



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/906,938	10/18/2010	Mark P. Hahn	

172615
Fabricant LLP
411 Theodore Fremd Road
Suite 206 South
Rye, NY 10580

CONFIRMATION NO. 1059
POA ACCEPTANCE LETTER



Date Mailed: 05/16/2022

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/09/2022.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

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

/vostuart/



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408

25315
LOWE GRAHAM JONES, PLLC
1325 Fourth Avenue
SUITE 1130
SEATTLE, WA 98101

CONFIRMATION NO. 1059
POWER OF ATTORNEY NOTICE



Date Mailed: 05/16/2022

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/09/2022.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

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

/vostuart/

TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA/82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	12/906,938
Filing Date	October 18, 2010
First Named Inventor	Mark P. Hahn
Title	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
Art Unit	2181
Examiner Name	LEE, CHUN KUAN
Attorney Docket Number	

SIGNATURE of Applicant or Patent Practitioner

Signature	/Jialin Zhong/	Date (Optional)	
Name	Jialin Zhong	Registration Number	
Title (if Applicant is a juristic entity)	Attorney of Record		
Applicant Name (if Applicant is a juristic entity)	TRUESIGHT COMMUNICATIONS LLC		

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.



*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number

Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)



I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above:

172615

OR



I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:



The address associated with the above-mentioned Customer Number

OR



The address associated with Customer Number:

OR



Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

TRUESIGHT COMMUNICATIONS LLC



Inventor or Joint Inventor (title not required below)



Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)



Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)



Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature

Name

Title

Date (Optional)

5/6/2022

Charles Ferraro

Owner

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.



Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the 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.

STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: TRUESIGHT COMMUNICATIONS LLC

Application No./Patent No.: 8,977,783 Filed/Issue Date: 03-10-2015

Titled: HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

TRUESIGHT COMMUNICATIONS LLC, a Limited Liability Company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☒ The assignee of the entire right, title, and interest.
2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):
- ☐ The extent (by percentage) of its ownership interest is ____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.
- ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (e.g., bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Inventors. To: MOD SYSTEMS INCORPORATED

The document was recorded in the United States Patent and Trademark Office at
Reel 025328, Frame 0904, or for which a copy thereof is attached.

2. From: MOD SYSTEMS INCORPORATED To: MOD ASSET PRESERVATION LLC

The document was recorded in the United States Patent and Trademark Office at
Reel 028712, Frame 0390, or for which a copy thereof is attached.

[Page 1 of 2]

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

STATEMENT UNDER 37 CFR 3.73(c)

3. From: MOD ASSET PRESERVATION LLC To: MEDIA IP, LLC

The document was recorded in the United States Patent and Trademark Office at
Reel 028713, Frame 0657, or for which a copy thereof is attached.

4. From: MEDIA IP, LLC To: TRUESIGHT COMMUNICATIONS LLC

The document was recorded in the United States Patent and Trademark Office at
Reel 059810, Frame 0410, or for which a copy thereof is attached.

5. From: _____ To: _____

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

6. From: _____ To: _____

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

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☒ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Jialin Zhong/

Signature

Jialin Zhong

Printed or Typed Name

2022-05-09

Date

62,937

Title or Registration Number

Privacy Act Statement

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

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

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

Electronic Acknowledgement Receipt	
EFS ID:	45667952
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Jialin Zhong/Eddie Rowell
Filer Authorized By:	Jialin Zhong
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	09-MAY-2022
Filing Date:	18-OCT-2010
Time Stamp:	16:50:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	POA82A.pdf	215629 cc39a2041b7db2eae2f73366f402647b2394fcd7	no	1

Warnings:

Information:					
2	Power of Attorney	truesight_poa_signed_cferraro_6may22.pdf	876732 a0636a6172bc3dc37ea139e71f0afaca66375bbd	no	1
Warnings:					
Information:					
3	Power of Attorney	783_373c.pdf	125128 6e7f0f0ab4d7b8596bc02c08a1d899e0f377bbda	no	3
Warnings:					
Information:					
Total Files Size (in bytes):			1217489		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY.DOCKET NO./TITLE	REQUEST ID
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	82910

Acknowledgement of Change to Small Entity Status

The entity status change request below filed through Private PAIR on 03/06/2019 has been accepted.

CERTIFICATIONS:

Change of Entity Status:

☒ Applicant asserting small entity status. See 37 CFR 1.27.

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

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

Signature:	/Ellen M. Bierman/
Name:	Ellen M. Bierman
Registration Number:	38079



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	03/10/2015	8977783	MDIP-1-2408	1059

25315 7590 02/18/2015
LOWE GRAHAM JONES, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 900 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

Mark P. Hahn, Issaquah, WA;
Daniel V. Bolstad, Seattle, WA;
Joseph P. Zipperer, Seattle, WA;

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059
7590 02/09/2015 LOWE GRAHAM JONES, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104			EXAMINER LEE, CHUN KUAN	
			ART UNIT 2181	PAPER NUMBER
			NOTIFICATION DATE 02/09/2015	DELIVERY MODE ELECTRONIC

NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) filed 1-22-15 in the above-identified application fails to meet the requirements of 37 CFR 1.97(d) for the reason(s) specified below. Accordingly, the IDS will be placed in the file, but the information referred to therein has not been considered.

The IDS is not compliant with 37 CFR 1.97(d) because:

- ☒ The IDS lacks a statement as specified in 37 CFR 1.97(e).
- ☐ The IDS lacks the fee set forth in 37 CFR 1.17(p).
- ☐ The IDS was filed after the issue fee was paid. Applicant may wish to consider filing a petition to withdraw the application from issue under 37 CFR 1.313(c) to have the IDS considered. See MPEP 1308.

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

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
 or **Fax (571)-273-2885**

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

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

25315 7590 10/24/2014
LOWE GRAHAM JONES, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

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

Certificate of Mailing or Transmission

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

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059

TITLE OF INVENTION: HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	01/26/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
LEE, CHUN KUAN	2181	710-013090

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

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 01-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

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

- 1 Lowe Graham Jones PLLC
 2 Ellen M. Bierman
 3 _____

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

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

(A) NAME OF ASSIGNEE

Media IP, LLC

(B) RESIDENCE (CITY and STATE OR COUNTRY)

Seattle, WA

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

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☒ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

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

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized to charge the required fee(s); any deficiency, or credits any overpayment, to Deposit Account Number 50-1030 (enclose an extra copy of this form).

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

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

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

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

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

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

Authorized Signature Ellen M. Bierman

Date January 22, 2015

Typed or printed name Ellen M. Bierman

Registration No. 38,079

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

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

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		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

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	6223292	B1	2001-04-24	Dean et al.	
	2	7124938	B1	2006-10-24	Marsh	
	3	7809888	B1	2010-10-05	Clark et al.	
	4	7930762	B1	2011-04-19	Blair et al.	
	5	8312484	B1	2012-11-13	McCarty 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	20020095673	A1	2002-07-18	Leung et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

	2	20030110209	A1	2003-07-12	Loui et al.	
	3	20030130822	A1	2003-07-10	Steele	
	4	20040244030	A1	2004-12-02	Boyce et al.	
	5	20040254940	A1	2004-12-16	Brush	
	6	20050025465		2005-02-03	Danieli	
	7	20050190782	A1	2005-09-01	Buckley et al.	
	8	20060015580	A1	2006-01-19	Gabriel et al.	
	9	20060171672	A1	2006-08-03	Jin et al.	
	10	20060200415	A1	2006-09-07	Lu	
	11	20060209102	A1	2006-09-21	Jones et al.	
	12	20060224519	A1	2006-10-05	Ahn	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

	13	20060239650	A1	2006-10-26	Heredia et al.	
	14	20060284981	A1	2006-12-21	Erol et al.	
	15	20070219921	A1	2007-09-20	Lee	
	16	20070250384	A1	2007-10-25	Geller et al.	
	17	20080034126	A1	2008-02-07	Baker	
	18	20080162925	A1	2008-07-03	Okaya	
	19	20080176540	A1	2008-07-24	Khedouri et al.	
	20	20080205291	A1	2008-08-28	Li et al.	
	21	20080228300	A1	2008-09-18	Tagawa et al.	
	22	20080229371	A1	2008-09-18	Mick et al.	
	23	20080250120	A1	2008-10-09	Mick et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

	24	20080279533	A1	2008-11-13	Buttars	
	25	20080288542	A1	2008-11-20	Buttars	
	26	20080307339	A1	2008-12-11	Boro et al.	
	27	20090052870	A1	2009-02-26	Marsh et al.	
	28	20090150487	A1	2009-06-11	Wolfish et al.	
	29	20100023689	A1	2010-01-28	Kim	
	30	20100057563	A1	2010-03-04	Rauber et al.	
	31	20100057924	A1	2010-03-04	Rauber et al.	
	32	20100162325	A1	2010-06-24	Bonar	
	33	20100280953	A1	2010-11-04	Kitzato	
	34	20100287584	A1	2010-11-11	Starikov et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

	35	20100287609	A1	2010-11-11	Gonzalez et al.	
	36	20110009051	A1	2011-01-13	Khedouri et al.	
	37	20110078722	A1	2011-03-31	Wendling	
	38	20110225417	A1	2011-09-15	Maharajh et al.	
	39	20110289137	B1	2011-11-24	Ittah et al.	
	40	20120072713	A1	2012-03-22	Begum et al.	
	41	20120117585	A1	2012-05-10	Curtis et al.	
	42	20120216222	A1	2012-08-23	Candelore	
	43	20120233447	A1	2012-09-13	Fitzgerald	

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	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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

	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
--------------------	---------	---	----------------

	1	GUOFEI, ET AL. "PLI: A New Framework to Protect Digital Content for P2P Networks," Year 2003; Microsoft Research Asia, Beijing 100080, China; PP: 1-12.	☐
--	---	---	--------------------------

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	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

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	/Ellen M. Bierman/	Date (YYYY-MM-DD)	2015-01-22
Name/Print	Ellen M. Bierman	Registration Number	38079

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

Electronic Patent Application Fee Transmittal				
Application Number:		12906938		
Filing Date:		18-Oct-2010		
Title of Invention:		HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK		
First Named Inventor/Applicant Name:		Mark P. Hahn		
Filer:		Ellen M Bierman/Jessica Bukowski		
Attorney Docket Number:		MDIP-1-2408		
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Utility Appl Issue Fee	1501	1	960	960
Publ. Fee- Early, Voluntary, or Normal	1504	1	0	0
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				960

Electronic Acknowledgement Receipt	
EFS ID:	21285174
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Ellen M Bierman/Jessica Bukowski
Filer Authorized By:	Ellen M Bierman
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	22-JAN-2015
Filing Date:	18-OCT-2010
Time Stamp:	19:18:06
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Electronic Funds Transfer
Payment was successfully received in RAM	\$ 960
RAM confirmation Number	5786
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	MDIP-1-2408XIF.pdf	149083 b3afb00b49ad86dbcb7ad832c6dab9af8782213d	no	1
Warnings:					
Information:					
2	Non Patent Literature	Guofei.pdf	494365 e2b67d7b7073c8682d687ca6599db8b511c2c51	no	12
Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	MDIP-1-2408IDS03.pdf	613669 87217a4fa11de447590f5179870847d9adb0122	no	8
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	32628 dad282921ceaec32d82ec9705c7b8c168e224024	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			1289745		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

25315 7590 10/24/2014
LOWE GRAHAM JONES, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

EXAMINER

LEE, CHUN KUAN

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 10/24/2014

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059

TITLE OF INVENTION: HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	01/26/2015

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

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

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

25315 7590 10/24/2014
LOWE GRAHAM JONES, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104

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

Certificate of Mailing or Transmission

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

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059

TITLE OF INVENTION: HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$960	\$0	\$0	\$960	01/26/2015

EXAMINER	ART UNIT	CLASS-SUBCLASS
LEE, CHUN KUAN	2181	710-013000

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

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

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

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

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

(A) NAME OF ASSIGNEE

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

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

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (**Please first reapply any previously paid issue fee shown above**)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

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

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

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

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

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059
25315 7590 10/24/2014 LOWE GRAHAM JONES, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104			EXAMINER LEE, CHUN KUAN	
			ART UNIT 2181	PAPER NUMBER

DATE MAILED: 10/24/2014

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

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

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

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

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

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

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 12/906,938	Applicant(s) HAHN ET AL.	
	Examiner Chun-Kuan Lee	Art Unit 2181	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to 07/07/2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

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

3. ☒ The allowed claim(s) is/are 1-18. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
a) ☐ All b) ☐ Some *c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
* Certified copies not received: _____.

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

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

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

Attachment(s)

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

/Chun-Kuan Lee/ Primary Examiner, Art Unit 2181	
--	--

DETAILED ACTION

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

I. DISTINGUISHING FEATURES RECITED IN THE CLAIMS

ALLOWABLE SUBJECT MATTER

Claims 1-18 are allowed.

The following is an **Examiner's Statement of Reasons for Allowance**, See **MPEP 1302.14:**

The reasons for allowance of claims 1, 7 and 13 in the instant application is that the examiner finds applicant's arguments filed on 07/07/2014 are persuasive and that the combination of ***all*** the claimed limitations is neither anticipates nor renders obvious by the prior art of record. Because claims 2-6, 8-12 and 14-18 depend directly on claims 1, 7 and 13, these claims are considered allowable for at least the same reasons noted above.

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

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Idriss Alrobaye can be reached on (571) 270-1023. 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.

/Chun-Kuan Lee/
Primary Examiner
Art Unit 2181
October 14, 2014

Issue Classification 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

CPC						
Symbol					Type	Version
G06F		17		30038	F	2013-01-01
G06F		17		30058	I	2013-01-01
G06Q		30		06	I	2013-01-01

CPC Combination Sets						
Symbol			Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
(Assistant Examiner)		18	
(Date)			
/CHUN-KUAN LEE/	10/14/2014	O.G. Print Claim(s)	O.G. Print Figure
Primary Examiner.Art Unit 2181		1	Figure 1
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION													
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED								
710		13				G	0	6	F	3 / 00 (2006.01.01)									
CROSS REFERENCE(S)																			
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																		

NONE		Total Claims Allowed:	
		18	
(Assistant Examiner)	(Date)		
/CHUN-KUAN LEE/ Primary Examiner.Art Unit 2181	10/14/2014	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	Figure 1

Search Notes 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
710	13	10/14/2014	CKL

SEARCH NOTES		
Search Notes	Date	Examiner
Updated EAST search:US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	10/14/2014	CKL
Updated inventor search utilizing eDan and EAST	10/14/2014	CKL

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
710	13	10/14/2014	CKL

--	--

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	481	(710/13).ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/14 14:33
L2	77	(HAHN near MARK).in. or (BOLSTAD near DANIEL).in. or (ZIPPERER near JOSEPH).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/14 14:54
L3	629	kiosk and SD and (secure near digital)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/14 15:14
L4	52	kiosk and SD and (secure near digital) and secur\$3 and (unsecur\$4 or un?secur\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/14 15:27
L5	140	(kiosk same (SD or (secure near digital))) and movie\$2 and (preview\$4 or updat\$4 or payment\$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2014/10/14 15:50

<i>Index of Claims</i> 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

✓	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	03/13/2014	10/14/2014						
	1	✓	=						
	2	✓	=						
	3	✓	=						
	4	✓	=						
	5	✓	=						
	6	✓	=						
	7	✓	=						
	8	✓	=						
	9	✓	=						
	10	✓	=						
	11	✓	=						
	12	✓	=						
	13	✓	=						
	14	✓	=						
	15	✓	=						
	16	✓	=						
	17	✓	=						
	18	✓	=						
	19	✓	=						
	20	✓	=						



UNITED STATES PATENT AND TRADEMARK OFFICE

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

BIB DATA SHEET

CONFIRMATION NO. 1059

SERIAL NUMBER 12/906,938	FILING or 371(c) DATE 10/18/2010 RULE	CLASS 710	GROUP ART UNIT 2181	ATTORNEY DOCKET NO. MDIP-1-2408	
APPLICANTS INVENTORS Mark P. Hahn, Issaquah, WA; Daniel V. Bolstad, Seattle, WA; Joseph P. Zipperer, Seattle, WA; ** CONTINUING DATA ***** This appn claims benefit of 61/253,789 10/21/2009 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 10/29/2010					
Foreign Priority claimed ☐ Yes ☐ No 35 USC 119(a-d) conditions met ☐ Yes ☐ No Verified and Acknowledged <u>Examiner's Signature</u> Initials		☐ Met after Allowance STATE OR COUNTRY WA	SHEETS DRAWINGS 3	TOTAL CLAIMS 18	INDEPENDENT CLAIMS 3
ADDRESS LOWE GRAHAM JONES, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104 UNITED STATES					
TITLE HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK					
FILING FEE RECEIVED 1220	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit		

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mark P. Hahn et al.
Application No. : 12/906,938
Filed : October 18, 2010
For : HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD
FROM KIOSK

Examiner : Chun-Kuan Lee
Art Unit : 2181
Docket No. : MDIP-1-2408
Date : July 7, 2014

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

APPELLANT'S BRIEF

Commissioner for Patents:

This brief is in furtherance of the Notice of Appeal, filed in this case on May 5, 2014.

I. REAL PARTY IN INTEREST

Media IP, LLC is the real party in interest and is the assignee of the record.

II. STATUS OF CLAIMS

Claims 1-20 are pending and have been at least twice rejected as of a Final Office Action dated December 5, 2013 (hereinafter "Final Office Action").

Claims 1-20 are currently rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 8,306,918 issued to Farrugia et al. ("Farrugia") in view of U.S. Publication No. 2010/0127013 issued to Butler ("Butler") and further in view of U.S. Publication No. 2009/0086978 issued to McAvoy et al. ("McAvoy").

The rejection of claims 1-20 is being appealed herein. All pending active claims are attached as Appendix VI.

III. STATUS OF AMENDMENTS

On September 9, 2013, Appellant filed an Amendment in response to a Non-Final Office Action dated May 7, 2013. The Examiner entered the amendments and issued a Final Office Action dated December 5, 2013, rejecting all of the pending claims. Appellant filed an Amendment After Final dated March 5, 2014, which the Examiner refused to enter under the After Final Consideration Pilot Program 2.0, even though the amendments incorporated into the independent claims subject matter previously presented in dependent claims 11 and 17. Thus, the claims are currently as presented in response to the first Office Action.

A Notice of Appeal was filed on May 5, 2014. Since the currently pending claims have been at least twice rejected, the Application is eligible for appeal.

IV. SUMMARY OF CLAIMED SUBJECT MATTER

The present U.S. Application Serial No. 12/906,938 (hereinafter "the present application" includes 3 sets of claims: (i) independent claim 1 and its dependent claims 2-6; (ii) independent claim 7 and its dependent claims 8-10 and 12; and (iii) independent claim 13 and its dependent claims 14-16 and 18-20.

According to 37 CFR 41.37(c)(1)(iii), Appellant must provide a "concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification in the Record by page and line number or by paragraph number, and to the drawing, if any, by reference characters. For each rejected independent claim, and for each dependent claim argued separately under the provisions of paragraph (c)(1)(iv) of this section, if the claim contains a means plus function or step plus function recitation as permitted by **35 U.S.C. 112(f)** then concise explanation must identify the structure, material, or acts described in the specification in the Record as corresponding to each claimed function with

reference to the specification in the Record by page and line number or by paragraph number, and to the drawing, if any, by reference characters.”

