timer began, awarding a pre-timer bonus.

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REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed December 6, 2011.

Currently, claims 1-20 are pending. Claims 1, 8, and 16 have been amended. Support for the foregoing claims may be found in at least paragraphs [0046] and [0064] through [0067].

I. Rejection of Claims 1-7 Under 35 U.S.C. § 112

Claims 1-7 were rejected under 35 U.S.C. § 112. Claim 1 has been amended to overcome the § 112 rejection by replacing "multiplayer" with "multiuser." It is respectfully submitted that these rejections have been overcome.

II. Rejection of Claims 1-20

Claims 1-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Walker* (U.S. Patent Appl. 2002/0155879). Because *Walker* does not disclose all of the limitations of the pending claims, Applicant respectfully submits that the pending claims are patentable over the cited art.

Independent claim 1

Claim 1 recites "a first bonus based on a number of different users of the plurality of users participating in the multiuser game that incorrectly answered the trivia question."

Walker teaches using "trivia game results to access higher reward levels with [a] slot machine." *Walker*, paragraph [0021]. *Walker* also teaches reaching the higher award levels "by exceeding . . . predefined thresholds for consecutive correct answers in a predefined time period, predefined thresholds for correct answers in a predefined period of time, or predefined thresholds for the ratio of correct answers to incorrect answers within a predefined period of time." *Walker*, paragraph [0021]. However, *Walker* does not teach awarding "a first bonus based on a number of different users of the plurality of users participating in the multiuser game that incorrectly answered the trivia question," as recited in claim 1. For example, *Walker* does not disclose a multiuser game configuration (i.e., the slot machine described in *Walker* provides only a single person game) or a multiuser gaming configuration whereby an award is generated based on the

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number of different users that incorrectly answered a particular trivia question.

Because the cited art does not disclose the aforementioned limitations, Applicant respectfully submits that claim 1 is patentable over the cited art. Claims 2-7 depend on claim 1 and are patentable for at least the same reasons as claim 1.

Independent claim 8

Claim 8 recites "the multiuser game is provided during a fixed time period between a fixed start time and a fixed end time" and "the awarding the skill-based prize includes determining an award based on a number of different users of the plurality of users that incorrectly answered the trivia question." Similar to the reasons above with respect to claim 1, *Walker* fails to disclose the aforementioned limitations found in independent claim 8. Furthermore, *Walker* does not teach awarding "the multiuser game is provided during a fixed time period between a fixed start time and a fixed end time," as recited in claim 8. For example, *Walker* does not disclose a multiuser game configuration (i.e., the slot machine described in *Walker* provides only a single person game) or that the multiuser game is played within a fixed time period. Claims 9-15 depend on claim 8 and are patentable for at least the same reasons as claim 8.

Independent claim 16

Claim 16 recites "the skill-based prize is awarded based on at least a first bonus associated with a number of different users of the plurality of users participating in the multiuser game that answered the trivia question differently from the user." Similar to the reasons above with respect to claim 1, *Walker* fails to disclose the aforementioned limitations found in independent claim 16. Claims 17-20 depend on claim 16 and are patentable for at least the same reasons as claim 16.

III. Conclusion

Based on the above amendments and these remarks, reconsideration of all pending claims is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

Milestone Entertainment, LLC - Ex2008
Activision Blizzard, Inc. v. Milestone Entertainment, LLC
IPR2025-0711
Page 96

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: February 28, 2012

By: /Tyler Thorp /
Tyler Thorp
Reg. No. 29,124

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Facsimile: (415) 369-9665

Milestone Entertainment, LLC - Ex2008
Activision Blizzard, Inc. v. Milestone Entertainment, LLC
IPR2025-0711
Page 97

Electronic Acknowledgement Receipt	
EFS ID:	12228119
Application Number:	12652829
International Application Number:	
Confirmation Number:	1896
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING
First Named Inventor/Applicant Name:	Matt Van Gorder
Customer Number:	47766
Filer:	Tyler Thorp
Filer Authorized By:	
Attorney Docket Number:	MSFT-01303US0
Receipt Date:	05-MAR-2012
Filing Date:	06-JAN-2010
Time Stamp:	19:29:08
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		1303-response-001.pdf	51932 11a803f8b7e341170fee0236f9225ffc27c5f822	yes	11

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	8
	Applicant Arguments/Remarks Made in an Amendment	9	11
Warnings:			
Information:			
	Total Files Size (in bytes):	51932	

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

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

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

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

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

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
12/652,829	01/06/2010	

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT 03/05/2012	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X $ =		OR	X $60=	0
Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $ =		OR	X $250=	0
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	0

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

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

Legal Instrument Examiner:
/DORIAN EVANS/

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/652,829	01/06/2010	Matt Van Gorder	MSFT-01303US0	1896

47766 7590 07/20/2012

VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 2500
SAN FRANCISCO, CA 94105

EXAMINER
JONES, MARCUS D

ART UNIT	PAPER NUMBER
3717	

NOTIFICATION DATE	DELIVERY MODE
07/20/2012	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):

patents@vierramagen.com

Office Action Summary	Application No.	Applicant(s)	
	12/652,829	GORDER ET AL.	
	Examiner	Art Unit	
	Marcus Jones	3717	

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

Period for Reply

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

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

Status

1)☒ Responsive to communication(s) filed on *05 March 2012*.

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) *1-20* 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) *1-20* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The amendment filed 5 March 2012 in response to the previous Non-Final Office Action (6 December 2011) is acknowledged and has been entered.

Claims 1-20 are currently pending.

Claim Rejections - 35 USC § 103

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

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

2. 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 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.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (US PGPub 2002/0155879), and further in view of "NBC Gets Its (other) Game On" article (hereinafter Game article)(dated September 27, 2006).

In reference to claims 1, 8, 9, 11, and 16, Walker discloses: A computer-implemented method for awarding prizes to a plurality of users participating in a

multiuser game via a user console, wherein the multiuser game includes multiple rounds of trivia questions, comprising the steps of:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with a user participating in the multiuser game (see Figure 3B), the multiuser game is provided during a fixed time period between a fixed start time and a fixed end time (par 76 and 80, *predetermined time period*);

(b) receiving, from the game console, a selection of one of the plurality of answer choices delivered in step (a) (par 61, *player provides an answer*);

(c) upon receiving a selected answer choice in step (b) from the game console, automatically awarding a participation-based prize to the user associated with the game console (see Figure 9, lead line 950-970, *players receive points whether they answer correctly or not at all*);

(d) when the answer choice received in step (b) correctly answers the question, awarding an accuracy score and at least one answer bonus to the user associated with the console (par 62, *a test is performed during step 1148 (FIG. 11C) to determine if the player responded with the correct answer.*);

(e) when the answer choice received in step (b) incorrectly answers the question, awarding only a speed bonus to the user associated with the console (par 64, *The appropriate payout table 900, 1000 is accessed for the current reward level during step 1172 and the payout corresponding to the generated reel combination is retrieved for an incorrect trivia answer. Where the speed is answering before the reels stop spinning regardless of whether the answer is correct*); and

(f) when the multiplayer game has ended, awarding users participating in the multiplayer game with one or more skill-based prizes, wherein the skill-based prizes are based on a total score that includes the accuracy score and answer bonuses awarded in step (d) and the speed bonus awarded in step (e) for each round of the multiuser game (par 67).