Accordingly, the following section shows independent claims 1, 7 and 13 together with the required reference information in square brackets (*e.g.*, “[...]”). Appellant respectfully submits that the USPTO’s regulations in this area exceed its statutory authority and note that the herein-provided summary is illustrative only and is not intended to limit the claims in any way.

There are no means-plus-function claims or step-plus-function claims present in the present application.

A. Summary of Independent Claim 1

Independent claim 1 is directed in one instance to a kiosk for transferring content to a secure digital (SD) card. Support for this claim appears throughout the present application. Bracketed references to Applicants’ Specification are non-limiting examples.

Independent claim 1 recites:

1. A kiosk [Fig.1: 130, ¶ 16] for transferring content [¶ 10] to a secure digital (SD) card [Fig. 1: 140; ¶ 21], [¶ 35]the kiosk comprising:

a customer interface module for receiving a customer’s selection of a plurality of media files to transfer to the SD card [¶ 21];

a media file request module for requesting the plurality of media files and corresponding metadata file for each media file from a server communicatively coupled to the kiosk [¶ 22];

a server interaction module for receiving the requested plurality of media files and the corresponding metadata files from the server [¶ 23];

a transaction module for accepting payment from a customer for the customer’s selection of the plurality of media files to transfer to the SD card [¶ 24];

a media file processing module for preparing the plurality of media files and the corresponding metadata files to be written to the SD card [¶ 25], wherein, except for a user key [¶ 39], data to be written to an unsecure area of the SD card is queued in advance [Fig 3:304, 3041, ¶ 41] of data to be written to a secure area of the SD card [Fig. 3: 308], such that the data to

be written to the unsecure area is written in time before the data to be written to the secure area is written [Fig. 3: 305-306, 308, ¶ 40, ¶ 44-45, ¶ 49-50]; and

an SD card writer for writing data to an user area of the SD card and a protected area of the SD card [¶ 25].

B. Summary of Independent Claim 7

Independent claim 7 is directed in one instance to a method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card. Support for this claim appears throughout the present application. Bracketed references to Applicants' Specification are non-limiting examples.

Independent claim 7 recites:

7. A method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card [Fig. 3], the method comprising:

identifying a media file for download to the SD card [Fig 3:301, ¶ 36-38];

writing all directory blocks of the playable content portion of the media file together and thereafter in time writing all data blocks sequentially of the playable content portion of the media file [Fig. 3: 304-305, ¶ 41-44]; and

writing all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key [Fig. 3: 305-308, ¶ 40, ¶ 44-45, ¶ 49-50].

C. Summary of Independent Claim 13

Independent claim 13 is directed in one instance to a non-transitory computer readable storage medium storing instructions thereon. Support for this claim appears throughout the present application. Bracketed references to Applicants' Specification are non-limiting examples.

Independent claim 13 recites:

13. A non-transitory computer readable storage medium storing instructions thereon [Fig. 2: 204, 222, 224], the instructions when executed cause at least one processor [Fig. 2:202] to:

identify a media file for download to an SD card [Fig 3:301, ¶ 36-38];

write all directory blocks together of a playable content portion of the media file and thereafter in time write all data blocks sequentially of the playable content portion of the media file [Fig. 3: 304-305, ¶ 41-44]; and

write all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key [Fig. 3: 305-308, ¶ 40, ¶ 44-45, ¶ 49-50].

IV. ARGUMENT

A. Claims 1-20 Are Not Obvious Over Farrugia In View of Butler and McAvoy under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 1-20 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 8,306,918 issued to Farrugia et al. ("Farrugia") in view of U.S. Pre-grant Publication No. 2010/0127013 issued to Butler ("Butler") and U.S. Pre-grant Publication No. 2009/0086978 issued to McAvoy et al. ("McAvoy").

Appellants contend that Farrugia, Butler and/or McAvoy do not teach, suggest, or motivate one or more aspects of each of the independent claims, alone or in any motivated combination and that the Examiner has not yet met his *prima facie* burden to show where each claim element is present in or obvious in view of the references of record.

In overview, each independent claim recites *inter alia* that, in transferring media files from a kiosk to a secure digital (SD) card, "except for a user key, ... data to be written to an unsecure area [of an SD card] is written in time before the data to be written to the secure area [of the SD card] is written," or similar language. Writing to an SD card involves considerations that are not necessarily present when writing to other types of storage media. In particular, SD cards may contain both secure and unsecure storage areas. Writing to the secure (*e.g.*, protected) storage area of an SD card takes commensurately much longer than writing to the unsecure (*e.g.*, user) storage area. Appellant's techniques, as embodied in the claims, expedite the SD downloading process for transferring data from a kiosk by carefully preparing what is to be written out to the SD card such that data is written to the secure (slower) area only after the writing of data to the unsecure area has finished. As explained in Appellant's specification:

[0049] Finally, in step 308, if writing data to the unsecure area 141 of the SD card 140 successfully completes, the encrypted content key and usage rules are written to the secure area 142 of the SD card 140. Although the data intended for the secure area is prepared in the content key process 307 that executes as the read process 304, write process 305, and metadata process 306 execute, so that there are no delays once the data finishes writing to the unsecure area 141 of the SD card 140, ***the secure data is not written to the SD card 140 until the end of the method 300 for two main reasons. First, writing to the secure area 142 of the SD card slows down the write process 305. Thus, any data (other than the user key which is written as part of an initial set-up of the SD card 140) to be written to the secure area 142 is queued to be written at the end to avoid delays caused by switching back and forth between the unsecure area 141 and the secure area 142 of the SD card 140. Secondly, by waiting until the end of the method 300, if there is any kind of problem with the payment for the transaction through the transaction module 134 or with the transfer of the media file to the SD card 140, the kiosk 130 can abort the transfer without writing the data to the secure area 142 of the SD card 140.*** As a result, no matter what portion of the media file has been downloaded to the SD card 140 prior to the transfer process being aborted, the customer will not be able to playback any playable content that was downloaded to the SD card 140 without the data that needs to be in the secure area 142 (i.e., the encrypted content key and the usage rules). Thus, the owners of the intellectual property rights in the media file gain a measure of protection against people who may try to abscond with a copy of the media file without proper payment. As a result, using the method 300 described in FIG. 3, media files can be quickly and securely transferred from a kiosk 130 to an SD card 140.

(Emphasis added.)

The references of record do not teach, suggest, or motivate at least this aspect of each independent claim, alone or in any motivated combination. Farrugia, the Examiner's main reference, has nothing to do with kiosks or SD cards. Rather it is directed to a media storage data structure (a media file) and method that allows servers to provide and send different keys to a client device for decrypting separate, multiple pieces of content (e.g., a separate key may be sent for each piece of content). (Farrugia, col. 5, line 65 – col. 7, line 7, hereinafter in col#:line# format.) A data structure (the media file) containing one or more pieces of encrypted content and empty slots for the keys to be used decrypt the data is first transferred to a device (such as client computer 1115). (Farrugia, Fig. 12:1230, 1235; 6:15-27.) The appropriate keys are then transferred to the device (Fig 12:1250,1255; 6:34-37) and are ***inserted*** into the data structure (the media file) on the device (Fig 12: 1260; 6:64-66) to enable the device to decrypt the pieces of the content that the user is permitted to access. (See also Farrugia, Figs 14 and 15.) There is absolutely nothing in this reference that relates to the problem being addressed by Appellant involving the difference in transfer speeds between secure and unsecure storage on an SD card. There is nothing anywhere to teach or suggest that the content data of the media file is written to a

different type of storage (unsecure) than the keys. It is simply not necessary to the operability of Farrugia and would not at all contribute to or influence the system of Farrugia as the keys are *merged* into the media file and thus cannot be written to a different type of storage than the content.

These gaps are not filled by either Butler or McAvoy. Although Butler does mention writing content to SD cards from a kiosk for distribution of possibly encrypted media content, there is no discussion of the problems addressed by Appellant regarding writing to the different types of storage areas of the SD card. A combination of Butler with Farrugia would simply result in downloading the Farrugia specific data structure with keys that are merged into the data structure and written (as one file) onto an SD card. Also, McAvoy does not fill in the gap. In fact it teaches the opposite of what is recited in the claims above: the server generated key and SD generated key are written to the secure segment of an SD card before the SD encrypted content. (McAvoy, Fig. 2A; Fig 3:S304-S314; para. 39-40.) Thus, a combination of Farrugia with Butler and McAvoy would still not achieve Appellant's language recited above – adding secure and unsecure areas into Farrugia would not make sense as each key and its content is stored together in a (single) media file. A skilled artisan would not arrive at Appellant's claims from the references of record.

Therefore, each independent claim is not anticipated or obvious in view of these references. Because each dependent claim inherits these aspects from their respective independent claims, each dependent claim is thus also not anticipated or obvious in view of these references.

In addition, the Examiner has not met his burden of articulating a *prima facie* case of obviousness over the prior art of record. In order to find *prima facie* obviousness when combining references, MPEP § 2143(A)(1) states the following (emphasis added): “Office personnel must articulate the following: (1) a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference.” MPEP § 706.02(j) further states (emphasis added): “To support the conclusion that the claimed invention is directed to obvious subject matter. Either the references must expressly or impliedly suggest the claimed invention or the examiner must present a

convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.” *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985). Moreover, “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). The Examiner cannot pick and choose which phrases in the claim to address.

The Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a) in the rejections of claims 1-20 as set forth in the Office Action because the Examiner has failed to demonstrate all of the claim limitations, alone or in any motivated combination. Since no single one of the references teaches or suggests that “except for a user key, ... data to be written to an unsecure area [of an SD card] is written in time before the data to be written to the secure area [of the SD card] is written” it is not possible for the combination of references to teach this aspect. A combination of references cannot teach an element that is completely absent from and not suggested by the references. Nor has the Examiner proved that this difference (the absence of the element) is somehow obvious. Thus the burden to provide evidence of non-obviousness has not shifted to the Appellants.

1. Independent claim 1 and dependent claims 5 and 6 are not obvious over Farrugia in view of Butler and McAvoy.

Independent claim 1 recites, *inter alia*, the following aspects:

a media file request module for requesting the plurality of media files and ***corresponding metadata file for each media file*** from a server communicatively coupled to the kiosk;

except for a ***user*** key, data to be written to an unsecure area of the SD card is ***queued*** in advance of data to be written to a secure area of the SD card, ***such that the data to be written to the unsecure area is written in time before the data to be written to the secure area is written***

(emphasis added).

None of the references of record (alone or in any combination) teach, suggest, or motivate at least this aspect of these claims.

a) Farrugia does not include most aspects of claim 1

Farrugia, the Examiner's main reference, has nothing to do with kiosks or SD cards as explained above. Rather it is directed to a media storage data structure (a media file) and method that allows servers to provide and send different keys to a client device for decrypting separate, multiple pieces of content (e.g., a separate key may be sent for each piece of content). (Farrugia, 5: 65 – 7:7.) The content and keys are stored in a data structure which is transferred to a client device. (Farrugia, Fig. 12:1230, 1235; 6:15-27.) Initially, empty slots for the keys are transferred in the data structure, which is stored in temporary storage on the client device. (Farrugia, Figs. 11, 13, 14, 15; 6:22-24; 6:63-7:7.) Thereafter, based upon the user's purchases or licenses, the appropriate keys are transferred to the client device and stored in temporary storage. (Farrugia, Fig. 14, 15; 7:1-5.) The keys are then *merged into the data structure* and stored in "content library storage." (Farrugia, Fig. 14, 15; 7:5-7.) Thus, Farrugia has nothing to do with writing media content and keys to two different types of storage, let alone data to be written to an unsecure area and data to be written to a secure area. Moreover, since Farrugia is not concerned with the issues with writing to SD cards, there would be no reason for a skilled artisan to worry about this problem of slowness of writing to a secure area of SD storage.

The Examiner admits that Farrugia does not teach most of the aspects of claim 1. (Final Office Action, p. 7.) However, he relies on Farrugia for the notion of "preparing ... files to be transferred, wherein, except for a user key, content data to be written in transferred in advance of secured key data to be written." (Final Office Action, p.6.) In other words, he looks to Farrugia for the notion of transferring content before the keys and thus writing it before writing the "secured key data." (Final Office Action, p. 6-7.) However, there is nothing in Farrugia that indicates that the keys are secured or need to be secured. Thus, there is nothing in Farrugia to teach or suggest a need to write the keys to secure storage. Figure 12 shows clearly that the data are merged into the same storage not written to two separate storages. (See also Figures 14 and 15.) Thus, even if the content data is *transferred* to the receiving device before the keys as the Examiner suggests, it is not "data to be written to the unsecure area" while the keys are "data to be written to the secure area." These phrases in the claim characterize the uses of the word "data" and cannot simply be parsed out piecemeal as the Examiner has done.

Each claim element refers to complete phrases – not selected word matches – as the element is formed from the phrase. All words in a claim must be considered in judging the patentability of that claim against the prior art. *In re Wilson*, 424 F.2d 1382, 1385 (Fed. Cir. 1970); *see also*, M.P.E.P. § 2143.03. Moreover, the elements must be arranged as in the claim under review even though the identical language may not be used. *In re Bond*, 910 F.2d 831, 832 (Fed. Cir. 1990) (citing *Lindemann Maschinenfabrik v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458, 221 USPQ 481, 485 (Fed. Cir. 1984) and *Akzo N.V. v. United States Int'l Trade Comm'n*, 1 USPQ2d 1241, 1245 & n. 11 (Fed. Cir. 1986)). Accordingly, the Examiner may not break apart words at his discretion without following how they are arranged in the claims to generate Applicant's phraseology.

b) Butler does not teach or suggest a need to queue files in advance (in time) of writing them to the SD card

The Examiner then turns to Butler to fill in many of the gaps he admits as missing in Farrugia. In particular, he asserts that “it would have been obvious that data is queued prior to be written to the SD card.” (Final Office Action, p. 8.) This is a naked assertion without support. Data can be written to a storage device without queuing. Appellant's use of queuing is for buffering the content in preparation to writing it to the unsecure area. (Specification, para. 41.) A circular buffer is used. Butler does not mention anywhere a need to buffer data, thus in these circumstances, queuing data to be written to an unsecure area of an SD card is not obvious.

c) Butler does not teach or suggest anything relating to a metadata file corresponding to each media file

The Examiner also asserts that Butler has “a media file request module for requesting corresponding metadata file for each media file ...” as recited by claim 1 citing to paragraphs 48 and 72-75. However, Butler nowhere mentions the use or need for metadata files. It mentions “metadata” and “metatags” which is information stored directly in the content – they are not the same thing as a metadata file. Specifically, the metadata and metatags are not a separate file that is “corresponding to each media file.”

Under Appellant's techniques these data are treated separately in the kiosk's transfer process because the metadata file is created while the playable content portion is being written to the unsecure area. (Specification, para. 45-48.)

d) McAvoy suggests the opposite of what the Examiner asserts

The Examiner looks to McAvoy for his final missing gap – that data to be written to an unsecure area is written before data to be written to a secure area. (Final Office Action, p. 8-9.)

However, McAvoy does not teach or suggest this aspect and rather teaches the opposite: writing data that is to be written to secure storage before data that is to be written to unsecure storage. McAvoy is directed to solving a different problem than Appellant. In particular, the system of McAvoy is directed to letting a server encrypt content exactly once using a “server generated encryption key,” and having the receiving devices re-encrypt the content using their own device encryption keys to “suit the needs of different SD’s.” (McAvoy, para. 24.) This is to alleviate a burden in conventional systems of a server encrypting content using a different key each time the content is transferred. (McAvoy, para. 24.)

McAvoy then describes the process in conjunction with Fig. 3, reproduced below:

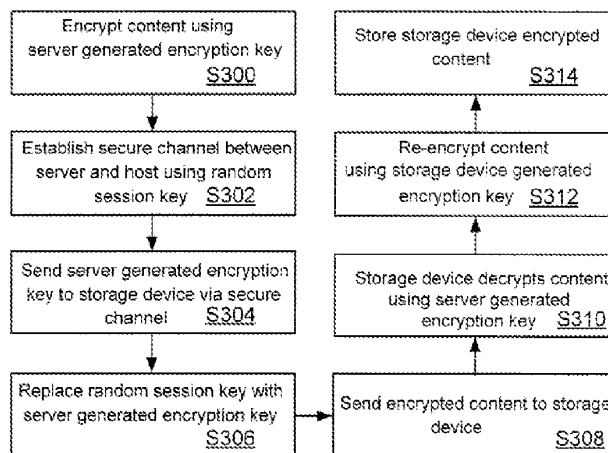


FIG. 3

According to Fig. 3, in step S304, the Server Generated Encryption Key is sent to the storage device before the re-encrypted content (encrypted using the storage device generated key) is stored in step S314. Fig. 4 tells a similar story.

Fig. 2B, reproduced below, illustrates that the Server Generated Key 206 is stored in secure storage segment 218. Further, the SD Generated Key 222 is also stored in the Secure

Storage Segment 218. The SD (re) encrypted content 224 is stored in the (unsecure) Generic Storage Segment 216. Combining this information with Figure 3 (and associated text), one can most reasonably conclude that the keys 206 and 222 are stored in the secure storage (218) before data 224 is stored in the unsecure storage area (216). (McAvoy, Fig. 2B, 3; para. 25, 36-40.)

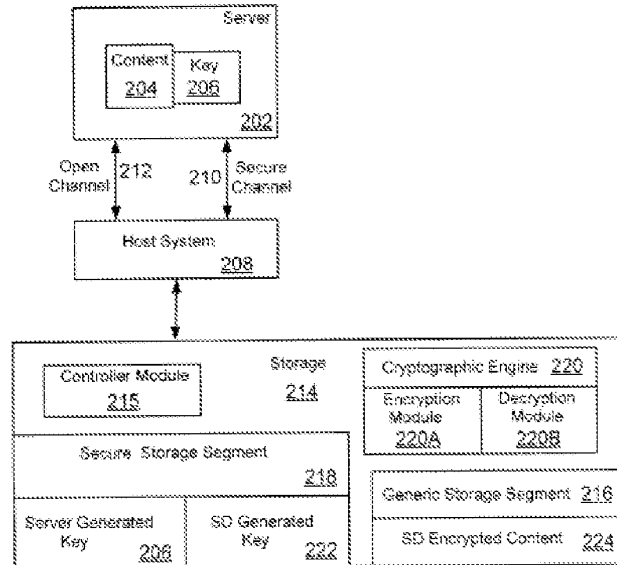


FIG. 2A

Moreover, under no definition (broadest reasonable interpretation in view of the specification or otherwise) can keys 206 and 222 be considered “a user key” as they are created by the server and SD controller, respectively, and not associated with a user. “The SD-generated encryption key 222, which is known only to the SD 214 cannot qualify under any interpretation as a user key.” (McAvoy, para. 42.)

Therefore, McAvoy cannot teach or suggest “except for a user key, ... data to be written to the unsecure area is written in time before the data to be written to the secure area is written” as asserted by the Examiner.

e) The Examiner has used impermissible hindsight to combine Farrugia, Butler, and McAvoy to achieve claim 1

Thus, even if it were somehow appropriate to combine Farrugia, Butler, and McAvoy (to which Appellant does not concede), Appellant’s claim 1 would not be achieved. In

addition, it is unclear exactly how the Examiner proposes such a combination, as Farrugia writes keys and content to the same place and any motivation to change that defeats the purpose of Farrugia's purported invention (a data structure).

The Examiner's statement for a motivation to combine does not make sense:

It would have been obvious for one of ordinary skill in this art, at the time of invention was made, to include Butler's transferring to the storage medium via the kiosk and McAvoy's secured and unsecured areas on the storage medium into Farrugia's transferring of media files for the benefit of increasing selection of desired media content and reducing cost of operating the distribution devices (Butler, [0005]) and achieving a greater efficiency and security (McAvoy, [0007]) to obtain the invention as specified in claim 1.

(Final Office Action, p. 9.) These mentioned benefits would have no impact on Farrugia's data structure.

Thus, it is apparent that the Examiner is clearly using impermissible hindsight using Appellant's claims as a template to piece together references that otherwise don't make sense to combine. He has started with a base reference inapplicable to writing from a kiosk to an SD card. The optimizations sought by Appellant wouldn't be a problem for Farrugia. Then, he adds in concepts of Butler (and wrongly) McAvoy when they don't make sense in the Farrugia data structure teaching – even if one were to assume, for the sake of argument (albeit incorrectly), that McAvoy suggests writing data to be written to an unsecured area before writing data to be written to a secured area. Thus, the support, motivation, and/or teaching of any combination of these references is not likely to come from anywhere except Appellant's own claim language. This is inappropriate hindsight reconstruction.

Just because the Examiner can think of a reason in retrospect why the inventions could operate together doesn't meet the standard of evidence. The case law is clear that an applicant's specification or claims cannot be used in hindsight as a template for inappropriately combining references. The Examiner simply is not free to fill such gaps in Farrugia with hindsight using Applicant's claims as a template. *Mintz v. Dietz & Watson, Inc.*, No. 2010-1341, Slip Op. at 9 (Fed. Cir. 2012) ("The district court has used the invention to define the problem that the invention solves."); *In re Fine*, 837 F.2d 1071, 1075 (Fed. Cir. 1988) (warning against "the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher"); *see also*, MPEP 2142 ("impermissible hindsight must be avoided and the

legal conclusion must be reached on the basis of the facts gleaned from the prior art," emphasis added).

And, finally, none of the references teach or suggest the queuing or use of metadata files as recited by claim 1.

Accordingly, claim 1, and hence dependent claims 5 and 6, are not obvious over Farrugia in view of Butler and McAvoy.

2. *Dependent claim 2 is not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claim 2 depends from claim 1, and by virtue of this dependency, is patentable and allowable at least for the reasons set forth above with respect to claim 1, which are herein incorporated by reference.

In addition, dependent claim 2 recites, *inter alia*, the "preview module for playing a preview of content of selected by the customer through the kiosk while the SD card writer writes the plurality of media files to the SD card, wherein the preview of content selected by the customer includes content from the plurality of media files being written to the SD card" The Examiner has cited to the same passages used to reject independent claim 1. However, these passages contain no mention or suggestion of playing a preview of content *while* the SD card writer writes the plurality of media files containing some of the previewed content to the SD card.

In particular, the only reference that contemplates playing a preview of media content is Butler. Butler explains, however, the previews are placed before the content is purchased: "a user may optionally experience samples of content via the first or second video screen or ... For example, the user can listen to the first 30 seconds of a music file that is available for purchase via the kiosk ..." (Butler, para. 72.) This passage says nothing about previewing content while it is being written to an SD card. Butler also describes, "the selection may be sample, and *eventually* purchased or rented." (Butler, para. 25.) These passages clearly do not contemplate sampling while the (same) content is being downloaded

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the

Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claim 2 is not obvious over Farrugia in view of Butler and McAvoy.

3. *Dependent claim 3 is not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claim 3 depends from claim 1, and by virtue of this dependency, is patentable and allowable at least for the reasons set forth above with respect to claim 1, which are herein incorporated by reference.

In addition, dependent claim 3 recites, *inter alia*, the “a firmware update module for transferring a firmware update to the SD card.” The Examiner has cited to the same passages used to reject independent claim 1. However, these passages contain no mention or suggestion of transferring a firmware update, let alone one to the SD card. There are no mentions of the word “firmware” in either Butler or Farrugia. McAvoy’s single reference to “firmware” regards the instructions stored in the SD card’s microcontroller. There are no occurrences of the term “update” in any of the references.

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claim 3 is not obvious over Farrugia in view of Butler and McAvoy.

4. *Dependent claim 4 is not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claim 4 depends from claim 1, and by virtue of this dependency, is patentable and allowable at least for the reasons set forth above with respect to claim 1, which are herein incorporated by reference.

In addition, dependent claim 4 recites, *inter alia*, the “a software player update module for transferring a software player update to the SD card.” The Examiner has cited to the same passages used to reject independent claim 1. However, these passages contain no mention or suggestion of transferring a software player update, let alone one to the SD card. There are no

occurrences of the term “update” in any of the references. There is no discussion of updating the software player by transferring an update to the SD card.

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claim 4 is not obvious over Farrugia in view of Butler and McAvoy.

5. Independent claims 7 and 13 are not obvious over Farrugia in view of Butler and McAvoy.

Independent claims 7 and 13 recite, *inter alia*, the following acts:

writing all directory blocks of the playable content portion of the media file together and thereafter in time writing all data blocks sequentially of the playable content portion of the media file; and

writing all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key.

None of the references of record (alone or in any combination) teach, suggest, or motivate at least these aspects of claims 7 and 13.

a) There is no mention of directory blocks in Farrugia, Butler, or McAvoy

There is no mention or suggestion of directory blocks in any of the references of record. Appellant has checked the entire Butler reference cited to by the Examiner and can find no mention of directory blocks. Moreover, there is no apparent reason, short of using Appellant's Specification and claims, for determining to write all of the directory blocks together and then write all data blocks sequentially of the playable content portion. As explained in the Specification,

... In step 3051, space is optionally pre-allocated for the media file. Typically, a large media file stored on an SD card includes multiple directory blocks and many data blocks. Each directory block points to a plurality of data blocks. In one example embodiment, a data block is a 512-byte data block. If space is not pre-allocated, the directory blocks may be mixed in among the data blocks in the SD card. As a result, context switching from creating the directory blocks to writing data blocks may slow down the write process. By pre-allocating the space needed to write the media file, the storage blocks for all directory information are put together at the front, and they are

followed by the blocks pointed to by the directory blocks sequentially in order. In this way, interruptions to the write process caused by switching between creating directory blocks and writing data blocks are avoided and speed is increased.

(Specification, para. 43.)

Moreover, the Examiner has not met his burden of articulating a *prima facie* case of obviousness over the prior art of record as an entire aspect of claims 7 and 13 has not been accounted for in his rejections.

Thus, claims 7 and 13 are not anticipated or obvious in view of the references of record for this reason alone.

b) Farrugia does not write data to an SD card let alone data to an unsecure area prior to writing data to a secure area of the SD card

As argued also with reference to independent claim 1, Farrugia, the Examiner's main reference, has nothing to do with kiosks or SD cards as explained above. Rather it is directed to a media storage data structure (a media file) and method that allows servers to provide and send different keys to a client device for decrypting separate, multiple pieces of content (e.g., a separate key may be sent for each piece of content). (Farrugia, 5: 65 – 7:7.) The content and keys are stored in a data structure which is transferred to a client device. (Farrugia, Fig. 12:1230, 1235; 6:15-27.) Initially, empty slots for the keys are transferred in the data structure, which is stored in temporary storage on the client device. (Farrugia, Figs. 11, 13, 14, 15; 6:22-24; 6:63-7:7.) Thereafter, based upon the user's purchases or licenses, the appropriate keys are transferred to the client device and stored in temporary storage. (Farrugia, Fig. 14, 15; 7:1-5.) The keys are then merged into the data structure and stored in "content library storage." (Farrugia, Fig. 14, 15; 7:5-7.) Thus, Farrugia has nothing to do with writing media content and keys to two different types of storage, let alone data to be written to an unsecure area and data to be written to an secure area. Moreover, since Farrugia is not concerned with the issues with writing to SD cards, there would be no reason for a skilled artisan to worry about this problem of slowness of writing to a secure area of SD storage.

The Examiner admits that Farrugia does not teach most of the aspects of claims 7 (and 13). (Final Office Action, p. 12.) However, he relies on Farrugia for the notion of "writing all content data of the playable content portion of the media file to an area and thereafter in time

writing *all security data blocks of the playable content portion* of the media file, except for a user key.” (Final Office Action, p.11, emphasis added.) It is not at all clear where the Examiner is obtaining the emphasized text from Farrugia. It appears that he is looking to Farrugia for the notion of writing content before the keys. However, there is nothing in Farrugia to teach or suggest a need to write the keys to secure storage. Figure 12 shows clearly that the data are merged into the same storage not written to two separate storages. (See also Figures 14 and 15.) Thus, even if the content data is *transferred* to the receiving device before the keys as the Examiner suggests, it is not “writing all data to an unsecure area ... prior in time to writing any data to a secure area” let alone areas on an SD card.

c) *McAvoy suggests the opposite of what the Examiner asserts*

The Examiner looks to McAvoy for his final missing gap – writing data to an unsecure area of the SD card prior in time to writing to a secure area of the SD card (except for a user key). (Final Office Action, p. 12.)

As argued above with respect to claim 1, McAvoy does not teach or suggest this aspect and rather teaches the opposite: writing data that is to be written to secure storage before data that is to be written to unsecure storage. McAvoy is directed to solving a different problem than Appellant. In particular, the system of McAvoy is directed to letting a server encrypt content exactly once using a “server generated encryption key,” and having the receiving devices re-encrypt the content using their own device encryption keys to “suit the needs of different SD’s.” (McAvoy, para. 24.) This is to alleviate a burden in conventional systems of a server encrypting content using a different key each time the content is transferred. (McAvoy, para. 24.)

According to Fig. 3, in step S304, the Server Generated Encryption Key is sent to the storage device before the re-encrypted content (encrypted using the storage device generated key) is stored in step S314. Fig. 4 tells a similar story.

Fig. 2B illustrates that the Server Generated Key 206 is stored in secure storage segment 218. Further, the SD Generated Key 222 is also stored in the Secure Storage Segment 218. The SD (re) encrypted content 224 is stored in the (unsecure) Generic Storage Segment 216. Combining this information with Figure 3 (and associated text), one can most reasonably

conclude that the keys 206 and 222 are stored in the secure storage (218) before data 224 is stored in the unsecure storage area (216). (McAvoy, Fig. 2B, 3; para. 25, 36-40.)

Thus, under no definition (broadest reasonable interpretation in view of the specification or otherwise) can keys 206 and 222 be considered “a user key” as they are created by the server and SD controller, respectively, and not associated with a user. “The SD-generated encryption key 222, which is known only to the SD 214 cannot qualify under any interpretation as a user key.” (McAvoy, para. 42.)

Therefore, McAvoy cannot teach or suggest “writing data to an unsecure area of the card prior to writing to a secure area of the card” (except a user key) as asserted by the Examiner.

**d) *The Examiner has used impermissible hindsight to combine
Farrugia, Butler, and McAvoy to achieve claims 7 and 13***

Thus, even if it were somehow appropriate to combine Farrugia, Butler, and McAvoy (to which Appellant does not concede), Appellant's claims 7 or 13 would not be achieved. In addition, it is unclear exactly how the Examiner proposes such a combination, as Farrugia writes keys and content to the same place and any motivation to change that defeats the purpose of Farrugia's purported invention (a data structure).

The Examiner's statement for a motivation to combine does not make sense:

It would have been obvious for one of ordinary skill in this art, at the time of invention was made, to include Butler's transferring to the storage medium via the kiosk and McAvoy's secured and unsecured areas on the storage medium into Farrugia's transferring of media files for the benefit of increasing selection of desired media content and reducing cost of operating the distribution devices (Butler, [0005]) and achieving a greater efficiency and security (McAvoy, [0007]) to obtain the invention as specified in claim 7.

(Final Office Action, p. 13.) These mentioned benefits would have no impact on Farrugia's data structure.

Thus, it is apparent that the Examiner is clearly using impermissible hindsight using Appellant's claims as a template to piece together references that otherwise don't make sense to combine. He has started with a base reference inapplicable to writing from a kiosk to an SD card. The optimizations sought by Appellant wouldn't be a problem for Farrugia. Then, he adds in concepts of Butler (and wrongly) McAvoy when they don't make sense in the Farrugia

data structure teaching – even if one were to assume, for the sake of argument (albeit incorrectly), that McAvoy suggests writing data to be written to an unsecured area before writing data to be written to a secured area. Thus, the support, motivation, and/or teaching of any combination of these references is not likely to come from anywhere except Appellant's own claim language. This is inappropriate hindsight reconstruction.

Just because the Examiner can think of a reason in retrospect why the inventions could operate together doesn't meet the standard of evidence. The case law is clear that an applicant's specification or claims cannot be used in hindsight as a template for inappropriately combining references. The Examiner simply is not free to fill such gaps in *Farrugia* with hindsight using Applicant's claims as a template. *Mintz v. Dietz & Watson, Inc.*, No. 2010-1341, Slip Op. at 9 (Fed. Cir. 2012) ("The district court has used the invention to define the problem that the invention solves."); *In re Fine*, 837 F.2d 1071, 1075 (Fed. Cir. 1988) (warning against "the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher"); *see also*, MPEP 2142 ("impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art," emphasis added).

Accordingly, claims 7 and 13 are not obvious over *Farrugia* in view of *Butler* and *McAvoy*.

6. *Dependent claims 8 and 14 are not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claims 8 and 14 depend from claims 7 and 13, respectively, and by virtue of these dependencies, are patentable and allowable at least for the reasons set forth above with respect to claims 7 and 13, which are herein incorporated by reference.

In addition, dependent claims 8 and 14 recite, *inter alia*, the "except for a user key, data is only written to the secure area of the SD card *if a transaction for the media file successfully completes*" (emphasis added). The Examiner has cited to the same passages used to reject independent claims 7 and 13. However, these passages contain no mention or suggestion of only writing to the secure area of the SD card when (if) this condition is true. In particular, the only reference that contemplates writing content at all to a secure area of a device is *McAvoy*,

which is completely silent as to any transaction involving the content. This is because McAvoy is directed to solving a completely different problem: limiting the number of times and ways a server needs to encrypt content by providing server encryption once and leaving it to the (receiving) devices to re-encrypt the content using their own encryption formats and keys. (See McAvoy, para. 24.)

The Examiner has left the combination as an exercise for the reader to figure out how the recited phrase is in some way suggested by the references. Thus, the Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a). Moreover, even if such a combination could be achieved, clearly Appellant's claims are being used impermissibly as a template as there is no apparent reason in McAvoy for limiting writing to the secure area only in some circumstances. Farrugia does limit receiving or writing any content until a transaction is completed, but has nothing to do with SD cards and has no regard for where the content is stored (in a secure area or not). (Farrugia, Fig. 12: 1215, 1220.) Thus, short of using Appellant's claims to cobble together a combination, the references do not motivate one of skill in the art to arrive at the language of claim 8 or 14.

Accordingly, claims 8 and 14 are not obvious over Farrugia in view of Butler and McAvoy.

7. *Dependent claims 9 and 15 are not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claims 9 and 15 depend from claims 7 and 13, respectively, and by virtue of these dependencies, are patentable and allowable at least for the reasons set forth above with respect to claims 7 and 13, which are herein incorporated by reference.

In addition, dependent claims 9 and 15 recite, *inter alia*, the “the SD card is *preconfigured* with the user key stored in the secure area of the SD card” (emphasis added). The Examiner has cited to the same passages used to reject independent claims 7 and 13. However, Appellant can find no mention or suggestion of pre-configuring an SD card in any of these passages (or any other passages in the references of record), let alone mention of pre-configuring an SD card with a user key stored in the secure area.

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claims 9 and 15 are not obvious over Farrugia in view of Butler and McAvoy.

8. *Dependent claims 10 and 16 are not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claims 10 and 16 depend from claims 7 and 13, respectively, and by virtue of these dependencies, are patentable and allowable at least for the reasons set forth above with respect to claims 7 and 13, which are herein incorporated by reference.

In addition, dependent claims 10 and 16 recite, *inter alia*, the “writing other data to the secure area of the SD card after in time writing all data to the unsecure area of the SD card.” The Examiner has cited to the same passages used to reject independent claims 7 and 13. However, these passages contain no mention or suggestion of writing to the secure area of the SD card *after* in time writing (any) data to the unsecure area of the SD card.

In particular, the only reference that contemplates writing content at all to a secure area of a device is McAvoy, which in fact suggests the opposite: writing data (the server key 206 and SD Generated key 222) to the secure area (218) before the data is re-encrypted (224) by the device and stored in the unsecure area 216. This is because McAvoy is directed to solving a completely different problem: limiting the number of times and ways a server needs to encrypt content by providing server encryption once and leaving it to the (receiving) devices to re-encrypt the content using their own encryption formats and keys. (See McAvoy, para. 24.)

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claims 10 and 16 are not obvious over Farrugia in view of Butler and McAvoy.

9. *Dependent claims 11 and 17 are not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claims 11 and 17 depend from claims 7 and 13, respectively, and by virtue of these dependencies, are patentable and allowable at least for the reasons set forth above with respect to claims 7 and 13, which are herein incorporated by reference.

In addition, dependent claims 11 and 17 recite, *inter alia*, the “preallocating space on the SD card for a playable content portion of the media file.” The Examiner has cited to the same passages used to reject independent claims 7 and 13. However, these passages contain no mention or suggestion of preallocating space on the SD card for a playable content portion.

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claims 11 and 17 are not obvious over Farrugia in view of Butler and McAvoy.

10. *Dependent claims 12 and 18 are not obvious over Farrugia in view of Butler and McAvoy.*

Dependent claims 12 and 18 depend from claims 7 and 13, respectively, and by virtue of these dependencies, are patentable and allowable at least for the reasons set forth above with respect to claims 7 and 13, which are herein incorporated by reference.

In addition, dependent claims 12 and 18 recite, *inter alia*, the “directory blocks are optionally written at once.” The Examiner has cited to the same passages used to reject independent claims 7 and 13. However, these passages contain no mention or suggestion of directory blocks. Moreover, there is no apparent reason, short of using Appellant's Specification and claims for determining to write all of the directory blocks together. As explained in the Specification,

... In step 3051, space is optionally pre-allocated for the media file. Typically, a large media file stored on an SD card includes multiple directory blocks and many data blocks. Each directory block points to a plurality of data blocks. In one example embodiment, a data block is a 512-byte data block. If space is not pre-allocated, the directory blocks may be mixed in among the data blocks in the SD card. As a result, context switching from creating the directory blocks to writing data blocks may slow

25315

CUSTOMER NUMBER

23

MDIP-1-2408AB

LOWE GRAHAM JONES PLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

down the write process. By pre-allocating the space needed to write the media file, the storage blocks for all directory information are put together at the front, and they are followed by the blocks pointed to by the directory blocks sequentially in order. In this way, interruptions to the write process caused by switching between creating directory blocks and writing data blocks are avoided and speed is increased.