Walker does not specifically disclose that the awarding the skill-based prize includes determining an award based on a number of different users of the plurality of users that incorrectly answered the trivia question. Game article teaches "1 vs. 100," in which one player will face off in a trivia challenge against 100 competitors. The solo player has to answer every question correctly, while hoping members of the 100-person mob answer wrong and are eliminated. If the player eliminates everyone, he or she will take home $1 million. Should the single player miss a question, the remaining players among the 100 will split the pot (pg 1).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Walker in view of Game article in order to make the game more interesting and fun to players and thereby increase revenue.

In reference to claims 2, 10, 17 and 18, Walker and Game article disclose the invention substantially as claimed. Walker further discloses: wherein step © of automatically awarding a participation-based prize to the user associated with the console comprises the steps of:

Generating a sweepstakes record (par 46, player database 500);

Generating a total score record (par 46, player score);

Identifying a gametag associated with the user (see Figure 5, lead line 520, 525);

Associating the sweepstakes record with the gametag (par 46, *win/loses etc./*)

In reference to claims 3, 12, and 19, Walker and Game article disclose the invention substantially as claimed. Walker further discloses: wherein step (d) of awarding an accuracy score and at least one answer bonus to the user associated with the console comprises the steps of:

Determining a speed bonus, a streak bonus, and a prize ladder bonus (par 67).

In reference to claims 4, 7, 13, and 20, Walker and Game article disclose the invention substantially as claimed. Walker further discloses: wherein determining a speed bonus comprises the steps of:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice; determining whether the period of time qualifies for an instant answer bonus; and when an answer choice is selected before an answer timer began, awarding a pre- timer bonus (par 61).

In reference to claims 5 and 14, Walker and Game article disclose the invention substantially as claimed. Walker further discloses: wherein determining a streak bonus comprises the steps of:

Determining the number of consecutive answer choices previously selected by the user that correctly answered the question presented in the prior round; and awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user (par 67).

In reference to claims 6 and 15, Walker and Game article disclose the invention substantially as claimed. Walker further discloses: wherein awarding a pre-timer bonus comprises the steps of:

determining whether the answer timer began prior to the user selecting an answer choice; when the answer choice is selected prior to the start of the answer timer, awarding a pre-timer bonus; and When the answer choice is selected after the start of the answer timer, awarding a timer bonus (par 62).

Response to Arguments

4. Applicant's arguments have been considered but are moot because the arguments do not apply to the current rejection.

Conclusion

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

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

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Jones whose telephone number is (571)270-3773. The examiner can normally be reached on M-F 9-5 EST, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melba Bumgarner can be reached on 571-272-4709. 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.

/Marcus Jones/
Examiner, Art Unit 3717

/Melba Bumgarner/
Supervisory Patent Examiner, Art Unit 3717

Notice of References Cited	Application/Control No. 12/652,829	Applicant(s)/Patent Under Reexamination GORDER ET AL.	
	Examiner Marcus Jones	Art Unit 3717	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	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	"NBC Gets Its (Other) Game On" article. http://web.archive.org/web/20071101060230/http://www.zap2it.com/tv/news/zap-nbc1vs100premiere,0,5382105.story?coll=zap-tv-headlines. Last retrieved July 3, 2012.
	V	
	W	
	X	

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

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12652829	GORDER ET AL.
	Examiner	Art Unit
	MARCUS JONES	3717

SEARCHED			
Class	Subclass	Date	Examiner
463	9	12/3/2011	MDJ
463	9 (updated)	7/4/2012	MDJ

SEARCH NOTES		
Search Notes	Date	Examiner
See attached EAST Search Report	12/3/2011	MDJ
See attached EAST Search Report (Updated)	7/4/2012	MDJ

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	485	"1" vs "10"	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:51
S2	206	"1" vs "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:52
S3	3	S2 and game	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:52
S4	2	((MATT) near2 (GORDER)).INV.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 17:45
S5	61	((BRETT) near2 (JOHNSON)).INV.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 17:46
S6	14	US-5782470-$.DID. OR US-5916024-$.DID. OR US-6656050-$.DID. OR US-7076434-$.DID. OR US-7331860-$.DID. OR US-20060287051-$.DID. OR US-20080227538-$.DID.	US-PGPUB; USPAT; EPO; JPO; DERWENT	ADJ	ON	2011/12/03 17:53
S7	12802	game same (trivia or knowledge or quiz or challenge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
S8	3791	S7 and "463".clas.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
S9	840	S8 and (question same answer)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
S10	411	S9 and (speed or accuracy)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:30
S11	140	S10 and ((time or speed) with bonus)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:37
S12	140	S10 and ((time or speed or streak) with bonus)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:38
S13	38	S12 and streak	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:38
S14	84	S12 and (streak or consecutive)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:42
S15	46	S14 not S13	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:42

S16	750	463/9.ccls.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
S17	2814	S16 and quiz or trivia	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
S18	302	S7 and 463/9.ccls.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
S19	8878	game same (quiz or trivia or knowledge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/01 17:29
S20	442	game same (quiz or trivia or knowledge) same (bonus or boost)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/01 17:29
S21	92	game same (quiz or trivia or knowledge) same (bonus or boost) same correct	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/01 17:29
S22	219	"1" vs "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:01
S23	992999	"1" near3 "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:01
S24	753435	"1" near2 "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:02
S25	88237	"1" with (versus or vs) with "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:02
S26	104	nintendo.as. and (trivia or quiz or knowledge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:05
S27	931	game same (quiz or trivia or knowledge) same group	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:50
S28	54	game same (quiz or trivia or knowledge) same group same (wrong or incorrect)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:50
S29	529	game same (quiz or trivia or knowledge) same (wrong or incorrect)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:56
S30	116	jakks near2 pacific	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 02:08

EAST Search History (Interference)

<This search history is empty>

7/4/2012 12:59:17 PM
C:\Users\mjones4\Documents\EAST\Workspaces\12652829_1vs100quizgame.wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12652829	GORDER ET AL.
	Examiner	**Art Unit**
	MARCUS JONES	3717

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

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

CLAIM		DATE								
Final	Original	12/03/2011	07/04/2012							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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

Application Number	12/652,829	Filing Date	2010-01-06	Docket Number (if applicable)	MSFT-01303US0	Art Unit	3717
First Named Inventor	Gorder			Examiner Name	Jones, Marcus D.		

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

SUBMISSION REQUIRED UNDER 37 CFR 1.114

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

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

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

☒ Enclosed

- ☒ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 501826

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature
☐ Applicant Signature

EFS - Web 2.1.15

PTO/SB/30EFS (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

Signature of Registered U.S. Patent Practitioner			
Signature	/Tyler Thorp/	Date (YYYY-MM-DD)	2012-10-16
Name	Tyler Thorp	Registration Number	59124

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

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application		)	PATENT APPLICATION
		)	
Inventors:	Gorder	)	
		)	Art Unit: 3717
Application No.:	12/652,829	)	
		)	Examiner: Jones, Marcus D.
Filed:	January 6, 2010	)	
		)	Customer No. 47766
Title:	SKILL AND PARTICIPATION BASED PRIZING	)	
		)	
		)	

RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. §1.116

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

Sir:

This RESPONSE is in reply to the Office Action mailed July 20, 2012 and accompanies the filing of a Request for Continued Examination.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begin on page 2 of this Response.