(Specification, para. 43.)

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claims 12 and 18 are not obvious over Farrugia in view of Butler and McAvoy.

11. Dependent claims 19 and 20 are not obvious over Farrugia in view of Butler and McAvoy.

Dependent claims 19 and 20 depend from claims 7 and 13, respectively, and by virtue of these dependencies, are patentable and allowable at least for the reasons set forth above with respect to claims 7 and 13, which are herein incorporated by reference.

In addition, dependent claims 9 recites, *inter alia*, the “instructions cause the media file to be downloaded to the SD card in substantially 2 minutes” and dependent claim 20 recites, *inter alia*, the “the media file is downloaded to the SD card in substantially 2 minutes.” The Examiner has cited to the same passages used to reject independent claims 7 and 13 and then has simply asserted “it would have been obvious that the resulting combination of the references further teaches the transferring of data to take about 2 minutes.” (Final Office Action, p. 15.)

First, the cited passages contain no mention or suggestion of downloading anything in substantially 2 minutes, let alone downloading a media file to an SD card “in substantially 2 minutes. Second the Examiner’s own reasons do not follow the claim language. Third, this aspect is not at all obvious, as the optimizations needed to achieve this downloading in “substantially 2 minutes” is exactly what Appellant’s claimed techniques achieve.

Given this concept is nowhere present in the references of record, and the Examiner has not explained how this difference between the references and claims is obvious, the

U.S. Application No. 12/906,938
Appellant's Brief

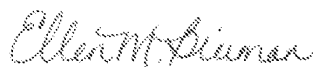
Examiner has not met his burden of presenting a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Accordingly, claims 19 and 20 are not obvious over Farrugia in view of Butler and McAvoy.

V. CONCLUSION

In view of the arguments as set forth above, claims 1-20 are allowable and the Examiner's rejections of the claims should be withdrawn.

Respectfully submitted,
LOWE GRAHAM JONES ^{PLLC}



Ellen M. Bierman
Registration No. 38,079

EMB:jrb

25315
CUSTOMER NUMBER

25
MDIP-1-2408AB

LOWE GRAHAM JONES ^{PLLC}

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

VI. CLAIMS APPENDIX

Listing of Claims:

1. A kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:

a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card;

a media file request module for requesting the plurality of media files and corresponding metadata file for each media file from a server communicatively coupled to the kiosk;

a server interaction module for receiving the requested plurality of media files and the corresponding metadata files from the server;

a transaction module for accepting payment from a customer for the customer's selection of the plurality of media files to transfer to the SD card;

a media file processing module for preparing the plurality of media files and the corresponding metadata files to be written to the SD card, wherein, except for a user key, data to be written to an unsecure area of the SD card is queued in advance of data to be written to a secure area of the SD card, such that the data to be written to the unsecure area is written in time before the data to be written to the secure area is written; and

an SD card writer for writing data to an user area of the SD card and a protected area of the SD card.

2. The kiosk of claim 1, further comprising a preview module for playing a preview of content of selected by the customer through the kiosk while the SD card writer writes the plurality of media files to the SD card, wherein the preview of content selected by the customer includes content from the plurality of media files being written to the SD card.

3. The kiosk of claim 1, further comprising a firmware update module for transferring a firmware update to the SD card.

4. The kiosk of claim 1, further comprising a software player update module for transferring a software player update to the SD card.

5. The kiosk of claim 1, further comprising a customer attraction module for playing segments from media files currently available for download from the kiosk while the kiosk is not used for purchase of a media file.

6. The kiosk of claim 1, further comprising a USB port to allow connection of the SD card with a USB adapter to the kiosk.

7. A method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising:

identifying a media file for download to the SD card;

writing all directory blocks of the playable content portion of the media file together and thereafter in time writing all data blocks sequentially of the playable content portion of the media file; and

writing all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key.

8. The method of claim 7, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.

9. The method of claim 7, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.

10. The method of claim 7, further comprising:
writing the user key to the secure area of the SD card prior in time to writing all data to the unsecure area of the SD card; and
writing other data to the secure area of the SD card after in time writing all data to the unsecure area of the SD card.

11. The method of claim 7, further comprising pre-allocating space on the SD card for a playable content portion of the media file.

12. The method of claim 7, where the directory blocks are optionally written at once.

13. A non-transitory computer readable storage medium storing instructions thereon, the instructions when executed cause at least one processor to:
identify a media file for download to an SD card;
write all directory blocks together of a playable content portion of the media file and thereafter in time write all data blocks sequentially of the playable content portion of the media file; and
write all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key.

14. The computer readable storage medium of claim 13, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.

15. The computer readable storage medium of claim 13, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.

16. The computer readable storage medium of claim 13, further comprising instructions that when executed cause the at least one processor to:

write the user key to the secure area of the SD card prior in time to a write of all data to the unsecure area of the SD card; and

write other data to the secure area of the SD card after in time a write of all data to the unsecure area of the SD card.

17. The computer readable storage medium of claim 13, further comprising instructions that when executed cause the at least one processor to pre-allocate space on the SD card for the playable content portion of the media file.

18. The computer readable storage medium of claim 13, where the directory blocks are optionally written at once.

19. The computer readable storage medium of claim 13 wherein the instructions cause the media file to be downloaded to the SD card in substantially 2 minutes.

20. The method of claim 7 wherein the media file is downloaded to the SD card in substantially 2 minutes.

Electronic Acknowledgement Receipt	
EFS ID:	19509986
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Ellen M Bierman/Jessica Bukowski
Filer Authorized By:	Ellen M Bierman
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	07-JUL-2014
Filing Date:	18-OCT-2010
Time Stamp:	18:11:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Appeal Brief Filed	MDIP-1-2408AB.pdf	492708 eb5b17607224b1ffae4ad62db93c4b1f0cda 1310	no	29

Warnings:

Information:

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.

NOTICE OF APPEAL FROM THE EXAMINER TO THE PATENT TRIAL AND APPEAL BOARD		Docket Number (Optional) MDIP-1-2408								
I hereby certify that this correspondence is being facsimile transmitted to the USPTO EFS-Web transmitted to the USPTO, or or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>May 5, 2014</u> Signature <u>/Jessica Bukowski/</u> Typed or printed name <u>Jessica Bukowski</u>		In re Application of <u>Mark P. Hahn et al.</u> <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 2px;">Application Number <u>12/906,938</u></td><td style="padding: 2px;">Filed <u>October 18, 2010</u></td></tr><tr><td colspan="2" style="padding: 2px;">For <u>HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK</u></td></tr><tr><td style="padding: 2px;">Art Unit <u>2181</u></td><td style="padding: 2px;">Examiner <u>Chun-Kuan Lee</u></td></tr></table>	Application Number <u>12/906,938</u>	Filed <u>October 18, 2010</u>	For <u>HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK</u>		Art Unit <u>2181</u>	Examiner <u>Chun-Kuan Lee</u>		
Application Number <u>12/906,938</u>	Filed <u>October 18, 2010</u>									
For <u>HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK</u>										
Art Unit <u>2181</u>	Examiner <u>Chun-Kuan Lee</u>									
Applicant hereby appeals to the Patent Trial and Appeal Board from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ <u>800</u> ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____ ☐ A check in the amount of the fee is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1050</u>. ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the <table style="width: 100%;"><tr><td style="width: 50%; vertical-align: top;">☐ applicant/inventor.</td><td style="width: 50%; vertical-align: top;"><u>/Ellen M. Bierman/</u> Signature</td></tr><tr><td style="vertical-align: top;">☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td style="vertical-align: top;"><u>Ellen M. Bierman</u> Typed or printed name</td></tr><tr><td style="vertical-align: top;">☒ attorney or agent of record. Registration number <u>38,079</u></td><td style="vertical-align: top;"><u>206-381-3300</u> Telephone number</td></tr><tr><td style="vertical-align: top;">☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</td><td style="vertical-align: top;"><u>May 5, 2014</u> Date</td></tr></table> NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			☐ applicant/inventor.	<u>/Ellen M. Bierman/</u> Signature	☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Ellen M. Bierman</u> Typed or printed name	☒ attorney or agent of record. Registration number <u>38,079</u>	<u>206-381-3300</u> Telephone number	☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>May 5, 2014</u> Date
☐ applicant/inventor.	<u>/Ellen M. Bierman/</u> Signature									
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Ellen M. Bierman</u> Typed or printed name									
☒ attorney or agent of record. Registration number <u>38,079</u>	<u>206-381-3300</u> Telephone number									
☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>May 5, 2014</u> Date									
☒ *Total of <u>1</u> forms are submitted.										

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) MDIP-1-2408																																		
Application Number 12/906,938	Filed October 18, 2010																																			
For HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK																																				
Art Unit 2181	Examiner Chun-Kuan Lee																																			
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): <table style="width: 100%; border-collapse: collapse;"><thead><tr><th></th><th style="text-align: center;"><u>Fee</u></th><th style="text-align: center;"><u>Small Entity Fee</u></th><th style="text-align: center;"><u>Micro Entity Fee</u></th><th></th></tr></thead><tbody><tr><td>☐ One month (37 CFR 1.17(a)(1))</td><td style="text-align: center;">\$200</td><td style="text-align: center;">\$100</td><td style="text-align: center;">\$50</td><td>\$ _____</td></tr><tr><td>☒ Two months (37 CFR 1.17(a)(2))</td><td style="text-align: center;">\$600</td><td style="text-align: center;">\$300</td><td style="text-align: center;">\$150</td><td>\$ 600</td></tr><tr><td>☐ Three months (37 CFR 1.17(a)(3))</td><td style="text-align: center;">\$1,400</td><td style="text-align: center;">\$700</td><td style="text-align: center;">\$350</td><td>\$ _____</td></tr><tr><td>☐ Four months (37 CFR 1.17(a)(4))</td><td style="text-align: center;">\$2,200</td><td style="text-align: center;">\$1,100</td><td style="text-align: center;">\$550</td><td>\$ _____</td></tr><tr><td>☐ Five months (37 CFR 1.17(a)(5))</td><td style="text-align: center;">\$3,000</td><td style="text-align: center;">\$1,500</td><td style="text-align: center;">\$750</td><td>\$ _____</td></tr></tbody></table> ☐ Applicant asserts small entity status. See 37 CFR 1.27. ☐ Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously. ☐ A check in the amount of the fee is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-1050</u>. ☒ Payment made via EFS-Web. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the ☐ applicant/inventor. ☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96). ☒ attorney or agent of record. Registration number <u>38,079</u>. ☐ attorney or agent acting under 37 CFR 1.34. Registration number _____. <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 5px;">/Ellen M. Bierman/ _____ Signature</td><td style="width: 50%; padding: 5px;">May 5, 2014 _____ Date</td></tr><tr><td style="padding: 5px;">Ellen M. Bierman _____ Typed or printed name</td><td style="padding: 5px;">206-381-3300 _____ Telephone Number</td></tr></table> NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*. ☒ * Total of <u>1</u> forms are submitted.				<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>		☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____	☒ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ 600	☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____	☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____	/Ellen M. Bierman/ _____ Signature	May 5, 2014 _____ Date	Ellen M. Bierman _____ Typed or printed name	206-381-3300 _____ Telephone Number
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>																																	
☐ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ _____																																
☒ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ 600																																
☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____																																
☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____																																
☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																																
/Ellen M. Bierman/ _____ Signature	May 5, 2014 _____ Date																																			
Ellen M. Bierman _____ Typed or printed name	206-381-3300 _____ Telephone Number																																			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:	12906938			
Filing Date:	18-Oct-2010			
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK			
First Named Inventor/Applicant Name:	Mark P. Hahn			
Filer:	Ellen M Bierman/Jessica Bukowski			
Attorney Docket Number:	MDIP-1-2408			
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:				
Notice of Appeal	1401	1	800	800
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 2 months with \$0 paid	1252	1	600	600
Miscellaneous:				
Total in USD (\$)				1400

Electronic Acknowledgement Receipt	
EFS ID:	18948379
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Ellen M Bierman/Jessica Bukowski
Filer Authorized By:	Ellen M Bierman
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	05-MAY-2014
Filing Date:	18-OCT-2010
Time Stamp:	19:08:20
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Electronic Funds Transfer
Payment was successfully received in RAM	\$1400
RAM confirmation Number	6404
Deposit Account	
Authorized User	

File Listing:

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

1	Notice of Appeal Filed	MDIP-1-2408NOTAPPEAL.pdf	211274 31f13bafc391b376a44f9d6c11060cb4de6738ab	no	2
Warnings:					
Information:					
2	Extension of Time	MDIP-1-2408EOT02-NOTAPPEAL.pdf	187089 dd71bf069bfa44146d3024333496fa8fdb4e48b4	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32405 1834b72e159cb0ef014410195726cd2b4ca022d7	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			430768		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059
25315 7590 03/20/2014 LOWE GRAHAM JONES, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104			EXAMINER LEE, CHUN KUAN	
			ART UNIT 2181	PAPER NUMBER
			NOTIFICATION DATE 03/20/2014	DELIVERY MODE ELECTRONIC

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

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

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

patentdocketing@lowegrahamjones.com
docketing-patent@lowegrahamjones.com

Advisory Action Before the Filing of an Appeal Brief	Application No. 12/906,938	Applicant(s) HAHN ET AL.	
	Examiner Chun-Kuan Lee	Art Unit 2181	AIA (First Inventor to File) Status No

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

THE REPLY FILED 05 March 2014 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
NO NOTICE OF APPEAL FILED

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires _____ months from the mailing date of the prior Advisory Action or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.

Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANT'S FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

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

NOTICE OF APPEAL

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

AMENDMENTS

3. ☒ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because

a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);

b) ☐ They raise the issue of new matter (see NOTE below);

c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: Please see Continuation Sheet below. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): (a) ☐ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

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

9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.

13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

14. ☐ Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-20.

Claim(s) withdrawn from consideration: _____.

/Chun-Kuan Lee/ Primary Examiner, Art Unit 2181
--

Applicant's request for entry into AFCP 2.0 is acknowledged, but is denied because the response cannot be reviewed and a search conducted in the limited amount of time authorized for this pilot program. Therefore, the response is being reviewed under pre-pilot practice.

Applicant's clear intent of furthering prosecution with the amendments made on 03/05/2014 changes what the claims originally encompassed such that the examiner would need to perform a further search and/or consideration.

Do Not Enter
/C.K.L./
03/14/2014

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mark P. Hahn et al.
Application No. : 12/906,938
Filed : October 18, 2010
For : HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD
FROM KIOSK

Examiner : Chun-Kuan Lee
Art Unit : 2181
Docket No. : MDIP-1-2408
Date : March 5, 2014

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

AMENDMENT UNDER 37 CFR 1.116

Commissioner for Patents:

In response to the Office Action dated December 5, 2013, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

25315
CUSTOMER NUMBER

1
MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Doc Code: A.NE.AFCP

Document Description: After Final Consideration Pilot Program Request

PTO/SB/434 (05-13)

CERTIFICATION AND REQUEST FOR CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0		
Practitioner Docket No.: MDIP-1-2408	Application No.: 12/906,938	Filing Date: October 18, 2010
First Named Inventor: Mark P. Hahn et al.	Title: HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK	
APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0 (AFCP 2.0) OF THE ACCOMPANYING RESPONSE UNDER 37 CFR 1.116. - The above-identified application is (i) an original utility, plant, or design nonprovisional application filed under 35 U.S.C. 111(a) [a continuing application (<i>e.g.</i>, a continuation or divisional application) is filed under 35 U.S.C. 111(a) and is eligible under (i)], or (ii) an international application that has entered the national stage in compliance with 35 U.S.C. 371(c). - The above-identified application contains an outstanding final rejection. - Submitted herewith is a response under 37 CFR 1.116 to the outstanding final rejection. The response includes an amendment to at least one independent claim, and the amendment does not broaden the scope of the independent claim in any aspect. - This certification and request for consideration under AFCP 2.0 is the only AFCP 2.0 certification and request filed in response to the outstanding final rejection. - Applicant is willing and available to participate in any interview requested by the examiner concerning the present response. - This certification and request is being filed electronically using the Office's electronic filing system (EFS-Web). - Any fees that would be necessary consistent with current practice concerning responses after final rejection under 37 CFR 1.116, <i>e.g.</i>, extension of time fees, are being concurrently filed herewith. [There is no additional fee required to request consideration under AFCP 2.0.] - By filing this certification and request, applicant acknowledges the following: - Reissue applications and reexamination proceedings are not eligible to participate in AFCP 2.0. - The examiner will verify that the AFCP 2.0 submission is compliant, <i>i.e.</i>, that the requirements of the program have been met (see items 1 to 7 above). For compliant submissions: - The examiner will review the response under 37 CFR 1.116 to determine if additional search and/or consideration (i) is necessitated by the amendment and (ii) could be completed within the time allotted under AFCP 2.0. If additional search and/or consideration is required but cannot be completed within the allotted time, the examiner will process the submission consistent with current practice concerning responses after final rejection under 37 CFR 1.116, <i>e.g.</i>, by mailing an advisory action. - If the examiner determines that the amendment does not necessitate additional search and/or consideration, or if the examiner determines that additional search and/or consideration is required and could be completed within the allotted time, then the examiner will consider whether the amendment places the application in condition for allowance (after completing the additional search and/or consideration, if required). If the examiner determines that the amendment does not place the application in condition for allowance, then the examiner will contact the applicant and request an interview. - The interview will be conducted by the examiner, and if the examiner does not have negotiation authority, a primary examiner and/or supervisory patent examiner will also participate. - If the applicant declines the interview, or if the interview cannot be scheduled within ten (10) calendar days from the date that the examiner first contacts the applicant, then the examiner will proceed consistent with current practice concerning responses after final rejection under 37 CFR 1.116.		
Signature /Ellen M. Bierman/		Date March 5, 2014
Name (Print/Typed) Ellen M. Bierman		Practitioner Registration No. 38,079
Note: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.		
☒ * Total of <u>1</u> forms are submitted.		

Privacy Act Statement

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

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

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

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mark P. Hahn et al.
Application No. : 12/906,938
Filed : October 18, 2010
For : HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD
FROM KIOSK

Examiner : Chun-Kuan Lee
Art Unit : 2181
Docket No. : MDIP-1-2408
Date : March 5, 2014

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

AMENDMENT UNDER 37 CFR 1.116

Commissioner for Patents:

In response to the Office Action dated December 5, 2013, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

25315
CUSTOMER NUMBER

1
MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Amendments to the Claims:

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

Listing of Claims:

1. (Currently Amended) A kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:

a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card;

a media file request module for requesting the plurality of media files and corresponding metadata file for each media file from a server communicatively coupled to the kiosk;

a server interaction module for receiving the requested plurality of media files and the corresponding metadata files from the server;

a transaction module for accepting payment from a customer for the customer's selection of the plurality of media files to transfer to the SD card;

~~an SD card writer for writing data to an unsecure user area of the SD card and a protected secure area of the SD card; and~~

a media file processing module for preparing the plurality of media files and the corresponding metadata files to be written to the SD card ~~in cooperation with the SD card writer, wherein space is pre-allocated on the SD card for writing an encrypted playable content portion of each media file to an unsecure area of the SD card, and wherein, except for a user key, data to be written to an the unsecure area of the SD card is queued for writing in advance of data to be written to a secure area of the SD card, such that the data to be written to the unsecure area is written in time before the data to be written to the secure area is written, and wherein the playable media files are encrypted by a content key that is encrypted by the user key;~~ and

~~an SD card writer for writing data to an user area of the SD card and a protected area of the SD card.~~

2. (Previously Presented) The kiosk of claim 1, further comprising a preview module for playing a preview of content of selected by the customer through the kiosk while the SD card writer writes the plurality of media files to the SD card, wherein the preview of content selected by the customer includes content from the plurality of media files being written to the SD card.