REMARKS begin on page 9 of this Response.

Attorney Docket No.: MSFT-01303US0
msft/1303/1303-response-002

AMENDMENTS TO THE CLAIMS

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

1. (currently amended) A computer-implemented method for awarding prizes to a user of a plurality of users participating in a multiuser game, wherein the multiuser game includes multiple rounds of trivia questions, comprising ~~the steps of~~:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with the user participating in the multiuser game;

(b) displaying the plurality of answer choices one at a time to the user prior to a beginning of a timer associated with a pre-timer bonus;

[[(b)]] (c) receiving, from the game console, a selection of [[one]] an answer choice of the plurality of answer choices ~~delivered in step (a)~~;

[[(c)]] (d) ~~upon receiving a selected answer choice in step (b) from the game console,~~ automatically awarding a participation-based prize to the user associated with the game console in response to the receiving a selection of an answer choice of the plurality of answer choices;

[[(d)]] (e) ~~when the answer choice received in step (b) correctly answers the question,~~ awarding an accuracy score and at least one answer bonus to the user associated with the game console if the answer choice correctly answers the trivia question, the at least one answer bonus includes a first bonus based on a number of different users of the plurality of users participating in the multiuser game that incorrectly answered the trivia question;

[[(e)]] (f) ~~when the answer choice received in step (b) incorrectly answers the question,~~ awarding ~~only a speed~~ the pre-timer bonus to the user associated with the game console if the selection of the answer choice is received prior to the beginning of the timer; and

[[(f)]] (g) when the multiuser game has ended, awarding the user participating in the multiuser game with one or more skill-based prizes, wherein the one or more skill-based prizes are based on a total score that includes the accuracy score, [[and]] the at least one answer bonus ~~awarded in step (d),~~ and the ~~speed~~ pre-timer bonus ~~awarded in step (e)~~ for each round of the

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multiuser game.

2. (currently amended) The computer-implemented method as recited in claim 1, wherein ~~step (c) of~~ the automatically awarding a participation-based prize to the user associated with the game console comprises ~~the steps of~~:

generating a sweepstakes record;

identifying a gamertag associated with the user; and

associating the sweepstakes record with the gamertag.

3. (currently amended) The computer-implemented method as recited in claim 1, wherein ~~step (d) of~~ the awarding an accuracy score and at least one answer bonus to the user associated with the game console comprises ~~the steps of~~:

determining a speed bonus;

determining a streak bonus; and

determining a prize ladder bonus.

4. (cancelled)

5. (currently amended) The computer-implemented method as recited in claim 3, wherein the determining a streak bonus comprises ~~the steps of~~:

determining the number of consecutive answer choices previously selected by the user that correctly answered the trivia question presented in the prior round; and

awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user.

6. (cancelled)

7. (currently amended) The computer-implemented method as recited in claim [[1]] 3, wherein the determining a speed bonus comprises ~~the steps of~~:

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determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice; and

determining whether the period of time qualifies for an instant answer bonus~~; and~~

~~when an answer choice is selected before an answer timer began, awarding a pre-timer bonus~~.

8. (currently amended) A computer-implemented method for awarding prizes to a first user of a plurality of users, each of the plurality of users participating in a multiuser game, comprising ~~the steps of~~:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with the first user participating in the multiuser game, the multiuser game is provided during a fixed time period between a fixed start time and a fixed end time;

(b) displaying the plurality of answer choices one at a time to the first user prior to a beginning of a timer associated with a pre-timer bonus;

[[(b)]] (c) receiving, from the game console, a selection of [[one]] an answer choice of the plurality of answer choices ~~delivered in step (a)~~; and

[[(c)]] (d) upon receiving ~~a selected answer choice in step (b)~~ the selection of the answer choice from the game console, automatically awarding an electronic participation-based prize and a skill-based prize to the first user associated with the game console, the awarding the skill-based prize includes ~~determining an award based on a number of different users of the plurality of users that incorrectly answered the trivia question~~ awarding the pre-timer bonus to the first user associated with the game console if the selection of the answer choice is received prior to the beginning of the timer, the pre-timer bonus is awarded to the first user regardless of whether the answer choice correctly answers the trivia question.

9. (currently amended) The computer-implemented method as recited in claim 8, further comprising ~~including the steps of~~:

[[(d)]] generating a participation-based prize record representative of the electronic participation-based prize awarded ~~in step (c)~~;

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[[(e)]] generating a skill-based prize record representative of the electronic skill-based prize awarded ~~in step (c)~~;

[[(f)]] associating the participation-based prize record and skill-based prize record with the first user; and

[[(g)]] storing the participation-based prize record and skill-based prize record in a database.

10. (currently amended) The computer-implemented method as recited in claim 8, wherein the automatically awarding an electronic participation-based prize to the first user associated with the game console comprises ~~the steps of~~:

generating a sweepstakes record;

identifying a gamertag associated with the first user; and

associating the sweepstakes record with the gamertag.

11. (currently amended) The computer-implemented method as recited in claim 8, wherein the automatically awarding an electronic skill-based prize comprises ~~the steps of~~:

awarding an accuracy score and at least one answer bonus to the first user associated with the game console.

12. (currently amended) The computer-implemented method as recited in claim 11, wherein the awarding at least one answer bonus comprises ~~the steps of~~:

determining a speed bonus;

determining a streak bonus; and

determining a prize ladder bonus.

13. (currently amended) The computer-implemented method as recited in claim 12, wherein the determining a speed bonus comprises ~~the steps of~~:

determining a period of time that expired between the answer choice being displayed to the first user and selection by the first user of the answer choice; and

determining whether the period of time qualifies for an instant answer bonus~~; and~~

~~when an answer choice is selected before an answer timer began, awarding a pre-timer bonus~~.

14. (currently amended) The computer-implemented method as recited in claim 12, wherein the determining a streak bonus comprises ~~the steps of~~:

determining the number of consecutive answer choices previously selected by the first user that correctly answered the trivia question presented in the prior round; and

awarding a streak bonus to the first user based on the number of consecutive answer choices previously selected by the first user.

15. (cancelled)

16. (currently amended) A system for awarding prizes to a user of a plurality of users, each of the plurality of users participating in a multiuser game, comprising:

a game service server configured to,

deliver, per round of the multiuser game, a trivia question and a plurality of answer choices to a game console server associated with the user participating in the multiuser game, the game console server displays the plurality of answer choices one at a time to the user prior to a beginning of a timer associated with a pre-timer bonus;

receive, from the game console server, a selection of [[one]] an answer choice of the plurality of answer choices delivered to the game console server;

upon receiving the selection from the game console server, automatically award an electronic participation-based prize and a skill-based prize to the user associated with the game console server, the skill-based prize ~~is awarded based on at least a first bonus associated with a number of different users of the plurality of users participating in the multiuser game that answered the trivia question differently from the user~~ includes the pre-timer bonus if the selection of the answer choice is received prior to the beginning of the timer, the pre-timer bonus is awarded to the user regardless of whether the answer

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choice correctly answers the trivia question; and

the game console server configured to,

deliver the trivia question and plurality of answer choices received from the game service server to the user participating in the multiuser game;

receive, from the user participating in the multiuser game, the selection of ~~one of the plurality of answer choices~~ the answer choice;

associate a participation-based prize record representing the participation-based prize awarded by the game service server with the user;

associate a skill-based prize record representing the skill-base prize awarded by the game service server with the user; and

store the participation-based prize record and skill-based prize record in a database.

17. (original) The system as recited in claim 16, wherein the game console server associates a participation-based prize record representing the participation-base prize awarded by the game service server with the user by:

identifying a gamertag associated with the user; and

associating the participation-based prize record with the gamertag.

18. (currently amended) The system as recited in claim [[16]] 17, wherein the game console server associates a skill-based prize record representing the skill-base prize awarded by the game service server with the user by:

upon receiving a selection of [[an]] the answer choice, award a total score for the round to the user associated with the game console server, wherein the total score includes an accuracy score and at least one answer bonus;

generate a total score record; and

associate the total score record with the user's gamertag.

19. (original) The system as recited in claim 18, wherein the at least one answer

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bonus includes a speed bonus, a streak bonus, and a prize ladder bonus.

20. (currently amended) The system as recited in claim 19, wherein the game console ~~service~~ server ~~determined a~~ determines the speed bonus by:

determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice; and

determining whether the period of time qualifies for an instant answer bonus~~; and~~

~~when an answer choice is selected before an answer timer began, awarding a pre-timer bonus~~.

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REMARKS

The above Amendments and these Remarks are in reply to the Office Action mailed July 20, 2012.

Currently, claims 1-3, 5, 7-14, and 16-20 are pending. Claims 1-3, 5, 7-14, 16, 18, and 20 have been amended. Claims 4, 6, and 15 have been cancelled. Support for the foregoing claims may be found in at least paragraphs [0006] and [0058] through [0061].

I. Rejection of Claims 1-20 Under 35 U.S.C. § 103

Claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Walker* (U.S. Patent Appl. 2002/0155879) in view of *NBC* (NBC Gets Its Other Game On). Because *Walker* and *NBC*, alone or in combination, fail to teach or suggest all of the limitations of the pending claims, Applicant respectfully submits that one of ordinary skill in the art would not be led to the claimed subject matter and therefore these claims are patentable over the cited art.

Independent Claim 1

Claim 1 recites "displaying the plurality of answer choices one at a time to the user prior to a beginning of a timer associated with a pre-timer bonus [and] awarding the pre-timer bonus to the user associated with the game console if the selection of the answer choice is received prior to the beginning of the timer."

Walker teaches using "trivia game results to access higher reward levels with [a] slot machine." *Walker*, paragraph [0021]. *Walker* also teaches reaching the higher award levels "by exceeding . . . predefined thresholds for consecutive correct answers in a predefined time period, predefined thresholds for correct answers in a predefined period of time, or predefined thresholds for the ratio of correct answers to incorrect answers within a predefined period of time." *Walker*, paragraph [0021]. However, *Walker* does not teach "displaying the plurality of answer choices one at a time to the user prior to a beginning of a timer associated with a pre-timer bonus [and] awarding the pre-timer bonus to the user associated with the game console if the selection of the answer choice is received prior to the beginning of the timer," as recited in claim 1. Thus, *Walker* cannot reasonably be interpreted as teaching or suggesting the aforementioned claim limitations

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of claim 1.

NBC teaches a game "in which one player will face off in a trivia challenge against 100 competitors [and] has to answer every question correctly, while hoping members of the 100-person mob answer wrong and are eliminated. If the player eliminates everyone, he or she will take home $1 million. Should the single player miss a question, the remaining players among the 100 will split the pot." However, *NBC* does not teach "displaying the plurality of answer choices one at a time to the user prior to a beginning of a timer associated with a pre-timer bonus [and] awarding the pre-timer bonus to the user associated with the game console if the selection of the answer choice is received prior to the beginning of the timer," as recited in claim 1. Thus, *NBC* cannot reasonably be interpreted as teaching or suggesting the aforementioned claim limitations of claim 1.

Since none of the cited references alone teach or suggest the aforementioned claim limitations of claim 1, combining the references also does not teach or suggest the aforementioned claim limitations. Applicant submits that the combination of *Walker* and *NBC* does not teach or suggest the aforementioned claim limitations of claim 1. For example, the combination of *Walker* and *NBC* does not teach or suggest "displaying the plurality of answer choices one at a time to the user prior to a beginning of a timer associated with a pre-timer bonus [and] awarding the pre-timer bonus to the user associated with the game console if the selection of the answer choice is received prior to the beginning of the timer," as recited in claim 1. Accordingly, even if the cited references are combined, the resulting combination does not render the claims unpatentable. Because *Walker* and *NBC*, alone or in combination, fail to teach or suggest all of the limitations of claim 1, Applicant respectfully submits that claim 1 is patentable over the cited art. Claims 2-3, 5, and 7 depend on claim 1 and are patentable for at least the same reasons as claim 1.

Independent claim 8

Claim 8 recites "displaying the plurality of answer choices one at a time to the first user prior to a beginning of a timer associated with a pre-timer bonus [and] awarding the pre-timer bonus to the first user associated with the game console if the selection of the answer choice is

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received prior to the beginning of the timer, the pre-timer bonus is awarded to the first user regardless of whether the answer choice correctly answers the trivia question." Similar to the reasons above with respect to claim 1, *Walker* and *NBC*, alone or in combination, fail to teach or suggest all of the limitations of claim 8. Furthermore, *Walker* and *NBC*, alone or in combination, fail to teach or suggest "the pre-timer bonus is awarded to the first user regardless of whether the answer choice correctly answers the trivia question." Claims 9-14 depend on claim 8 and are patentable for at least the same reasons as claim 8.

Independent claim 16

Claim 16 recites "the game console server displays the plurality of answer choices one at a time to the user prior to a beginning of a timer associated with a pre-timer bonus [and] the skill-based prize includes the pre-timer bonus if the selection of the answer choice is received prior to the beginning of the timer, the pre-timer bonus is awarded to the user regardless of whether the answer choice correctly answers the trivia question." Similar to the reasons above with respect to claim 8, *Walker* and *NBC*, alone or in combination, fail to teach or suggest all of the limitations of claim 16. Claims 17-20 depend on claim 16 and are patentable for at least the same reasons as claim 16.

II. Conclusion

Based on the above amendments and these remarks, reconsideration of all pending claims is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

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The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: October 16, 2012

By: /Tyler Thorp/
Tyler Thorp
Reg. No. 29,124

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Electronic Patent Application Fee Transmittal					
Application Number:	12652829				
Filing Date:	06-Jan-2010				
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING				
First Named Inventor/Applicant Name:	Matt Van Gorder				
Filer:	Tyler Thorp				
Attorney Docket Number:	MSFT-01303US0				
Filed as Large Entity					
Utility under 35 USC 111(a) Filing Fees					
Description		**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:					
Pages:					
Claims:					
Miscellaneous-Filing:					
Petition:					
Patent-Appeals-and-Interference:					
Post-Allowance-and-Post-Issuance:					
Extension-of-Time:					

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Request for continued examination	1801	1	930	930
		Total in USD ($)		**930**