3. (Original) The kiosk of claim 1, further comprising a firmware update module for transferring a firmware update to the SD card.

4. (Original) The kiosk of claim 1, further comprising a software player update module for transferring a software player update to the SD card.

5. (Original) The kiosk of claim 1, further comprising a customer attraction module for playing segments from media files currently available for download from the kiosk while the kiosk is not used for purchase of a media file.

6. (Original) The kiosk of claim 1, further comprising a USB port to allow connection of the SD card with a USB adapter to the kiosk.

7. (Currently Amended) A method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising:

identifying a media file for download to the SD card;

pre-allocating space on the SD card for a playable content portion of the media file, wherein the playable content portion of the media file is encrypted by a content key that is encrypted by a user key;

writing all directory blocks of the playable content portion of the media file together and, thereafter in time, writing all data blocks sequentially of the playable content portion of the media file; and

25315

CUSTOMER NUMBER

3

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

writing all data that is to be written to an unsecure area of the SD card, including the encrypted playable content, prior in time to writing any data to a secure area of the SD card, except for ~~a~~the user key.

8. (Original) The method of claim 7, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.

9. (Original) The method of claim 7, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.

10. (Previously Presented) The method of claim 7, further comprising:
writing the user key to the secure area of the SD card prior in time to writing all data to the unsecure area of the SD card; and
writing other data to the secure area of the SD card after in time writing all data to the unsecure area of the SD card.

11. (Canceled)

12 (Previously Presented) The method of claim 7, where the directory blocks are optionally written at once.

13. (Currently Amended) A non-transitory computer readable storage medium storing instructions thereon, the instructions when executed cause at least one processor to:
identify a media file for download to an SD card;
pre-allocate space on the SD card for a playable content portion of the media file,
wherein the playable content portion of the media file is encrypted by a content key that is
encrypted by a user key;

write all directory blocks together of ~~a the~~ playable content portion of the media file and, thereafter in time, write all data blocks sequentially of the playable content portion of the media file; and

write all data that is to be written to an unsecure area of the SD card, including the encrypted playable content, prior in time to writing any data to a secure area of the SD card, except for ~~a the~~ user key.

14. (Original) The computer readable storage medium of claim 13, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.

15. (Original) The computer readable storage medium of claim 13, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.

16. (Previously Presented) The computer readable storage medium of claim 13, further comprising instructions that when executed cause the at least one processor to:

write the user key to the secure area of the SD card prior in time to a write of all data to the unsecure area of the SD card; and

write other data to the secure area of the SD card after in time a write of all data to the unsecure area of the SD card.

17. (Canceled)

18. (Previously Presented) The computer readable storage medium of claim 13, where the directory blocks are optionally written at once.

19. (Previously Presented) The computer readable storage medium of claim 13 wherein the instructions cause the media file to be downloaded to the SD card in substantially 2 minutes.

25315

CUSTOMER NUMBER

5

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

20. (Previously Presented) The method of claim 7 wherein the media file is downloaded to the SD card in substantially 2 minutes.

25315

CUSTOMER NUMBER

6

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

REMARKS

Claims 1-20 are pending in this application. Claims 11 and 17 have been canceled as their subject matter has been incorporated into the independent claims. Applicant has amended the independent claims 1, 7, and 13 to clarify that the playable content portion that is written chronologically first to an unsecure area is encrypted with a content key that has been encrypted with the user key, and that space is pre-allocated on the SD card for writing this encrypted playable content portion as initially recited in claims 11 and 17. As described in Figure 3 and paragraphs 35-49 of Applicant's Specification ("Specification"), writing the playable content portion first allows efficiencies not recognized in other systems that write to the secure area first because writing to the secure area is slower, and writing (the keys and other DRM information) to the secure area can be prevented if a proper transaction payment is not received. These claims have also been amended to address minor typographical and stylistic issues. No new matter has been introduced by way of these amendments. For example, support for these amendments may be found in claims 11 and 17 and in the Specification at least in paragraphs 35-49.

Applicant has filed concurrently a request for consideration under the After Final Consideration Pilot Program 2.0 (AFCP 2.0). Applicant represents that these amendments do not broaden the scope of the independent claims 1, 7 and 13 in any aspect, as the amended subject matter inserts subject matter from dependent claims 11 or 13, moves a clause in claim 1 and adds additional recitations, thus complying with the requirement of AFCP 2.0. Accordingly, Applicant respectfully requests entry of these amendments and entry into the AFCP 2.0 program. Applicant respectfully requests the Examiner to initiate a telephonic interview with Applicant's representative as part of this AFCP request.

Interview Summary

Applicant's representative thanks the Examiner for his time, courtesy and effort extended a recent interview. In that interview the references including Farrugia, Butler, and Cheon were discussed, including that Applicant believes Farrugia and Cheon are non-analogous art. Since the Examiner has removed Cheon as a cited reference to reject the claims, that Cheon

25315

CUSTOMER NUMBER

7

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

is non-analogous is no longer relevant. Applicant wishes to add that, as explained in the Specification, the user key is used to encrypt the content key that controls encryption/decryption of the secure content.

35 U.S.C. § 103 Rejections

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as allegedly rendered obvious over U.S. Patent No. 8,306,918 issued to Farrugia et al. ("Farrugia") in view of U.S. Publication No. 2010/0127013 issued to Butler ("Butler") and U.S. Publication No. 2009/0086978 issued to McAvoy et al. ("McAvoy").

Applicant respectfully traverses all these rejections for the reasons discussed in detail below with respect to both the original and amended claims as indicated.

In essence, the Examiner appears to be using Farrugia as a base reference to show that content can be written (in time) before keys to a storage device and then turns to Butler to teach the notion of using a kiosk to transfer content to an SD card and says that Butler teaches most of the rest of independent claim 1. In particular, the Examiner admits that most of the language recited in claim 1 is not found in Farrugia, but turns to Butler for these aspects. (See Office Action, dated December 5, 2013, p. 7, hereinafter "Office Action.") Lastly, he turns to McAvoy to teach the idea that data can be transferred to an unsecured area before data is transferred to a secure area.

For the record, even if one were to assume that the Examiner's assertions regarding these references are true (which Applicant believes are not so), this is a pure case of impermissible hindsight reconstruction, using Applicant's claims to piece together references to teach what Applicant teaches. *Mintz v. Dietz & Watson, Inc.*, No. 2010-1341, Slip Op. at 9 (Fed. Cir. 2012) ("The district court has used the invention to define the problem that the invention solves."); *In re Fine*, 837 F.2d 1071, 1075 (Fed. Cir. 1988) (warning against "the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher"). As stated earlier, placing McAvoy's writing of one thing to unsecure storage and another to secure storage does not enhance the system of Farrugia. It is simply not necessary to the operability of Farrugia and would not at all contribute to or influence the system of Farrugia. Farrugia is directed to the ability to use DRM and decrypt one portion of a larger piece of content

25315

CUSTOMER NUMBER

8

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

or a second portion or both. Regardless of where the Examiner pulls it from (McAvoy), *putting content in unsecure storage and the keys in secure storage doesn't do anything to change the Farrugia system*. In addition, such a combination is senseless since ultimately, in step 1260 of Farrugia, the set of keys are merged into the media file. (See Farrugia, Figure 12 and associated text.), the support, motivation, and/or teaching of any combination of these references is not likely to come from anywhere except Applicant's claim language. This is impermissible hindsight reconstruction.

In addition, the Examiner's reading of McAvoy is incorrect. McAvoy does not teach, suggest, or describe that data to an unsecure area (e.g. Fig. 2A, ref. 216) is transferred in advance (in time) of data to a secure area (e.g. Fig. 2A, ref 218). In fact, McAvoy teaches the opposite:

... the encryption key 206 is sent to SD 214 via secure channel 210 in a random session using a random session key..... After the encryption key 206 is transferred, the random session key is replaced by encryption key 206 **and then encrypted content 204 is transferred to SD 214...**

(emphasis added). (McAvoy, para. 32.) Looking at Fig. 2A, it is notable that the encryption key 206 (which is the server generated key) is stored in the secure area 218 **BEFORE** the SD encrypted content 224 is stored in (in some embodiments) the generic storage segment (216). As stated as well, "in certain methods the DS 214 may store the encrypted content 204 (as encrypted with the **server**-generated encryption key 206) in the generic storage module 216, and store the **server**-generated encryption key 206 in the secure storage module 218." (McAvoy, para. 36, emphasis added.) This sentence says nothing about storing the encrypted content 204 in unsecure module 216 **before** the server-generated encryption key 206 is stored in the secure module 218 – only that it can be stored there. Nor is there anything taught elsewhere in the reference that would imply such ordering in time. In fact, the majority of the description describes that the first thing that is done by the McAvoy system is to store the keys (server generated key) in the secure storage segment. This is opposite from that recited in Applicant's claims. For example, "at step S312, the cryptographic engine 220 then uses the SD-generated encryption key 222 to re-encrypt the content, which is then stored as **SD**-encrypted content 224 at step S314." (McAvoy, para.40, emphasis added.) It is this SD-encrypted content 224 that is the content stored in unsecure storage 216. Thus, data is NOT written to the unsecure area 218

25315

CUSTOMER NUMBER

9

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

before data is written to the secure area 216. There are at least keys, which are used to encrypt the content by the storage device, that are first transferred to secure storage.

Moreover, as discussed in the Examiner Interview, Applicant's use of the term "user key" is very specific and is not the same as a "content key" used to encrypt the media content. Thus, McAvoy does not teach or suggest "wherein, except for a user key, data to be written to the unsecure area of the SD card is queued for writing in advance of data to be written to a secure area of the SD card, such that the data to be written to the unsecure area is written in time before the data to be written to the secure area is written" as recited in Applicant's claim 1 (and similarly in claims 7 and 13) prior to amendment.

In addition, the Examiner asserts with respect to Applicant's claims that it is obvious in view of the transferring data from a kiosk to an SD card in Butler that "data to be written to the unsecure area of the SD card is queued for writing in advance of data to be written to a secure area of the SD card." (Office Action, p. 8.) This is simply not the case. Writing data to an SD card does not necessitate queuing or buffering the data in any way. As data is read it can be written. Thus, this assertion of obviousness of an aspect of each of Applicant's claims is not supported by the art.

Nevertheless, for the sake of advancing prosecution and without waiver, disclaimer, or prejudice, Applicant has amended the independent claims to recite additional aspects not present in any of the cited references, alone or in any motivated combination. None of these amendments are necessitated by the references, but rather made to more distinctly claim Applicant's invention.

In particular, claim 1 (and dependent claims 2-6 and 20 at least by virtue of incorporation) as amended recites,

metadata files to be written to the SD card in cooperation with the SD card writer, *wherein space is pre-allocated on the SD card for writing an encrypted playable content portion of each media file to an unsecure area of the SD card*, and wherein, except for a user key, data to be written to the unsecure area of the SD card is queued for writing in advance of data to be written to a secure area of the SD card, such that the data to be written to the unsecure area is written in time before the data to be written to the secure area is written, and *wherein the playable media files are encrypted by a content key that is encrypted by the user key*.

(Emphasis added.)

25315

CUSTOMER NUMBER

10

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Claims 7 and 13 (and dependent claims 8-12 and 14-19 at least by virtue of incorporation) as amended recite:

pre-allocating space on the SD card for a playable content portion of the media file, wherein the playable content portion of the media file is encrypted by a content key that is encrypted by a user key;

writing all directory blocks of the playable content portion of the media file together and, thereafter in time, writing all data blocks sequentially of the playable content portion of the media file; and

writing all data that is to be written to an unsecure area of the SD card, including the encrypted playable content, prior in time to writing any data to a secure area of the SD card, except for the user key.

(Emphasis added.)

Several of the additional aspects of the amended independent claims are not taught, suggested, or motivated by the references, alone or in any motivated combination. For example, there is nothing in the references to suggest the “pre-allocating space on the SD card for a playable content portion of the media file, wherein the playable content portion of the media file is encrypted by a content key that is encrypted by a user key” or similar language. Pre-allocation was recited previously in claims 11 and 17. In rejecting those claims, the Examiner cited to a list of portions of all 3 references, none of which describe pre-allocation. In order to assist Applicant to more succinctly address the Examiner’s points of rejection as they are applied to each claim and in furtherance of prosecution, “the pertinence of each reference ... must be clearly explained.” M.P.E.P §706. Accordingly, Applicant respectfully requests the Examiner to specifically point out where in each of the references each claim element/act is found. (See M.P.E.P, §706, §706, 37 C.F.R. 1.104(c)(2), and *Ex Parte Levy*, 17 U.S.P.Q 2d 1461, 1462 (Bd. Pat. App. & Inter. 1990).)

In addition, there is nothing in the references that teaches or suggests a user key that is used to encrypt a content key which is used to encrypt the playable content such that all data to be written to the unsecure area of the SD card is written before (in time) all data to the secure area of the SD card – except for the user key.

Accordingly, Farrugia, Butler, and/or McAvoy do not teach, motivate or suggest one or more aspects of the independent claims, and thus claims 1, 7 and 13 are not anticipated by or rendered obvious in view of the cited references, alone or in any motivated combination.

25315

CUSTOMER NUMBER

11

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Similarly, because the dependent claims incorporate these aspects by virtue of their dependencies, any claim that depends upon claim 1, 7, or 13 also is not anticipated by or rendered obvious in view of Farrugia, Butler, and/or McAvoy for at least the reasons set forth above.

Dependent Claims

As discussed above, all of the dependent claims are not anticipated or rendered obvious for at least the reasons described above with respect to the independent claims.

For example, with respect to claims 19 and 20, the Examiner has indicated that “it would have been obvious that the resulting combination of the references further teaches the transferring of data to take about 2 minutes.” (Office Action, p. 15.) First of all the Examiner has provided no support of this finding or any evidence in the references whatsoever. Second, the claim language explicitly recites that the “media file is downloaded to the SD card in substantially 2 minutes” or similar language, not the “transferring of data” as suggested by the Examiner. Thus, the Examiner has not put forth a *prima facie* case of obviousness sufficient to shift any burden for providing evidence otherwise to the Applicant.

The Additional arguments for a variety of the other dependent claims are not addressed in more detail herein. Accordingly, Applicant notes for the record that all such assertions are traversed and reserves the right to further present arguments regarding the Examiner’s statements about what is known in the art or taught by the cited references at a later time, should such become necessary. Specifically, no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended.

Conclusion

Based upon the above remarks, Applicant respectfully submits that all of the pending claims are allowable and respectfully requests the Examiner to enter these amendments and to reconsider this application and its timely allowance. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 50-1050. In the event the Examiner disagrees with Applicant or finds minor informalities, Applicant respectfully requests a telephone interview to discuss any issues and to

25315

CUSTOMER NUMBER

12

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES LLC

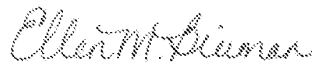

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Application No. 12/906,938

Reply to Office Action dated December 5, 2013December 5, 2013

expeditiously resolve prosecution of this application. Again, Applicant's representative thanks the Examiner for his prompt and courteous attention.

LOWE GRAHAM JONES ^{PLLC}



Ellen M. Bierman

Registration No. 38,079

EMB:jrb

25315

CUSTOMER NUMBER

13

MDIP-1-2408AM02-Final.doc

LOWE GRAHAM JONES ^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Electronic Acknowledgement Receipt	
EFS ID:	18384062
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Ellen M Bierman
Filer Authorized By:	
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	05-MAR-2014
Filing Date:	18-OCT-2010
Time Stamp:	23:52:11
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	After Final Consideration Program Request	MDIP-1-2408AM02-AFCPReq.pdf	226826 edaa07995471827b262d4df6d5f7be396439c2c6	no	2

Warnings:

Information:

2		MDIP-1-2408AM02-Final.pdf	416044 4ed99be0c889f00a4a1a5708d2c3fd4e31b b0f53	yes	13
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Response After Final Action		1	1	
	Claims		2	6	
	Applicant Arguments/Remarks Made in an Amendment		7	13	
Warnings:					
Information:					
Total Files Size (in bytes):			642870		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

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				Application or Docket Number		Filing Date		☐ To be Mailed	
Substitute for Form PTO-875				12/906,938		10/18/2010			
ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO									
APPLICATION AS FILED – PART I									
(Column 1)		(Column 2)							
FOR	NUMBER FILED	NUMBER EXTRA		RATE (\$)		FEE (\$)			
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A					
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A					
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A					
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		X \$ =					
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		X \$ =					
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))									
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL					
APPLICATION AS AMENDED – PART II									
(Column 1)		(Column 2)		(Column 3)					
AMENDMENT	03/05/2014	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 18	Minus	** 20	= 0	X \$80 =		0	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X \$420 =		0	
	☐ Application Size Fee (37 CFR 1.16(s))								
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
TOTAL ADD'L FEE						0			
(Column 1)		(Column 2)		(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =			
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =			
	☐ Application Size Fee (37 CFR 1.16(s))								
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
TOTAL ADD'L FEE									
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.									

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA VA 22313-1451

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
POSTEDIGITAL
NNNNN

LOWE GRAHAM JONES, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104



**Courtesy Reminder for
Application Serial No: 12/906,938**

Attorney Docket No: MDIP-1-2408
Customer Number: 25315
Date of Electronic Notification: 12/05/2013

This is a courtesy reminder that new correspondence is available for this application. If you have not done so already, please review the correspondence. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

An email notification regarding the correspondence was sent to the following email address(es) associated with your customer number:

patentdocketing@lowegrahamjones.com
docketing-patent@lowegrahamjones.com

To view your correspondence online or update your email addresses, please visit us anytime at <https://sportal.uspto.gov/secure/myportal/privatepair>. If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov or call 1-866-217-9197.



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059
25315 7590 12/05/2013 LOWE GRAHAM JONES, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104			EXAMINER LEE, CHUN KUAN	
			ART UNIT 2181	PAPER NUMBER
			NOTIFICATION DATE 12/05/2013	DELIVERY MODE ELECTRONIC

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

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

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

patentdocketing@lowegrahamjones.com
docketing-patent@lowegrahamjones.com

Office Action Summary	Application No. 12/906,938	Applicant(s) HAHN ET AL.	
	Examiner Chun-Kuan Lee	Art Unit 2181	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 09/09/2013.
☐ 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) 1-20 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.