Electronic Acknowledgement Receipt	
EFS ID:	13994046
Application Number:	12652829
International Application Number:	
Confirmation Number:	1896
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING
First Named Inventor/Applicant Name:	Matt Van Gorder
Customer Number:	47766
Filer:	Tyler Thorp
Filer Authorized By:	
Attorney Docket Number:	MSFT-01303US0
Receipt Date:	16-OCT-2012
Filing Date:	06-JAN-2010
Time Stamp:	12:33:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$930
RAM confirmation Number	10865
Deposit Account	501826
Authorized User	THORP, TYLER
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)	
Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)	
Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	1303-rce.pdf	697253 3dc5f3d8b7b87b884942532b044c8e2675329dac	no	3
Warnings:					
Information:					
2		1303-response-002.pdf	58959 7204bbd57ac9114a9e4c53d8cc0f6a38a6eab2fa	yes	12

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Amendment Submitted/Entered with Filing of CPA/RCE	1	1
Claims	2	8
Applicant Arguments/Remarks Made in an Amendment	9	12

Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30516 eb848d086c969f9c4d2c8ee8c67dd668684aa425	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	786728	

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

New Applications Under 35 U.S.C. 111
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New International Application Filed with the USPTO as a Receiving Office
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PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
12/652,829	01/06/2010	

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	10/16/2012	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 17	Minus	** 20	= 0	X $ =		OR	X $62=	0
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X $ =		OR	X $250=	0
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	0

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

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

Legal Instrument Examiner:
/BURNELL ROSS/

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

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

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	12652829
	Filing Date	2010-01-06
	First Named Inventor	Gorder
	Art Unit	3714
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					
If you wish to add additional U.S. Patent citation information please click the Add button.						Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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If you wish to add additional U.S. Published Application citation information please click the Add button.						Add

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐
If you wish to add additional Foreign Patent Document citation information please click the Add button							Add	

NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	12652829
	Filing Date	2010-01-06
	First Named Inventor	Gorder
	Art Unit	3714
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

	1	Office Action dated 1/22/2013, Chinese Patent Application No. 201110008359.X, [Atty.Docket No.: MSFT-01303CN0].	☒

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	12652829
	Filing Date	2010-01-06
	First Named Inventor	Gorder
	Art Unit	3714
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Larry E. Vierra/	Date (YYYY-MM-DD)	2013-03-22
Name/Print	Larry E. Vierra	Registration Number	33809

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

Electronic Acknowledgement Receipt	
EFS ID:	15337070
Application Number:	12652829
International Application Number:	
Confirmation Number:	1896
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING
First Named Inventor/Applicant Name:	Matt Van Gorder
Customer Number:	47766
Filer:	Larry E. Vierra/Hyo Kim
Filer Authorized By:	Larry E. Vierra
Attorney Docket Number:	MSFT-01303US0
Receipt Date:	22-MAR-2013
Filing Date:	06-JAN-2010
Time Stamp:	19:30:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	1303-ids-002.pdf	612328 5d6b6b8fbed270f8f59ecee1e3eca42af63b3bb0	no	4

Warnings:
Information:

A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.

2	Non Patent Literature	1303cn-OA-2013-01-22.pdf	417166 ffe058c24624489c3629d6702768f237c3cb332b	no	7

Warnings:

Information:

Total Files Size (in bytes):	1029494

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New Applications Under 35 U.S.C. 111
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Gorder et al.	Attorney Docket No.:	MSFT-01303US0
Application No.:	12/652,829	Group Art Unit:	3717
Filed:	1/6/2010	Confirmation Number:	1896
Customer No.:	47766	Examiner:	Jones, Marcus D.

Title: TASK SPECIFIC SPREADSHEET WORKSHEETS

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

STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Additional Information

The Applicant hereby makes the following additional information of record in the above-identified application.

Serial No.	Filing Date	Inventor(s)
N/A	N/A	N/A

PART II: Remarks

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO/SB/08A. The order of presentation of the references should not be construed as an indication of the importance of the references.

Milestone Entertainment, LLC - Ex2008
Activision Blizzard, Inc. v. Milestone Entertainment, LLC
IPR2025-0711
Page 141

Documents cited on the attached form PTO/SB/08A are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO/SB/08A be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statement by the Applicant, the Applicant urges the Examiner to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Respectfully submitted,

Date March 22, 2013

By: /Larry E. Vierra/

Larry E. Vierra

Reg. No. 33,809

Vierra Magen Marcus LLP
575 Market Street, Suite 3750
San Francisco, CA 94105
(415) 369-9660

Electronic Acknowledgement Receipt	
EFS ID:	15337213
Application Number:	12652829
International Application Number:	
Confirmation Number:	1896
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING
First Named Inventor/Applicant Name:	Matt Van Gorder
Customer Number:	47766
Filer:	Larry E. Vierra/Hyo Kim
Filer Authorized By:	Larry E. Vierra
Attorney Docket Number:	MSFT-01303US0
Receipt Date:	22-MAR-2013
Filing Date:	06-JAN-2010
Time Stamp:	20:00:45
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	1303-ids-cover-sheet-001.pdf	47788 62b1ca05c16923a8531746ca88f2f5e11bbeb332	no	3
Warnings:					
Information:					

Total Files Size (in bytes):	47788

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PTO/SB/08a (01-10)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	12652829
	Filing Date	2010-01-06
	First Named Inventor	Van Gorder
	Art Unit	3717
	Examiner Name	Jones, Marcus D.
	Attorney Docket Number	MSFT-01303US0

U.S.PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					
If you wish to add additional U.S. Patent citation information please click the Add button.						Add

U.S.PATENT APPLICATION PUBLICATIONS						Remove
Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					
If you wish to add additional U.S. Published Application citation information please click the Add button.						Add

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐
If you wish to add additional Foreign Patent Document citation information please click the Add button							Add	

NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	12652829
	Filing Date	2010-01-06
	First Named Inventor	Van Gorder
	Art Unit	3717
	Examiner Name	Jones, Marcus D.
	Attorney Docket Number	MSFT-01303US0

	1	Response to Office Action dated May 29, 2013, U.S. Patent Application No. 12/652,829, filed January 6, 2010 [Attorney Docket No.: MSFT-01303CN0]	☐
	2	Office Action dated July 9, 2013, U.S. Patent Application No. 12/652,829, filed January 6, 2010 [Attorney Docket No.: MSFT-01303CN0]	☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

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

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	Art Unit	3717
	Examiner Name	Jones, Marcus D.
	Attorney Docket Number	MSFT-01303US0

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Larry E. Vierra/	Date (YYYY-MM-DD)	2013-07-16
Name/Print	Larry E. Vierra	Registration Number	33809

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Gorder et al.	Attorney Docket No.:	MSFT-01303US0
Application No.:	12/652,829	Group Art Unit:	3717
Filed:	1/6/2010	Confirmation Number:	1896
Customer No.:	47766	Examiner:	Jones, Marcus D.

Title: TASK SPECIFIC SPREADSHEET WORKSHEETS

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

STATEMENT FILED PURSUANT TO
THE DUTY OF DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Additional Information

The Applicant hereby makes the following additional information of record in the above-identified application.

Serial No.	Filing Date	Inventor(s)
N/A	N/A	N/A

PART II: Remarks

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO/SB/08A. The order of presentation of the references should not be construed as an indication of the importance of the references.

Milestone Entertainment, LLC - Ex2008
Activision Blizzard, Inc. v. Milestone Entertainment, LLC
IPR2025-0711
Page 150

Documents cited on the attached form PTO/SB/08A are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO/SB/08A be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statement by the Applicant, the Applicant urges the Examiner to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Respectfully submitted,

Date 7/16/2013

By: /Larry E. Vierra/
Larry E. Vierra
Reg. No. 33,809

Vierra Magen Marcus LLP
575 Market Street, Suite 3750
San Francisco, CA 94105
(415) 489-4100

Milestone Entertainment, LLC - Ex2008
Activision Blizzard, Inc. v. Milestone Entertainment, LLC
IPR2025-0711
Page 152

Electronic Acknowledgement Receipt	
EFS ID:	16334329
Application Number:	12652829
International Application Number:	
Confirmation Number:	1896
Title of Invention:	SKILL AND PARTICIPATION BASED PRIZING
First Named Inventor/Applicant Name:	Matt Van Gorder
Customer Number:	47766
Filer:	Larry E. Vierra/Hyo Kim
Filer Authorized By:	Larry E. Vierra
Attorney Docket Number:	MSFT-01303US0
Receipt Date:	16-JUL-2013
Filing Date:	06-JAN-2010
Time Stamp:	18:31:32
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	Information Disclosure Statement (IDS) Form (SB08)	1303us0-ids003.pdf	612289 367cc8f289fecb75698f1eceebd76c6c5d0a6ca2	no	4
Warnings:					
Information:					

A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.

2	Transmittal Letter	1303-ids-cover-sheet.pdf	47742 e0c52ffa127047055d8314e66533706af9bcdad2	no	3
Warnings:					
Information:					
3	Non Patent Literature	1303cn-2013-07-09-OA.pdf	430902 a6c973502e0ec3e8449ec383598d72b5d79596fd	no	6
Warnings:					
Information:					
4	Non Patent Literature	1303cn-2013-05-29-RespOA.pdf	2859041 a552cdbb0e4005551dfc81f4ab422dfeac2131cd	no	10
Warnings:					
Information:					
		Total Files Size (in bytes):	3949974		

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/652,829	01/06/2010	Matt Van Gorder	MSFT-01303US0	1896

47766 7590 12/08/2014

VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 3750
SAN FRANCISCO, CA 94105

EXAMINER	
JONES, MARCUS D	

ART UNIT	PAPER NUMBER
3717	

NOTIFICATION DATE	DELIVERY MODE
12/08/2014	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):

patents@vierramagen.com

Office Action Summary	Application No. 12/652,829	Applicant(s) GORDER ET AL.	
	Examiner Marcus Jones	Art Unit 3717	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 *10/16/12*.

☐ 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) *1-3,5,7-14 and 16-20* 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) *1-3,5,7-14 and 16-20* 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 *3/22/13, 7/16/13*.

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

4) ☐ Other: _____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 October 2012 has been entered.

Claims 1-3, 5, 7-14 and 16-20 are currently pending.

Claims 4, 6 and 15 are cancelled.

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.

Claims 1-3, 5, 7-14 and 16-20 are rejected under 35 U.S.C. 101 because the claimed invention is 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 a method of organizing human activities. 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.

Claim Rejections - 35 USC § 103

4. 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 negatived by the manner in which the invention was made.

5. 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.

6. Claims 1, 8, 11, and 16 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Foster (US PGPub 2007/0166686), and further in view of Vancura (US PGPub 2002/0187824) and "NBC Gets Its (other) Game On" article (hereinafter Game article)(dated September 27, 2006).

In reference to claim 1, Foster discloses: A computer-implemented method for awarding prizes to a plurality of users participating in a multiuser game via a user console, wherein the multiuser game includes multiple rounds of trivia questions, comprising:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with a user participating in the multiuser game (see Figure 3);

(b) displaying the plurality of answer choices one at a time to the user (par 29, *answer options delivered one-by-one*);

(c) receiving, from the game console, a selection of an answer choice of the plurality of answer choices; (d) automatically awarding a participation-based prize to the user associated with the game console in response to the receiving a selection of an answer choice of the plurality of answer choices (par 32, *Embodiments of the present invention can include answer options representing answers that are neither correct nor incorrect absolutely, but partially correct. Choosing such an answer would increase the*

test taker's score by a predetermined amount. Thus, scoring is not limited to absolutely correct or absolutely incorrect for a question.);

(e) awarding an accuracy score to the user associated with the game console if the answer choice correctly answers the trivia question (par 104, *test-taker may only be required to identify one correct answer option for the question to be scored correct*.). Foster discloses the invention substantially as claimed except for a pre-timer bonus and at least one answer bonus based on a number of different users of the plurality of users participating in the multiuser game that incorrectly answered the trivia question. Vancura teaches a bonus timer (*pre-timer bonus*) that is initiated at 15 seconds. A correct answer is worth 50 credits plus the number of seconds remaining multiplied by 10. In this manner, a player who knows the answer, and response almost instantly, will be awarded 50 credits+15 seconds.times.10 seconds=200 credits (par 43).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Foster in view of Vancura in order to add additional challenge, risk and suspense in that there is an incentive for the player to respond quickly to the query (*Vancura*, par 44).

Foster and Vancura disclose the invention substantially as claimed except specifically at least one answer bonus based on a number of different users of the plurality of users participating in the multiuser game that incorrectly answered the trivia question. Game article teaches "1 vs. 100," in which one player will face off in a trivia challenge against 100 competitors. The solo player has to answer every question correctly, while hoping members of the 100-person mob answer wrong and are

eliminated. If the player eliminates everyone, he or she will take home $1 million. Should the single player miss a question, the remaining players among the 100 will split the pot (pg 1).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Foster and Vancura in view of Game article in order to make the game more interesting and fun to players and thereby increase revenue.

In reference to claims 8 and 16, Foster discloses: A computer-implemented method for awarding prizes to a plurality of users participating in a multiuser game via a user console, wherein the multiuser game includes multiple rounds of trivia questions, comprising:

(a) electronically delivering a trivia question and a plurality of answer choices to a game console associated with a user participating in the multiuser game (see Figure 3);

(b) displaying the plurality of answer choices one at a time to the user (par 29, *answer options delivered one-by-one*);

(c) receiving, from the game console, a selection of an answer choice of the plurality of answer choices; (d) upon receiving the selection of the answer choice automatically awarding a participation-based prize to the user associated with the game console in response to the receiving a selection of an answer choice of the plurality of answer choices (par 32, *Embodiments of the present invention can include answer options representing answers that are neither correct nor incorrect absolutely, but partially correct. Choosing such an answer would increase the test taker's score by a predetermined amount. Thus, scoring is not limited to absolutely correct or absolutely*

incorrect for a question). Foster discloses the invention substantially as claimed except for a pre-timer bonus and awarding the skill-based prize inkling awarding the pre-timer bonus to the first user associated with the game console if the selection of the answer choice is received prior to the beginning of the timer, the pre-timer bonus is award to the first user regardless of whether the answer choice correctly answers the trivia question. Vancura teaches a bonus timer (*pre-timer bonus*) that is initiated at 15 seconds. A correct answer is worth 50 credits plus the number of seconds remaining multiplied by 10. In this manner, a player who knows the answer, and response almost instantly, will be awarded 50 credits+15 seconds.times.10 seconds=200 credits (par 43). Additionally, Vancura teaches a bonus award where the player has multiple opportunities to answer correctly and is still award a bonus of 50 credits if the answer is incorrect with time remaining and only one answer left to choose (par 65).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Foster in view of Vancura in order to add additional challenge, risk and suspense in that there is an incentive for the player to respond quickly to the query (*Vancura*, par 44).