* 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 10/18/2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

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

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

Attachment(s)

- | | |
|--|--|
| 1) ☒ Notice of References Cited (PTO-892) | 3) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>20131125</u> . |
| 2) ☒ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date <u>09/10/2013</u> . | 4) ☐ Other: ____. |

DETAILED ACTION

RESPONSE TO ARGUMENTS

1. Applicant's arguments filed 09/09/2013 have been fully considered but they are not persuasive. Applicant's arguments with respect to claims 1-20 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

2. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

3. In response to applicant's argument that Farrugia is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this

case, Farrugia is nonanalogous as Farrugia is reasonably pertinent to the particular problem with which the applicant was concerned as Farrugia discloses that content (e.g. audio and/or video content 1230 of Fig. 12) is written as it is downloaded chronologically before writing of data/encryption keys (e.g. Fig. 12 of 1250). Furthermore, Farrugia's Figure 12 suggests the corresponding chronological order as the download/writing of the audio/video content (e.g. Fig. 12, ref. 1230) is confirmed (e.g. Fig. 12, ref. 1240) before the download/writing of the encryption keys (e.g. Fig. 12, ref. 1250); suggesting that complete the writing/downloading of the audio/video content as the writing/downloading is confirmed (e.g. Fig. 12, ref. 1240), following with the writing/download of the encryption key. Additionally, Farrugia may also be considered in the field of applicant's endeavor as Farrugia is related to the distribution of purchased audio/video contents, which is similar to applicant's kiosk distributing purchased audio/video contents.

4. In response to applicant's arguments with regard to the independent claims 7 and 13 rejected under 35 U.S.C. 103(a) that the combination of the references does not teach/suggest the claimed feature "... writing of all directory blocks of the playable content portion of the media file together and thereafter in time writing all data blocks sequentially of the playable content portion of the media file..."; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner respectfully disagrees, and to further clarify the examiner's position, as clarified by the applicant during the interview with regard to the above

claimed features, wherein the above claimed feature correspond to functionality of writing content (e.g. movies) to unsecure area chronologically before writing encryption content key to secure area. As Farrugia teaches writing content (e.g. movies) chronologically before writing encryption content key, Butler teaches the writing to the SD card inside the kiosk, and McAvoy teaches the writing content (e.g. movies) to unsecure area and writing encryption content key to secure area; therefore, the resulting combination of the references teaches/suggests the functionality of writing content (e.g. movies) to unsecure area of the SD card chronologically before writing encryption content key to secure area of the SD card. More specifically, the examiner is functionally equating to the functional interpretation of the above claimed features.

I. INTERVIEW SUMMARY

The interview mainly focused on getting a clear understand of applicant's claimed invention, wherein the applicant discussed technical subject matter of the application. The real world example explained by the applicant is not intended to limit applicant's claims and is just one example on how the claim can be envisioned:

Provide better security and faster writing for a kiosk, by writing content (e.g. movies) to unsecure area chronologically before writing encryption content key to secure area; more specifically, the content to the unsecure area is queued in advanced of the encryption content key to the secure area.

Rational for the above benefit is: writing to the secure area is slower; and better security by making sure that payment is complete before completely providing the data

with the encrypted content key and the DRM usage rule to the secure area (e.g. paragraph [0049] in applicant's Specification). Therefore, making sure that the payment is complete before completely providing the encryption key.

Applicant further clarify that the claimed "user key" is not the encryption content key, as the encryption content key is used for decrypting the distributed content; and the "user key" is used in association with initialization process.

Some of the following key concerns are provided by the applicant during the interview:

1- The cited references are non-analogous art; as Farrugia has nothing to do with SD card or kiosk at all. Applicant further clarify that applicant's best understand in regard to the examiner's use of Farrugia is due to Farrugia showing something is written before something else.

2- Cheon is related to MMC, not SD card, wherein MMC is in competition with SD card and conventional MMC do not really have security and do not know how to handle secure commands. Cheon's invention allows the use of MMC while able to handle secure commands.

3- None of the cited art does not teach/suggest writing data/content associated with unsecure area chronologically before writing data/encryption content key associated with secure area.

I. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

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 negated by the manner in which the invention was made.

5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Farrugia et al. (US Patent 8,306,918) in view of Butler (US Pub.: 2010/0127013) and McAvoy et al. (US Pub.: 2009/0086978).

6. As per claim 1, Farrugia teaches a system comprising

requesting a plurality of media files from a server communicatively coupled to the computer (e.g. associated with request for the content 1210 and 1225 of Fig. 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8);

receiving the requested plurality of media files from the server (e.g. associated with the downloading of the content 1230 and 1235 of Fig. 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8);

accepting payment from a customer for the plurality of media files (e.g. associated with 1215 of Fig. 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8); and

preparing the plurality of media files to be transferred, wherein, except for a user key, content data to be written is transferred in advance of secured key data to be written (e.g. as the content is downloaded by itself, follow by the downloading of the set of keys 1250 of Fig 12), such that the content data to be written is written in time before

the secured key data to be written is written (Fig. 11-12; Fig. 14; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8).

Farrugia does not teach a kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:

- a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card;

- a media file request module for requesting corresponding metadata file for each media file from the server communicatively coupled to the kiosk;

- a server interaction module for receiving the corresponding metadata files;

- a transaction module for accepting payment for the customer's selection to be transferred to the SD card;

- a media file processing module for preparing the corresponding metadata files to be written to the SD card, wherein, data to an unsecure area of the SD card is queued in advance of data to a secure area of the SD card, such that the data is written to the unsecure area and the data is written to the secure area; and

- an SD card writer for writing data to an user area of the SD card and a protected area of the SD card.

Butler teaches a kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:

a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card (e.g. user selection of the media, such as movie) (Fig. 1-2; [0005]; [0022]-[0023]; and [0072]-[0075]);

a media file request module for requesting corresponding metadata file for each media file from the server communicatively coupled to the kiosk ([0048] and [0072]-[0075]), by combining the metadata with Farrugia's request of the media file, the resulting combination of the references further teaches the above claimed features;

a server interaction module for receiving the corresponding metadata files ([0048] and [0072]-[0075]);

a transaction module for accepting payment for the customer's selection to be transferred to the SD card (e.g. as the user make payment for the content) (Fig. 1-2; [0005]; [0022]-[0023] and [0072]-[0075]);

a media file processing module for preparing the corresponding metadata files to be written to the SD card, wherein, data to be written to an area of the SD card is queued to be written (Fig. 1-2; [0005]; [0022]-[0025]; and [0072]-[0075]), as the content data is transferred to the SD card if would have been obvious that data is queued prior to be written to the SD card; and

an SD card writer for writing data to an area of the SD card (Fig. 1-2; [0005]; [0022]-[0025]; and [0072]-[0075]).

McAvoy teaches a system comprising: data to an unsecure area (e.g. Fig. 2A, ref. 216) is transferred in advance of data to a secure area (e.g. Fig. 2A, ref. 218) of the

SD card, such that the data is written to the unsecure area (e.g. Fig. 2A, ref. 216) and the data is written to the secure area (e.g. Fig. 2A, ref. 218); and writing data to an user area (e.g. Fig. 2A, ref. 216) of the SD card and a protected area (e.g. Fig. 2A, ref. 218) of the SD card (Fig. 2A; Fig. 3; and [0030]-[0040]), by combining the secure and secure storage area into Farrugia's transferring of the content data before transferring of the security key data and Butler's transferring of content data and DRM data into the SD card, the resulting combination of the reference further teaches the above claimed features.

It would have been obvious for one of ordinary skill in this art, at the time of invention was made, to include Butler's transferring to the storage medium via the kiosk and McAvoy's secured and unsecured areas on the storage medium into Farrugia's transferring of media files for the benefit of increasing selection of desired media content and reducing cost of operating the distribution devices (Butler, [0005]) and achieving a greater efficiency and security (McAvoy, [0007]) to obtain the invention as specified in claim 1.

7. As per claim 2, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 1, where Farrugia, Butler and McAvoy further teach the kiosk further comprising a preview module for playing a preview of content of selected by the customer through the kiosk while the SD card writer writes the plurality of media files to the SD card, wherein the preview of content selected by the customer include content from the plurality of

media files being written to the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0069]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

8. As per claim 3, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 1, where Farrugia, Butler and McAvoy further teach the kiosk further comprising a firmware update module for transferring a firmware update to the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

9. As per claim 4, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 1, where Farrugia, Butler and McAvoy further teach the kiosk further comprising a software player update module for transferring a software player update to the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

10. As per claim 5, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 1, where Farrugia, Butler and McAvoy further teach the kiosk further comprising a customer attraction module for playing segments from media files currently available for download from the kiosk while the kiosk is not used for purchase of a media file (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

11. As per claim 6, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 1, where Farrugia, Butler and McAvoy further teach the kiosk further comprising a USB port to allow connection of the SD card with a USB adapter to the kiosk (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

12. As per claims 7, Farrugia teaches a method comprising: identifying a media files for download; writing data for the playable content portion of the media file; and writing all content data of the playable content portion of the media file to an area and thereafter in time writing all security data blocks of the playable content portion of the media file, except for a user key (e.g. as the content is downloaded by itself, follow by

the downloading of the set of keys 1250 of Fig 12) (Fig. 11-12; Fig. 14; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8).

Farrugia does not teach the method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising:

downloading to the SD card;
writing all directory blocks together and thereafter writing all data blocks sequentially; and
writing to an unsecure area of the SD card prior to writing to a secure area of the SD card.

Butler teaches a method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising: downloading to the SD card; writing all directory blocks together and thereafter writing all data blocks sequentially (e.g. as data is transferred to the SD card); and writing to an area of the SD card (Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; and [0071]-[0075]), by combining the transferring of media content to SD card inside the kiosk with Farrugia's transferring of the content data before transferring of the security key data, the resulting combination of the reference further teaches the above claimed features.

McAvoy teaches a system comprising: writing to an unsecure area (e.g. Fig. 2A, ref. 216) of the card prior to writing to a secure area of the card (e.g. Fig. 2A, ref. 218) (Fig. 2A; Fig. 3; and [0030]-[0040]), by combining the secure and secure storage area into Farrugia's transferring of the content data before transferring of the security key

data and Butler's transferring of content data and DRM data into the SD card, the resulting combination of the reference further teaches the above claimed features.

It would have been obvious for one of ordinary skill in this art, at the time of invention was made, to include Butler's transferring to the storage medium via the kiosk and McAvoy's secured and unsecured areas on the storage medium into Farrugia's transferring of media files for the benefit of increasing selection of desired media content and reducing cost of operating the distribution devices (Butler, [0005]) and achieving a greater efficiency and security (McAvoy, [0007]) to obtain the invention as specified in claim 7.

13. As per claim 8, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 7, where Farrugia, Butler and McAvoy further teach the method comprising wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

14. As per claim 9, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 7, where Farrugia, Butler and McAvoy further teach the method comprising wherein the SD card is pre-configured with the user key stored in the secure area of the

SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

15. As per claim 10, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 7, where Farrugia, Butler and McAvoy further teach the method comprising further comprising: writing the user key to the secure area of the SD card prior in time to writing all data to the unsecure area of the SD card; and writing other data to the secure area of the SD card after in time writing all data to the unsecure area of the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

16. As per claim 11, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 7, where Farrugia, Butler and McAvoy further teach the method comprising further comprising pre-allocating space on the SD card for a playable content portion of the media file (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

17. As per claim 12, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 7, where Farrugia, Butler and McAvoy further teach the method comprising where the directory blocks are optionally written together (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features as the content data are written into the SD card.

18. As per claims 20, Farrugia, Butler and McAvoy teach all the claimed limitation of claim 7, where Farrugia, Butler and McAvoy further teach the method comprising wherein the instructions cause the media file to be downloaded to the SD card in substantially 2 minutes (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and McAvoy, Fig. 2A; Fig. 3; [0030]-[0040]), as it would have been obvious that the resulting combination of the references further teaches the transferring of data to take about 2 minutes.

19. As per claims 13-19, claims 13-19 are rejected in accordance to the same rational and reasoning as the above rejection of claims 7-12 and 20.

II. CLOSING COMMENTS

CONCLUSION

STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. 707.07(i):

CLAIMS REJECTED IN THE APPLICATION

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.

DIRECTION OF FUTURE CORRESPONDENCES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is

(571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Idriss Alrobaye can be reached on (571) 270-1023. 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.

/Chun-Kuan Lee/
Primary Examiner
Art Unit 2181
December 02, 2013

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

The interview mainly focused on getting a clear understand of applicant's claimed invention, wherein the applicant discussed technical subject matter of the application. The real world example explained by the applicant is not intended to limit applicant's claims and is just one example on how the claim can be envisioned:

Provide better security and faster writing for a kiosk, by writing content (e.g. movies) to unsecure area chronologically before writing encryption content key to secure area; more specifically, the content to the unsecure area is queued in advanced of the encryption content key to the secure area.

Rational for the above benefit is: writing to the secure area is slower; and better security by making sure that payment is complete before completely providing the data with the encrypted content key and the DRM usage rule to the secure area (e.g. paragraph [0049] in applicant's Specification). Therefore, making sure that the payment is complete before completely providing the encryption key.

Applicant further clarify that the claimed "user key" is not the encryption content key, as the encryption content key is used for decrypting the distributed content; and the "user key" is used in association with initialization process.

Some of the following key concerns are provided by the applicant during the interview:

1- The cited references are non-analogous art; as Farrugia has nothing to do with SD card or kiosk at all. Applicant further clarify that applicant's best understand in regard to the examiner's use of Farrugia is due to Farrugia showing something is written before something else.

2- Cheon is related to MMC, not SD card, wherein MMC is in competition with SD card and conventional MMC do not really have security and do not know how to handle secure commands. Cheon's invention allows the use of MMC while able to handle secure commands.

3- None of the cited art does not teach/suggest writing data/content associated with unsecure area chronologically before writing data/encryption content key associated with secure area.

Notice of References Cited	Application/Control No. 12/906,938	Applicant(s)/Patent Under Reexamination HAHN ET AL.	
	Examiner Chun-Kuan Lee	Art Unit 2181	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2009/0086978	04-2009	McAvoy et al.	380/279
	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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938
	Filing Date		2010-10-18
	First Named Inventor	Mark P. Hahn et al.	
	Art Unit	2181	
	Examiner Name	Chun Kuan Lee	
	Attorney Docket Number	MDIP-1-2408	

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	7360088	B2	2008-04-15	Mishina et al.	
	2	7505584	B2	2009-03-17	Kamibayashi et al.	
	3	7844831	B2	2010-11-30	Benhammou et al.	
	4	8312294	B2	2012-11-13	Sato et al.	
	5	RE42019	E	2010-12-28	Tagawa 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	20020126841	A1	2002-09-12	Arai	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn et al.		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

	2	20070033344	A1	2007-02-08	Tanaka	
	3	20070234341	A1	2007-10-04	Chang et al.	
	4	20080098239	A1	2008-04-24	Wada et al.	
	5	20080270796	A1	2008-10-30	Suu et al.	
	6	20100297933	A1	2010-11-25	Sim	
	7	20120137135	A1	2012-05-31	Kasahara et al.	
	8	20120272065	A1	2012-10-25	Matsukawa 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	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
---------------------------------	--	--	--	--	--	--	--	--------

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938
	Filing Date		2010-10-18
	First Named Inventor	Mark P. Hahn et al.	
	Art Unit	2181	
	Examiner Name	Chun Kuan Lee	
	Attorney Docket Number	MDIP-1-2408	

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	Android Developers Guide, Android Software Developers Kit (SDK), Android Version 1.543, Nov. 13, 2009, pages 1-24. Available online at >netmite.com/android/mydroid/1.6/out/target/common/docs/offline-sdk/offline.html<	☐

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

EXAMINER SIGNATURE

Examiner Signature	/Chun Kuan Lee/	Date Considered	11/20/2013
--------------------	-----------------	-----------------	------------

*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.

Search Notes 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
710	13	12/2/2013	CKL

SEARCH NOTES		
Search Notes	Date	Examiner
Updated EAST search:US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	12/2/2013	CKL
Updated inventor search utilizing eDan and EAST	12/2/2013	CKL

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

--	--

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	413	(710/13).ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/20 14:50
S2	46	(HAHN near MARK).in. or (BOLSTAD near DANIEL).in. or (ZIPPERER near JOSEPH).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/20 15:22
S3	486	kiosk and SD and (secure near digital)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/20 15:45
S4	47	kiosk and SD and (secure near digital) and secur\$3 and (unsecur\$4 or un?secur\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/11/21 08:33

<i>Index of Claims</i> 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

✓	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	12/02/2013								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								
	10	✓								
	11	✓								
	12	✓								
	13	✓								
	14	✓								
	15	✓								
	16	✓								
	17	✓								
	18	✓								
	19	✓								
	20	✓								

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

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

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		12906938
	Filing Date		2010-10-18
	First Named Inventor	Mark P. Hahn et al.	
	Art Unit	2181	
	Examiner Name	Chun Kuan Lee	
	Attorney Docket Number	MDIP-1-2408	

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	7360088	B2	2008-04-15	Mishina et al.		
	2	7505584	B2	2009-03-17	Kamibayashi et al.		
	3	7844831	B2	2010-11-30	Benhammou et al.		
	4	8312294	B2	2012-11-13	Sato et al.		
	5	RE42019	E	2010-12-28	Tagawa 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	20020126841	A1	2002-09-12	Arai		

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn et al.		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

	2	20070033344	A1	2007-02-08	Tanaka	
	3	20070234341	A1	2007-10-04	Chang et al.	
	4	20080098239	A1	2008-04-24	Wada et al.	
	5	20080270796	A1	2008-10-30	Suu et al.	
	6	20100297933	A1	2010-11-25	Sim	
	7	20120137135	A1	2012-05-31	Kasahara et al.	
	8	20120272065	A1	2012-10-25	Matsukawa 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	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
---------------------------------	--	--	--	--	--	--	--	--------

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

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	Android Developers Guide, Android Software Developers Kit (SDK), Android Version 1.543, Nov. 13, 2009, pages 1-24. Available online at >netmite.com/android/mydroid/1.6/out/target/common/docs/offline-sdk/offline.html<	☐

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	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

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	/Ellen M. Bierman/	Date (YYYY-MM-DD)	2013-09-09
Name/Print	Ellen M. Bierman	Registration Number	38,079

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

Electronic Patent Application Fee Transmittal				
Application Number:		12906938		
Filing Date:		18-Oct-2010		
Title of Invention:		HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK		
First Named Inventor/Applicant Name:		Mark P. Hahn		
Filer:		Ellen M Bierman		
Attorney Docket Number:		MDIP-1-2408		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Submission- Information Disclosure Stmt	2806	1	90	90
Total in USD (\$)				90

Electronic Acknowledgement Receipt	
EFS ID:	16805830
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Ellen M Bierman
Filer Authorized By:	
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	10-SEP-2013
Filing Date:	18-OCT-2010
Time Stamp:	00:20:57
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Electronic Funds Transfer
Payment was successfully received in RAM	\$90
RAM confirmation Number	9161
Deposit Account	
Authorized User	

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)	MDIP-1-2408IDS02.pdf	612875 77030a85c8b5a171a067724e642a225885e9ccd4	no	5
Warnings:					
Information:					
2	Non Patent Literature	Android_SDK.pdf	1400424 74464cb6ae45f6080d931143e926d7c7352b60af	no	24
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30175 7a54007c7e7e36b586ca436ea707347f11121c0d	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2043474		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mark P. Hahn et al.
Application No. : 12/906,938
Filed : October 18, 2010
For : HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD
FROM KIOSK

Examiner : Chun-Kuan Lee
Art Unit : 2181
Docket No. : MDIP-1-2408
Date : September 9, 2013

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

AMENDMENT

Commissioner for Patents:

In response to the Office Action dated May 7, 2013, please extend the period of time for response one month, to expire on September 9, 2013. Enclosed are a Petition for an Extension of Time and the requisite fee. Please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

25315
CUSTOMER NUMBER

1
MDIP-1-2408AM01.doc

LOWE GRAHAM JONES LLC

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

Amendments to the Claims:

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

Listing of Claims:

1. (Currently Amended) A kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:

a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card;

a media file request module for requesting the plurality of media files and corresponding metadata file for each media file from a server communicatively coupled to the kiosk;

a server interaction module for receiving the requested plurality of media files and the corresponding metadata files from the server;

a transaction module for accepting payment from a customer for the customer's selection of the plurality of media files to transfer to the SD card;

a media file processing module for preparing the plurality of media files and the corresponding metadata files to be written to the SD card, wherein, except for a user key, data to be written to an unsecure area of the SD card is queued ~~to be written before~~ in advance of data to be written to a secure area of the SD card, such that the data to be written to the unsecure area is written in time before the data to be written to the secure area is written; and

an SD card writer for writing data to an user area of the SD card and a protected area of the SD card.