In reference to claim 11, Foster, Vancura and Game article disclose the invention substantially as claimed. Foster further discloses awarding an accuracy score (par 32). Vancura further teaches at least one answer bonus to the first user associated with the game console (par 43).

7. Claims 2, 3, 5, 7, 9, 10, 12-14, and 17-20 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Foster, Vancura and Game article, and further in view of Walker et al. (US PGPub 2002/0155879).

In reference to claims 2, 10, 17, and 18, Foster, Vancura and Game article disclose the invention substantially as claimed. Foster further discloses recording a playing answer selection (par 67), but not specifically generating a sweepstakes record, identifying a gamertag associated with the user; and associating the sweepstakes record with the gamertag. Walker teaches wherein automatically awarding a participation-based prize to the user associated with the console comprises:

Generating a sweepstakes record (par 46, *player database 500*);

Generating a total score record (par 46, *player score*);

Identifying a gamertag associated with the user (see Figure 5, lead line 520, 525);

Associating the sweepstakes record with the gamertag (par 46, *win/loses etc.*).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to have modified Foster, Vancura and Game article in view of Walker in order to keep track of a player's gaming record to award prizes based on their accomplishments.

In reference to claims 3, 12, and 19, Foster, Vancura, and Game article disclose the invention substantially as claimed. Walker further teaches wherein awarding an accuracy score and at least one answer bonus to the user associated with the game console comprises:

Determining a speed bonus, a streak bonus, and a prize ladder bonus (par 67).

In reference to claims 5 and 14, Walker further discloses: wherein determining a streak bonus comprises the steps of:

Determining the number of consecutive answer choices previously selected by the user that correctly answered the trivia question presented in the prior round; and awarding a streak bonus to the user based on the number of consecutive answer choices previously selected by the user (par 67, *a player reaches a higher reward level by exceeding a predefined threshold for the consecutive correct answer counter*).

In reference to claims 7, 13, and 20, Foster, Vancura, and Game article disclose the invention substantially as claimed. Walker further teaches wherein determining a speed bonus comprises: determining a period of time that expired between the answer choice being displayed to the user and selection by the user of the answer choice; determining whether the period of time qualifies for an instant answer bonus (par 61).

In reference to claim 9, Foster, Vancura and Game article disclose the invention substantially as claimed. Walker further teaches generating a participation-based prize record representative of the electronic participation-based prize awarded; generating a skill-based prize record representative of the electronic skill-based prize award; associating the participation-based prize record and skill-based prize record with the first user; storing the participation-based prize record and skill-based prize record in a database (see Figures 9 and 10, *payout database 900*).

Response to Arguments

8. Applicant's arguments have been considered but are moot because the arguments do not apply to the current rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Jones whose telephone number is (571)270-3773. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kang Hu can be reached on 571-270-1344. 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.

/Marcus Jones/
Examiner, Art Unit 3717

/KANG HU/
Supervisory Patent Examiner, Art Unit 3717

Notice of References Cited	Application/Control No. 12/652,829	Applicant(s)/Patent Under Reexamination GORDER ET AL.	
	Examiner Marcus Jones	Art Unit 3717	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0187824 A1	12-2002	Vancura, Olaf	463/16
*	B	US-2007/0166686 A1	07-2007	Foster, David F.	434/323
	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.

Receipt date: 03/22/2013
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	12652829
	Filing Date	2010-01-06
	First Named Inventor	Gorder
	Art Unit	3714
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

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Receipt date: 03/22/2013	Application Number	12652829
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2010-01-06
	First Named Inventor	Gorder
	Art Unit	3714
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

	1	Office Action dated 1/22/2013, Chinese Patent Application No. 201110008359.X, [Atty.Docket No.: MSFT-01303CN0].	☒

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EXAMINER SIGNATURE

Examiner Signature	/Marcus Jones/	Date Considered	11/26/2014

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

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

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	First Named Inventor	Gorder
	Art Unit	3714
	Examiner Name	
	Attorney Docket Number	MSFT-01303US0

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Larry E. Vierra/	Date (YYYY-MM-DD)	2013-03-22
Name/Print	Larry E. Vierra	Registration Number	33809

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Receipt date: 03/22/2013

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

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

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

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

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

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

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Receipt date: 07/16/2013
Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	12652829
	Filing Date	2010-01-06
	First Named Inventor	Van Gorder
	Art Unit	3717
	Examiner Name	Jones, Marcus D.
	Attorney Docket Number	MSFT-01303US0

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Receipt date: 07/16/2013	Application Number	12652829
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**	Filing Date	2010-01-06
	First Named Inventor	Van Gorder
	Art Unit	3717
	Examiner Name	Jones, Marcus D.
	Attorney Docket Number	MSFT-01303US0

	1	Response to Office Action dated May 29, 2013, U.S. Patent Application No. 12/652,829, filed January 6, 2010 [Attorney Docket No.: MSFT-01303CN0]	☐
	2	Office Action dated July 9, 2013, U.S. Patent Application No. 12/652,829, filed January 6, 2010 [Attorney Docket No.: MSFT-01303CN0]	☐

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EXAMINER SIGNATURE

Examiner Signature	/Marcus Jones/	Date Considered	11/26/2014

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Filing Date	2010-01-06
	First Named Inventor	Van Gorder
(Not for submission under 37 CFR 1.99)	Art Unit	3717
	Examiner Name	Jones, Marcus D.
	Attorney Docket Number	MSFT-01303US0

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Signature	/Larry E. Vierra/	Date (YYYY-MM-DD)	2013-07-16
Name/Print	Larry E. Vierra	Registration Number	33809

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	1213	463/9.ccls.	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/26 12:23
L2	454	L1 and (quiz or trivia or knowledge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/26 12:23
L3	21	L1 and (quiz or trivia or knowledge) same timer	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/26 12:24
S1	485	"1" vs "10"	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:51
S2	206	"1" vs "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:52
S3	3	S2 and game	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 16:52
S4	2	((MATT) near2 (GORDER)).INV.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 17:45
S5	61	((BRETT) near2 (JOHNSON)).INV.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 17:46
S6	14	US-5782470-$.DID. OR US-5916024-$.DID. OR US-6656050-$.DID. OR US-7076434-$.DID. OR US-7331860-$.DID. OR US-20060287051-$.DID. OR US-20080227538-$.DID.	US-PGPUB; USPAT; EPO; JPO; DERWENT	ADJ	ON	2011/12/03 17:53
S7	12802	game same (trivia or knowledge or quiz or challenge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
S8	3791	S7 and "463".clas.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
S9	840	S8 and (question same answer)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:29
S10	411	S9 and (speed or accuracy)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:30
S11	140	S10 and ((time or speed) with bonus)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:37
S12	140	S10 and ((time or speed or streak) with bonus)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:38

S13	38	S12 and streak	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:38
S14	84	S12 and (streak or consecutive)	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:42
S15	46	S14 not S13	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 18:42
S16	750	463/9.ccls.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
S17	2814	S16 and quiz or trivia	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
S18	302	S7 and 463/9.ccls.	US-PGPUB; USPAT; USOCR	ADJ	ON	2011/12/03 19:59
S19	8878	game same (quiz or trivia or knowledge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/01 17:29
S20	442	game same (quiz or trivia or knowledge) same (bonus or boost)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/01 17:29
S21	92	game same (quiz or trivia or knowledge) same (bonus or boost) same correct	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/01 17:29
S22	219	"1" vs "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:01
S23	992999	"1" near3 "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:01
S24	753435	"1" near2 "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:02
S25	88237	"1" with (versus or vs) with "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:02
S26	104	nintendo.as. and (trivia or quiz or knowledge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:05
S27	931	game same (quiz or trivia or knowledge) same group	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:50
S28	54	game same (quiz or trivia or knowledge) same group same (wrong or incorrect)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:50
S29	529	game same (quiz or trivia or knowledge) same (wrong or incorrect)	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 01:56
S30	116	jakks near2 pacific	US-PGPUB; USPAT; USOCR	ADJ	ON	2012/07/02 02:08
S31	251	"1" vs "100"	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/25 02:26

S32	0	game same (quiz or trivia or knowledge or test) same (answer (one at a time) or (onebyAone))	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:27
S33	0	(quiz or trivia or knowledge or test) same (answer (one at a time) or (onebyAone))	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:27
S34	0	(quiz or trivia or knowledge or test) same (answer same (one at a time) or (onebyAone))	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:28
S35	71	(quiz or trivia or knowledge or test) same answer with display with one with time	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:28
S36	25	(quiz or trivia or knowledge) same answer with display with one with time	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:30
S37	0	(quiz or trivia or knowledge) same answer with display with (one with at with time)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:33
S38	4	(quiz or trivia or knowledge) and answer with display with (one with at with time)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:33
S39	6	(quiz or trivia or knowledge) and answer same display with (one with at with time)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:34
S40	0	game same (quiz or trivia or knowledge) same answer same (display or show or reveal) with (one with at with time)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:35
S41	1	game same (quiz or trivia or knowledge) same answer same (display or show or reveal) same (one with at with time)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:35
S42	1	game same (quiz or trivia or knowledge) same answer same (display or show or reveal or uncover) same ((one with at with time) or (onebyone))	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:37
S43	884	game same (quiz or trivia or knowledge) same answer same (display or show or reveal or uncover)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:37
S44	112	game same (quiz or trivia or knowledge) same answer same (display or show or reveal or uncover) same (one with time)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:38
S45	8	game same (quiz or trivia or knowledge) same answer same (reveal$3) same (one with time)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:51
S46	18	game same (quiz or trivia or knowledge) same answer same (reveal$3) with one	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:52
S47	145	game same (quiz or trivia or knowledge) same answer same (display) with one	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 12:55
S48	6	game same (quiz or trivia or knowledge) same answer same (revealed) with one	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:28
S49	37	game same (quiz or trivia or knowledge) same answer same	US-PGPUB; USPAT;	ADJ	ON	2014/09/27 13:28

		(revealed)	USOCR			
S50	0	game same (quiz or trivia or knowledge) same answer with one$by	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:47
S51	0	game same (quiz or trivia or knowledge) and answer with one$by	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:47
S52	12	(quiz or trivia or knowledge) and answer with oneby	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:47
S53	31	answer with one-by-one	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:51
S54	0	game same (quiz or trivia or knowledge or test) same answer wtih before timer	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:56
S55	0	game same (quiz or trivia or knowledge or test) same answer with before timer	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:56
S56	2	game same (quiz or trivia or knowledge or test) same answer with before time	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:56
S57	0	game same (quiz or trivia or knowledge or test) same answer with before start	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:56
S58	13	game same (quiz or trivia or knowledge or test) same answer with before with start	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:57
S59	3	game same (quiz or trivia or knowledge or test) same answer with before with timer	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 13:57
S60	30	game same (quiz or trivia or knowledge or test) same answer with before with time	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/09/27 14:01
S61	713655	(quiz or trivia or knowledge)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:04
S62	13314	S61 and ("434" or "463").clas.	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:05
S63	413	S62 and ((respon$4 or answer) with timer)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:06
S64	68	S62 and ((respon$4 or answer) with timer) with (previous or before)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:06
S65	2	("3453753").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2014/11/25 12:19
S66	0	(quiz or trivia or knowledge) with (answer or response) with each	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:30
S67	9401	(answer or response) with (reveal or un$cover)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:30
S68	2969	S61 and S67	US-PGPUB; USPAT;	ADJ	ON	2014/11/25 12:31

			USOCR			
S69	218	(answer or response) with (reveal or un$cover) with (single or each)	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:31
S70	116	S61 and S69	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:32
S71	6	S70 and ("434" or "463").clas.	US-PGPUB; USPAT; USOCR	ADJ	ON	2014/11/25 12:32

11/26/2014 12:24:56 PM
C:\Users\mjones4\Documents\EAST\Workspaces\12652829_1vs100quizgame.wsp

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12652829	GORDER ET AL.
	Examiner	**Art Unit**
	MARCUS JONES	3717

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

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

CLAIM		DATE								
Final	Original	12/03/2011	07/04/2012	11/26/2014						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	-						
	5	✓	✓	✓						
	6	✓	✓	-						
	7	✓	✓	✓						
	8	✓	✓	✓						
	9	✓	✓	✓						
	10	✓	✓	✓						
	11	✓	✓	✓						
	12	✓	✓	✓						
	13	✓	✓	✓						
	14	✓	✓	✓						
	15	✓	✓	-						
	16	✓	✓	✓						
	17	✓	✓	✓						
	18	✓	✓	✓						
	19	✓	✓	✓						
	20	✓	✓	✓						

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12652829	GORDER ET AL.
	Examiner	Art Unit
	MARCUS JONES	3717

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
463	9	12/3/2011	MDJ
463	9 (updated)	7/4/2012	MDJ
463	9 (updated)	11/26/2014	MDJ

SEARCH NOTES		
Search Notes	Date	Examiner
See attached EAST Search Report	12/3/2011	MDJ
See attached EAST Search Report (Updated)	7/4/2012	MDJ
See attached EAST Search Report (Updated)	11/26/2014	MDJ

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/652,829	01/06/2010	Matt Van Gorder	MSFT-01303US0	1896

47766 7590 06/15/2015

VIERRA MAGEN/MICROSOFT CORPORATION
575 MARKET STREET, SUITE 3750
SAN FRANCISCO, CA 94105

EXAMINER	
JONES, MARCUS D	

ART UNIT	PAPER NUMBER
3717	

NOTIFICATION DATE	DELIVERY MODE
06/15/2015	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):

patents@vierramagen.com
usdocket@microsoft.com

Notice of Abandonment	Application No.	Applicant(s)
	12/652,829	GORDER ET AL.
	Examiner	Art Unit
	Marcus Jones	3717

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

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on *08 December 2014*.
   (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
   (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.
   (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) if this is utility or plant application, a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. Note that RCEs are not permitted in design applications.)
   (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
   (d) ☒ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
   (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
   (b) ☐ The submitted fee of $_____ is insufficient. A balance of $_____ is due.
   The issue fee required by 37 CFR 1.18 is $_____. The publication fee, if required by 37 CFR 1.18(d), is $_____.
   (c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
   (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
   (b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record or other party authorized under 37 CFR 1.33(b). See 37 CFR 1.138(b).

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☒ The reason(s) below:

Confirmed with Tyler Thorp that no replay had been filed.

/KANG HU/ Supervisory Patent Examiner, Art Unit 3717	/Marcus Jones/ Examiner, Art Unit 3717

Petitions to revive under 37 CFR 1.137, or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.