2. (Currently Amended) The kiosk of claim 1, further comprising a preview module for playing a preview of ~~other content of the selected by the customer~~ through the kiosk while the SD card writer writes the plurality of media files to the SD card, wherein the preview of content selected by the customer includes content from the plurality of media files being written to the SD card.

3. (Original) The kiosk of claim 1, further comprising a firmware update module for transferring a firmware update to the SD card.

4. (Original) The kiosk of claim 1, further comprising a software player update module for transferring a software player update to the SD card.

5. (Original) The kiosk of claim 1, further comprising a customer attraction module for playing segments from media files currently available for download from the kiosk while the kiosk is not used for purchase of a media file.

6. (Original) The kiosk of claim 1, further comprising a USB port to allow connection of the SD card with a USB adapter to the kiosk.

7. (Currently Amended) A method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising:

identifying a media files for download to the SD card;

writing all directory blocks of the playable content portion of the media file together and thereafter in time writing all data blocks sequentially ~~for of~~ the playable content portion of the media file; and

writing all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key.

8. (Original) The method of claim 7, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.

9. (Original) The method of claim 7, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.

10. (Currently Amended) The method of claim 7, further comprising:

writing the user key to the secure area of the SD card prior in time to writing all data to the unsecure area of the SD card; and

writing other data to the secure area of the SD card after in time writing all data to the unsecure area of the SD card.

11. (Original) The method of claim 7, further comprising pre-allocating space on the SD card for a playable content portion of the media file.

12 (Currently Amended) The method of claim 7, where the directory blocks are optionally written ~~together~~at once.

13. (Currently Amended) A non-transitory computer readable storage medium storing instructions thereon, the instructions when executed cause at least one processor to:

identify a media file for download to an SD card;

write all directory blocks together of a playable content portion of the media file and thereafter in time write all data blocks sequentially ~~for of~~ the playable content portion of the media file; and

write all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key.

14. (Original) The computer readable storage medium of claim 13, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.

15. (Original) The computer readable storage medium of claim 13, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.

16. (Currently Amended) The computer readable storage medium of claim 13, further comprising instructions that when executed cause the at least one processor to:

write the user key to the secure area of the SD card prior in time to a write of all data to the unsecure area of the SD card; and

write other data to the secure area of the SD card after in time a write of all data to the unsecure area of the SD card.

17. (Original) The computer readable storage medium of claim 13, further comprising instructions that when executed cause the at least one processor to pre-allocate space on the SD card for ~~a~~the playable content portion of the media file.

18. (Currently Amended) The computer readable storage medium of claim 13, where the directory blocks are optionally written ~~together~~at once.

19. (New) The computer readable storage medium of claim 13 wherein the instructions cause the media file to be downloaded to the SD card in substantially 2 minutes.

20. (New) The method of claim 7 wherein the media file is downloaded to the SD card in substantially 2 minutes.

REMARKS

Claims 1-20 are pending in this application. No claims have been canceled. Applicant has amended claims 1, 7, 10, 13, and 16 to clarify that data is written to the unsecure area prior in time to data that is written to the secure area and to address typographical and stylistic issues. This emphasizes the unique techniques utilized by Applicant to speed up the SD writing process. Applicant has also amended claims 2 to address timing aspects and to address typographical errors. Applicant has added new claims 19 and 20 to more particularly point out and distinctly claim this timing aspect. No new matter has been introduced by way of these amendments. In particular, support for these amendments is found in Applicant's Specification at least in paragraphs 27 and 40-49 and Figure 3.

As a preliminary matter, Applicant wishes to note that use of the disjunctive "or" before the last element in a list of alternatives is intended to recite and cover any one or more of the listed elements in the alternative, consistent with case law. Namely, the phrase "at least one of A or B" is to be interpreted as including: "A," or "B," or both "A and B." Also, the phrases "at least one of A, B, or C," "A, B, or C," "A or B," and "A and/or B" are to be interpreted in the same manner. These recitations conform the claims with current case law on this subject.

Rejections Under 35 U.S.C. § 103

The Examiner has rejected claims 1-18 under 35 U.S.C. § 103(a) as rendered obvious over U.S. Patent No. 8,306,918 issued to Farrugia et al. ("Farrugia") in view of U.S. Patent Publication No. 2010/0127013 issued to Butler ("Butler") and U.S. Patent Publication No. 2007/0192637 issued to Cheon et al. ("Cheon").

In essence, the Examiner that Farrugia descriptions of writing data followed by encryption keys with Butler's description of using a kiosk to distribute data to a DVD or other storage device, along with Cheon's description of a secure MMS device with a restricted area (a secure area) and a user area (an unsecure area) and somehow equate to the downloading and timing aspects of Applicant's above-rejected claims.

Applicant respectfully traverses this rejection for several reasons with respect to Applicant's claims before and after amendment as indicated.

25315
CUSTOMER NUMBER

6
MDIP-1-2408AM01.doc

LOWE GRAHAM JONES LLC

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

The Examiner is clearly using Applicant's claims as a template in hindsight to inappropriately piece together the references to reject Applicant's claims. First, using Farrugia as a base reference simply doesn't make sense because, as admitted to by the Examiner, it has nothing to do with downloading media content to SD cards or distributing media content from a kiosk. (Office Action, dated May 7, 2013, p. 3, hereinafter "Office Action"). Just because the Examiner can think of a reason in retrospect why the inventions could operate together doesn't meet the standard of evidence. The case law is clear that an applicant's specification or claims cannot be used in hindsight as a template for inappropriately combining references. The Examiner simply is not free to fill such gaps in Farrugia with hindsight using Applicant's claims as a template. *Mintz v. Dietz & Watson, Inc.*, No. 2010-1341, Slip Op. at 9 (Fed. Cir. 2012) ("The district court has used the invention to define the problem that the invention solves."); *In re Fine*, 837 F.2d 1071, 1075 (Fed. Cir. 1988) (warning against "the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher"); *see also*, MPEP 2142 ("impermissible hindsight must be avoided and the legal conclusion must be reached on the basis of the facts gleaned from the prior art." emphasis added).

The Examiner appears to be citing to Farrugia mainly for the purpose of writing content data before (in time) downloading a set of encryption keys as shown in Figure 12. However, there is nothing anywhere in any of these references to teach or suggest that the content data of the media file is written to a different type of storage (unsecure) than the keys. It is simply not necessary to the operability of Farrugia and would not at all contribute to or influence the system of Farrugia. Farrugia is directed to the ability to use DRM and decrypt one portion of a larger piece of content or a second portion or both. Regardless of where the Examiner pulls it from (Cheon/Butler), putting content in unsecure storage and the keys in secure storage doesn't do anything to change the Farrugia system. In addition, such a combination is senseless since ultimately, in step 1260 of Farrugia, the set of keys are merged into the media file. (See Farrugia, Figure 12 and associated text.) As can be seen from the Examiner's own admission, most of the claim language from claim 1 is missing from Farrugia. (Office Action, p.3.) Thus, the support, motivation, and/or teaching of any combination of these references is not likely to come from anywhere except Applicant's claim language. This is inappropriate hindsight reconstruction.

Second, even assuming for the sake of argument that the Examiner could rightfully combine Farrugia with Butler and Cheon, such a combination does not operate as Applicant's claims recite. In particular, the Examiner relies on Butler for describing use of a kiosk to transfer content to an SD card. He also appears to rely on Butler for Applicant's claim language:

a media file processing module ... wherein, except for a user key, *data to be written to a unsecure area of the SD card is queued to be written before data to be written to a secure area of the SD card*

(Emphasis added.) The problem is, however, the Examiner has inaccurately parsed the claim language to imply that "data to be written to an area of the DSD card is queued to be written..." and then states that "it would have been obvious that data is queued prior to be written to the SD card." (Office Action, p. 4.) This analysis (that it is obvious to queue data before writing it) is irrelevant to the claim language which states that one type of data (data to be written to a unsecure area of the SD card) is queued to be written before a second type data (data to be written to a secure area). It does not say that the one type of data is queued before that same one type of data is written. Therefore, this element is missing from the Examiner's analysis even with the (inappropriate) combination of Farrugia, Butler, and Cheon.

Third, the Examiner relies on Cheon to describe writing data to a user area before writing data to a protected area. (Office Action, p. 5.) With reference to Cheon, the Examiner's use of the concept "before" refers to location placement in storage and not to time. Thus, the Examiner's statement "by combining the [un]secure and secure storage area into Farrugia's transferring of the content data before transferring of the security key data" refers to two different meanings of the word "before." There is nothing to suggest that combining them would make sense or be useful.

Thus, a combination of these three references at best would yield a potential to write to a secure and unsecure portion of an SD card (combining Cheon and Butler) without any direction as to what the portions may be used for or how to combine them. Accordingly, it directly follows that placing these concepts together is taught, suggested, or motivated only by Applicant's claims.

Further, as explained in Applicant's Specification, there is good reason to (queue to) write out data in the order (in time) it is written to the SD card (unsecure first, DRM data in secure portion second) in order to effectuate a very efficient downloading process:

[0049] Finally, in step 308, if writing data to the unsecure area 141 of the SD card 140 successfully completes, the encrypted content key and usage rules are written to the secure area 142 of the SD card 140. Although the data intended for the secure area is prepared in the content key process 307 that executes as the read process 304, write process 305, and metadata process 306 execute, so that there are no delays once the data finishes writing to the unsecure area 141 of the SD card 140, the secure data is not written to the SD card 140 until the end of the method 300 for two main reasons. First, writing to the secure area 142 of the SD card slows down the write process 305. Thus, any data (other than the user key which is written as part of an initial set-up of the SD card 140) to be written to the secure area 142 is queued to be written at the end to avoid delays caused by switching back and forth between the unsecure area 141 and the secure area 142 of the SD card 140. Secondly, by waiting until the end of the method 300, if there is any kind of problem with the payment for the transaction through the transaction module 134 or with the transfer of the media file to the SD card 140, the kiosk 130 can abort the transfer without writing the data to the secure area 142 of the SD card 140. As a result, no matter what portion of the media file has been downloaded to the SD card 140 prior to the transfer process being aborted, the customer will not be able to playback any playable content that was downloaded to the SD card 140 without the data that needs to be in the secure area 142 (i.e., the encrypted content key and the usage rules). Thus, the owners of the intellectual property rights in the media file gain a measure of protection against people who may try to abscond with a copy of the media file without proper payment. As a result, using the method 300 described in FIG. 3, media files can be quickly and securely transferred from a kiosk 130 to an SD card 140.

Thus, the phrase "data to be written to a unsecure area of the SD card is queued to be written *before* data to be written to a secure area of the SD card" has meaning as a whole and cannot be analyzed piecemeal as the Examiner has done. Each claim element refers to complete phrases – not selected word matches – as the element is formed from the phrase. All words in a claim must be considered in judging the patentability of that claim against the prior art. *In re Wilson*, 424 F.2d 1382, 1385 (Fed. Cir. 1970); *see also*, M.P.E.P. § 2143.03. Moreover, the **elements must be arranged as in the claim** under review even though the identical language may not be used. *In re Bond*, 910 F.2d 831, 832 (Fed. Cir. 1990) (citing *Lindemann Maschinenfabrik v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458, 221 USPQ 481, 485 (Fed. Cir. 1984) and *Akzo N.V. v. United States Int'l Trade Comm'n*, 1 USPQ2d 1241, 1245 & n. 11 (Fed. Cir. 1986)). Accordingly, the Examiner may not break apart words at his discretion without following how they are arranged in the claims to generate Applicant's phraseology.

Nevertheless, in furtherance of prosecution, Applicant has amended the claims to emphasize that “before” refers to before in time as explained in Applicant’s Specification and to further explain how the queuing for writing, one type of data before the other, operates. These aspects are simply not found in any of the cited references, alone or in any motivated combination.

In particular, claim 1 (and dependent claims 2-6 and 20 at least by virtue of incorporation) as amended recites,

a media file processing module for preparing the plurality of media files and the corresponding metadata files to be written to the SD card, wherein, except for a user key, *data to be written to an unsecure area of the SD card is queued in advance of data to be written to a secure area of the SD card, such that the data to be written to the unsecure area is written in time before the data to be written to the secure area is written;*

Claims 7 and 13 (and dependent claims 8-12 and 14-19 at least by virtue of incorporation) as amended recite:

writ[ing] all directory blocks of the playable content portion of the media file together and *thereafter in time writing all data blocks sequentially of the playable content portion* of the media file; and

writ[ing] all data to an unsecure area of the SD card prior in time to writing any data to a secure area of the SD card, except for a user key.

(Emphasis added.)

There is nothing in any of these references, alone or in combination that teaches, suggests, or motivates these timing and writing aspects with regard to secure and unsecure portions of an SD card.

In addition, the Examiner has not put forth a *prima facie* case of obviousness of additional aspects of claim 7 and 13 sufficient to shift the burden to provide evidence of non-obviousness to the Applicant. 35 U.S.C. § 103. In particular, the Examiner has not shown anywhere the “writing all directory blocks together and thereafter writing all data block sequentially for the playable content portion of the media file” before amendment or “writing of all directory blocks of the playable content portion of the media file together and thereafter in time writing all data blocks sequentially of the playable content portion of the media file” as amended. The Examiner cites to aspects of Butler (paragraphs 5, 20-25, 48, 61, and 71-75);

however, Applicant has reviewed these and other sections of Butler and cannot find a description of writing directly blocks together before the data blocks of a media file.

In order to assist Applicant to more succinctly address the Examiner's points of rejection as they are applied to each claim and in furtherance of prosecution, "the pertinence of each reference ... must be clearly explained." M.P.E.P. §706. Accordingly, Applicant respectfully requests the Examiner to explain his mapping of Butler to the claim language and to specifically point out where in each of the references each claim element/act is found. (See M.P.E.P., §706, §706, 37 C.F.R. 1.104(c)(2), and *Ex Parte Levy*, 17 U.S.P.Q.2d 1461, 1462 (Bd. Pat. App. & Inter. 1990).)

Accordingly, because one or more aspects of these claims are not taught, suggested, or motivated, claims 1-20 are not anticipated or rendered obvious in view of Farrugia, Butler and Cheon.

Dependent Claims

As discussed above, all of the dependent claims are not anticipated or rendered obvious for at least the reasons described above with respect to the independent claims. Additional arguments for a variety of the other dependent claims are not addressed in more detail herein. Accordingly, Applicant notes for the record that all such assertions are traversed and reserves the right to further present arguments regarding the Examiner's statements about what is known in the art or taught by the cited references at a later time, should such become necessary. Specifically, no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended.

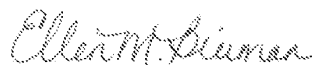
Conclusion

Based upon the above remarks, Applicant respectfully submits that all of the pending claims are allowable and respectfully requests the Examiner to enter these amendments and to reconsider this application and its timely allowance. The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 50-1050. In the event the Examiner disagrees with Applicant or finds minor informalities, Applicant respectfully requests a telephone interview to discuss any issues and to

Application No. 12/906,938
Reply to Office Action dated May 7, 2013

expeditiously resolve prosecution of this application. Again, Applicant's representative thanks the Examiner for his prompt and courteous attention.

LOWE GRAHAM JONES ^{PLLC}



Ellen M. Bierman
Registration No. 38,079

EMB:kp

25315
CUSTOMER NUMBER

12
MDIP-1-2408AM01.doc

LOWE GRAHAM JONES ^{PLLC}

701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) MDIP-1-2408																																		
Application Number 12/906,938	Filed October 18, 2010																																			
For HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK																																				
Art Unit 2181	Examiner Chun-Kuan Lee																																			
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): <table style="width: 100%; border-collapse: collapse;"><thead><tr><th></th><th style="text-align: center;"><u>Fee</u></th><th style="text-align: center;"><u>Small Entity Fee</u></th><th style="text-align: center;"><u>Micro Entity Fee</u></th><th></th></tr></thead><tbody><tr><td>☒ One month (37 CFR 1.17(a)(1))</td><td style="text-align: right;">\$200</td><td style="text-align: right;">\$100</td><td style="text-align: right;">\$50</td><td style="text-align: right;">\$ <u>100.00</u></td></tr><tr><td>☐ Two months (37 CFR 1.17(a)(2))</td><td style="text-align: right;">\$600</td><td style="text-align: right;">\$300</td><td style="text-align: right;">\$150</td><td style="text-align: right;">\$ _____</td></tr><tr><td>☐ Three months (37 CFR 1.17(a)(3))</td><td style="text-align: right;">\$1,400</td><td style="text-align: right;">\$700</td><td style="text-align: right;">\$350</td><td style="text-align: right;">\$ _____</td></tr><tr><td>☐ Four months (37 CFR 1.17(a)(4))</td><td style="text-align: right;">\$2,200</td><td style="text-align: right;">\$1,100</td><td style="text-align: right;">\$550</td><td style="text-align: right;">\$ _____</td></tr><tr><td>☐ Five months (37 CFR 1.17(a)(5))</td><td style="text-align: right;">\$3,000</td><td style="text-align: right;">\$1,500</td><td style="text-align: right;">\$750</td><td style="text-align: right;">\$ _____</td></tr></tbody></table> ☐ Applicant asserts small entity status. See 37 CFR 1.27. ☐ Applicant certifies micro entity status. See 37 CFR 1.29. Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously. ☐ A check in the amount of the fee is enclosed. ☐ Payment by credit card. Form PTO-2038 is attached. ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-1050</u>. ☒ Payment made via EFS-Web. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the ☐ applicant/inventor. ☐ assignee of record of the entire interest. See 37 CFR 3.71. 37 CFR 3.73(b) statement is enclosed (Form PTO/SB/96). ☒ attorney or agent of record. Registration number <u>38,079</u>. ☐ attorney or agent acting under 37 CFR 1.34. Registration number _____. <table style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 5px;"><u>/Ellen M. Bierman/</u> Signature</td><td style="width: 50%; padding: 5px;"><u>September 9, 2013</u> Date</td></tr><tr><td style="padding: 5px;"><u>Ellen M. Bierman</u> Typed or printed name</td><td style="padding: 5px;"><u>206-381-3300</u> Telephone Number</td></tr></table> NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*. ☒ * Total of <u>1</u> forms are submitted.				<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>		☒ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ <u>100.00</u>	☐ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____	☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____	☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____	☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____	<u>/Ellen M. Bierman/</u> Signature	<u>September 9, 2013</u> Date	<u>Ellen M. Bierman</u> Typed or printed name	<u>206-381-3300</u> Telephone Number
	<u>Fee</u>	<u>Small Entity Fee</u>	<u>Micro Entity Fee</u>																																	
☒ One month (37 CFR 1.17(a)(1))	\$200	\$100	\$50	\$ <u>100.00</u>																																
☐ Two months (37 CFR 1.17(a)(2))	\$600	\$300	\$150	\$ _____																																
☐ Three months (37 CFR 1.17(a)(3))	\$1,400	\$700	\$350	\$ _____																																
☐ Four months (37 CFR 1.17(a)(4))	\$2,200	\$1,100	\$550	\$ _____																																
☐ Five months (37 CFR 1.17(a)(5))	\$3,000	\$1,500	\$750	\$ _____																																
<u>/Ellen M. Bierman/</u> Signature	<u>September 9, 2013</u> Date																																			
<u>Ellen M. Bierman</u> Typed or printed name	<u>206-381-3300</u> Telephone Number																																			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:	12906938			
Filing Date:	18-Oct-2010			
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK			
First Named Inventor/Applicant Name:	Mark P. Hahn			
Filer:	Ellen M Bierman			
Attorney Docket Number:	MDIP-1-2408			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	100	100

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				100

Electronic Acknowledgement Receipt	
EFS ID:	16805669
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Ellen M Bierman
Filer Authorized By:	
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	09-SEP-2013
Filing Date:	18-OCT-2010
Time Stamp:	23:18:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Electronic Funds Transfer
Payment was successfully received in RAM	\$100
RAM confirmation Number	9009
Deposit Account	
Authorized User	

File Listing:

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

1		MDIP-1-2408AM01.pdf	340297 1f012b7858837c20c20b03f8e3474231c6c7c705	yes	12
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	5	
	Applicant Arguments/Remarks Made in an Amendment		6	12	
Warnings:					
Information:					
2	Extension of Time	MDIP-1-2408EOT-OA01.pdf	187169 a0b7ff865c2910a1791d30172b4c0b037e36a007	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30293 80c8f8e100ad7a8f547ecae8ab2ac51dd51dfe27	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			557759		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					

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 12/906,938		Filing Date 10/18/2010		☐ To be Mailed		
ENTITY: ☒ LARGE ☐ SMALL ☐ MICRO										
APPLICATION AS FILED – PART I										
(Column 1)		(Column 2)								
FOR	NUMBER FILED	NUMBER EXTRA			RATE (\$)	FEE (\$)				
☒ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A			N/A	330				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A			N/A					
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A			N/A					
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*			X \$ =					
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*			X \$ =					
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))			If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.					TOTAL	330				
APPLICATION AS AMENDED – PART II										
(Column 1)		(Column 2)		(Column 3)						
AMENDMENT	09/09/2013	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)			
	Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X \$80 =	0			
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X \$420 =	0			
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		0		
(Column 1)		(Column 2)		(Column 3)						
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)			
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =				
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =				
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE				
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/906,938	10/18/2010	Mark P. Hahn	MDIP-1-2408	1059
25315 7590 05/07/2013 LOWE GRAHAM JONES, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104			EXAMINER LEE, CHUN KUAN	
			ART UNIT 2181	PAPER NUMBER
			NOTIFICATION DATE 05/07/2013	DELIVERY MODE ELECTRONIC

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

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

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

patentdocketing@lowegrahamjones.com
docketing-patent@lowegrahamjones.com

Office Action Summary	Application No. 12/906,938	Applicant(s) HAHN ET AL.	
	Examiner Chun-Kuan Lee	Art Unit 2181	AIA (First Inventor to File) Status No

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

Period for Reply

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

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

Status

1) ☒ Responsive to communication(s) filed on 18 October 2010.
☐ 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) 1-18 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) 1-18 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 18 October 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

a) ☐ All b) ☐ Some * c) ☐ None of the:

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

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

Interim copies:

a) ☐ All b) ☐ Some c) ☐ None of the: Interim copies of the priority documents have been received.

Attachment(s)

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

2) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 04/19/2013.

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

4) ☐ Other: ____.

DETAILED ACTION

I. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

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 negated by the manner in which the invention was made.

1. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farrugia et al. (US Patent 8,306,918) in view of Butler (US Pub.: 2010/0127013) and Cheon et al. (US Pub.: 2007/0192634).
2. As per claim 1, Farrugia teaches a system comprising
requesting a plurality of media files from a server communicatively coupled to the computer (e.g. associated with request for the content 1210 and 1225 of Fig. 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8);
receiving the requested plurality of media files from the server (e.g. associated with the downloading of the content 1230 and 1235 of Fig. 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8);
accepting payment from a customer for the plurality of media files (e.g. associated with 1215 of Fig. 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8); and

preparing the plurality of media files to be transferred, wherein, except for a user key, content data to be written is written before secured key data (e.g. as the content is downloaded by itself, follow by the downloading of the set of keys 1250 of Fig 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8).

Farrugia does not teach a kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:

- a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card;

- a media file request module for requesting corresponding metadata file for each media file from the server communicatively coupled to the kiosk;

- a server interaction module for receiving the corresponding metadata files;

- a transaction module for accepting payment for the customer's selection to be transferred to the SD card;

- a media file processing module for preparing the corresponding metadata files to be written to the SD card, wherein, data to be written to a unsecure area of the SD card is queued to be written before data to be written to a secure area of the SD card; and

- an SD card writer for writing data to an user area of the SD card and a protected area of the SD card.

Butler teaches a kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:

a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card (e.g. user selection of the media, such as movie) (Fig. 1-2; [0005]; [0022]-[0023]; and [0072]-[0075]);

a media file request module for requesting corresponding metadata file for each media file from the server communicatively coupled to the kiosk ([0048] and [0072]-[0075]), by combining the metadata with Farrugia's request of the media file, the resulting combination of the references further teaches the above claimed features;

a server interaction module for receiving the corresponding metadata files ([0048] and [0072]-[0075]);

a transaction module for accepting payment for the customer's selection to be transferred to the SD card (e.g. as the user make payment for the content) (Fig. 1-2; [0005]; [0022]-[0023] and [0072]-[0075]);

a media file processing module for preparing the corresponding metadata files to be written to the SD card, wherein, data to be written to an area of the SD card is queued to be written (Fig. 1-2; [0005]; [0022]-[0025]; and [0072]-[0075]), as the content data is transferred to the SD card it would have been obvious that data is queued prior to be written to the SD card; and

an SD card writer for writing data to an area of the SD card (Fig. 1-2; [0005]; [0022]-[0025]; and [0072]-[0075]).

Cheon teaches a system comprising: data to be written to a unsecure area (e.g. Fig. 1, ref. 114) of the SD card is written before data to be written to a secure area (e.g.

Fig. 1, ref. 113) of the SD card; and writing data to an user area (e.g. Fig. 1, ref. 114) of the SD card and a protected area (e.g. Fig. 1, ref. 113) of the SD card (Fig. 1; [0029]-[0032]; and [0075]), by combining the secure and secure storage area into Farrugia's transferring of the content data before transferring of the security key data and Butler's transferring of content data and DRM data into the SD card, the resulting combination of the reference further teaches the above claimed features.

It would have been obvious for one of ordinary skill in this art, at the time of invention was made, to include Butler's transferring to the storage medium via the kiosk and Cheon's secured and unsecured areas on the storage medium into Farrugia's transferring of media files for the benefit of increasing selection of desired media content and reducing cost of operating the distribution devices (Butler, [0005]) and a more robust architecture for accessing a secured memory card (Cheon, Abstract) to obtain the invention as specified in claim 1.

3. As per claim 2, Farrugia, Butler and Cheon teach all the claimed limitation of claim 1, where Farrugia, Butler and Cheon further teach the kiosk further comprising a preview module for playing a preview of other content of the selected through the kiosk while the SD card writer writes the media file to the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0072]-[0075]; and Cheon, Fig. 1; [0029]-[0032];

and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

4. As per claim 3, Farrugia, Butler and Cheon teach all the claimed limitation of claim 1, where Farrugia, Butler and Cheon further teach the kiosk further comprising a firmware update module for transferring a firmware update to the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

5. As per claim 4, Farrugia, Butler and Cheon teach all the claimed limitation of claim 1, where Farrugia, Butler and Cheon further teach the kiosk further comprising a software player update module for transferring a software player update to the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

6. As per claim 5, Farrugia, Butler and Cheon teach all the claimed limitation of claim 1, where Farrugia, Butler and Cheon further teach the kiosk further comprising a customer attraction module for playing segments from media files currently available for

download from the kiosk while the kiosk is not used for purchase of a media file (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0022]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

7. As per claim 6, Farrugia, Butler and Cheon teach all the claimed limitation of claim 1, where Farrugia, Butler and Cheon further teach the kiosk further comprising a USB port to allow connection of the SD card with a USB adapter to the kiosk (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

8. As per claims 7, Farrugia teaches a method comprising: identifying a media files for download; writing data for the playable content portion of the media file; and writing all content data to an area prior to writing any security data to an area, except for a user key (e.g. as the content is downloaded by itself, follow by the downloading of the set of keys 1250 of Fig 12) (Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8).

Farrugia does not teach the method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising:

downloading to the SD card;
writing all directory blocks together and thereafter writing all data block sequentially; and
writing to an unsecure area of the SD card prior to writing to a secure area of the SD card.

Butler teaches a method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising: downloading to the SD card; writing all directory blocks together and thereafter writing all data block sequentially (e.g. as data is transferred to the SD card); and writing to an area of the SD card (Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; and [0071]-[0075]).

Cheon teaches a method comprising: writing to an unsecure area (e.g. Fig. 1, ref. 114) of the card prior to writing to a secure area of the card (e.g. Fig. 1, ref. 113) (Fig. 1; [0029]-[0032]; and [0075]), by combining the secure and secure storage area into Farrugia's transferring of the content data before transferring of the security key data, the resulting combination of the reference further teaches the above claimed features

It would have been obvious for one of ordinary skill in this art, at the time of invention was made, to include Butler's transferring to the storage medium via the kiosk and Cheon's secured and unsecured areas on the storage medium into Farrugia's transferring of media files for the benefit of increasing selection of desired media content and reducing cost of operating the distribution devices (Butler, [0005]) and a more robust architecture for accessing a secured memory card (Cheon, Abstract) to obtain the invention as specified in claim 7.

9. As per claim 8, Farrugia, Butler and Cheon teach all the claimed limitation of claim 7, where Farrugia, Butler and Cheon further teach the method comprising wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

10. As per claim 9, Farrugia, Butler and Cheon teach all the claimed limitation of claim 7, where Farrugia, Butler and Cheon further teach the method comprising wherein the SD card is pre-configured with the user key stored in the secure area of the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

11. As per claim 10, Farrugia, Butler and Cheon teach all the claimed limitation of claim 7, where Farrugia, Butler and Cheon further teach the method comprising further comprising: writing the user key to the secure area of the SD card prior to writing all data to the unsecure area of the SD card; and writing other data to the secure area of

the SD card after writing all data to the unsecure area of the SD card (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

12. As per claim 11, Farrugia, Butler and Cheon teach all the claimed limitation of claim 7, where Farrugia, Butler and Cheon further teach the method comprising further comprising pre-allocating space on the SD card for a playable content portion of the media file (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references further teaches the above claimed features.

13. As per claim 12, Farrugia, Butler and Cheon teach all the claimed limitation of claim 7, where Farrugia, Butler and Cheon further teach the method comprising where the directory blocks are optionally written together (Farrugia, Fig. 11-12; col. 1, l. 49 to col. 2, l. 46; col. 5, l. 65 to col. 6, l. 49; col. 7, l. 41 to col. 8, l. 8; Butler, Fig. 1-2; [0005]; [0020]-[0025]; [0048], [0061]; [0071]-[0075]; and Cheon, Fig. 1; [0029]-[0032]; and [0075]), as it would have been obvious that the resulting combination of the references

Art Unit: 2181

further teaches the above claimed features as the content data are written into the SD card.

14. As per claims 13-18, claims 13-18 are rejected in accordance to the same rational and reasoning as the above rejection of claims 7-12.

II. CLOSING COMMENTS

CONCLUSION

STATUS OF CLAIMS IN THE APPLICATION

The following is a summary of the treatment and status of all claims in the application as recommended by M.P.E.P. 707.07(i):

CLAIMS REJECTED IN THE APPLICATION

Per the instant office action, claims 1-18 have received a first action on the merits and are subject of a first action non-final.

DIRECTION OF FUTURE CORRESPONDENCES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Idriss Alrobaye can be reached on (571) 270-1023. 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.

Art Unit: 2181

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.

/Chun-Kuan Lee/
Primary Examiner
Art Unit 2181
May 01, 2013

Notice of References Cited	Application/Control No. 12/906,938	Applicant(s)/Patent Under Reexamination HAHN ET AL.	
	Examiner Chun-Kuan Lee	Art Unit 2181	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2007/0192634	08-2007	CHEON et al.	713/193
*	B	US-2010/0127013	05-2010	Butler, Jon F.	221/1
*	C	US-8,306,918	11-2012	Farrugia et al.	705/57
	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.

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

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

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		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn et al.		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

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	6697944	B1	2004-02-24	Jones et al.	
	2	6859791	B1	2005-02-22	Spagna et al.	
	3	7779064	B2	2010-08-17	Phillips	

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	20030220835	A1	2003-11-27	Barnes, Jr.	
	2	20040010601	A1	2004-01-15	Afergan et al.	
	3	20050044280	A1	2005-02-24	Reisman	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

	4	20060156355	A1	2006-07-13	Kawasaki et al.	
	5	20080075437	A1	2008-03-27	Hamada et al.	
	6	20080133546	A1	2008-06-05	Phillips	
	7	20080271154	A1	2008-10-30	Kamada et al.	
	8	20090164709	A1	2009-06-25	Lee et al.	
	9	20090282454	A1	2009-11-12	Ekstrand	
	10	20090313432	A1	2009-12-17	Spence et al.	
	11	20100262912	A1	2010-10-14	Cha	
	12	20100293581	A1	2010-11-18	Robert	
	13	20110091187	A1	2011-04-21	Duffin et al.	
	14	20110197131	A1	2011-08-11	Duffin et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn et al.		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

	15	20120124390	A1	2012-05-17	Zipperer et al.	
	16	20120254629	A1	2012-10-04	Zipperer et al.	
	17	20120315019	A1	2012-12-13	Zipperer et al.	
	18	20120324244	A1	2012-12-20	Zipperer 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	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
	1	YOUNG; International Search Report for PCT/US07/22007; mailed May 5, 2008; 1 page	☐

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

EXAMINER SIGNATURE

Examiner Signature	/Chun Kuan Lee/	Date Considered	04/29/2013
--------------------	-----------------	-----------------	------------

*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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

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	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

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	/Ellen M. Bierman/	Date (YYYY-MM-DD)	2013-04-19
Name/Print	Ellen M. Bierman	Registration Number	38079

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 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.

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

Search Notes 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
710	13	4/29/2013	CKL

SEARCH NOTES		
Search Notes	Date	Examiner
EAST search:US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	4/29/2013	CKL
Inventor search utilizing eDan and EAST	4/29/2013	CKL

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

--	--

<i>Index of Claims</i> 	Application/Control No. 12906938	Applicant(s)/Patent Under Reexamination HAHN ET AL.
	Examiner CHUN-KUAN LEE	Art Unit 2181

✓	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	05/01/2013								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								
	10	✓								
	11	✓								
	12	✓								
	13	✓								
	14	✓								
	15	✓								
	16	✓								
	17	✓								
	18	✓								

EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	364	(710/13).ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/04/29 10:43
S2	39	(HAHN near MARK).in. or (BOLSTAD near DANIEL).in. or (ZIPPERER near JOSEPH).in.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/04/29 12:58
S23	427	kiosk and SD and (secure near digital)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2013/05/01 11:24

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

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

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		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn et al.		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

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	6697944	B1	2004-02-24	Jones et al.	
	2	6859791	B1	2005-02-22	Spagna et al.	
	3	7779064	B2	2010-08-17	Phillips	

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	20030220835	A1	2003-11-27	Barnes, Jr.	
	2	20040010601	A1	2004-01-15	Afergan et al.	
	3	20050044280	A1	2005-02-24	Reisman	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

	4	20060156355	A1	2006-07-13	Kawasaki et al.	
	5	20080075437	A1	2008-03-27	Hamada et al.	
	6	20080133546	A1	2008-06-05	Phillips	
	7	20080271154	A1	2008-10-30	Kamada et al.	
	8	20090164709	A1	2009-06-25	Lee et al.	
	9	20090282454	A1	2009-11-12	Ekstrand	
	10	20090313432	A1	2009-12-17	Spence et al.	
	11	20100262912	A1	2010-10-14	Cha	
	12	20100293581	A1	2010-11-18	Robert	
	13	20110091187	A1	2011-04-21	Duffin et al.	
	14	20110197131	A1	2011-08-11	Duffin et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		12906938	
	Filing Date		2010-10-18	
	First Named Inventor	Mark P. Hahn et al.		
	Art Unit	2181		
	Examiner Name	Chun Kuan Lee		
	Attorney Docket Number	MDIP-1-2408		

	15	20120124390	A1	2012-05-17	Zipperer et al.	
	16	20120254629	A1	2012-10-04	Zipperer et al.	
	17	20120315019	A1	2012-12-13	Zipperer et al.	
	18	20120324244	A1	2012-12-20	Zipperer 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	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
	1	YOUNG; International Search Report for PCT/US07/22007; mailed May 5, 2008; 1 page	☐

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.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

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	12906938
	Filing Date	2010-10-18
	First Named Inventor	Mark P. Hahn et al.
	Art Unit	2181
	Examiner Name	Chun Kuan Lee
	Attorney Docket Number	MDIP-1-2408

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	/Ellen M. Bierman/	Date (YYYY-MM-DD)	2013-04-19
Name/Print	Ellen M. Bierman	Registration Number	38079

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 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.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US 07/22007

A. CLASSIFICATION OF SUBJECT MATTER IPC(8) - G06F 15/173 (2008.01) USPC - 709/223 According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) USPC - 709/223 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched USPC - 709/223, 225-227, \$ Search Terms Below Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) PubWEST (USPT, PGPB, EPAB, JPAB); google.com Search Terms Used: content-distribution, device, consumer, download, determining, local, interrogate, back-end, hierarchy, hierarchical, servers, intermediate		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6,697,944 B1 (JONES et al.) 24 February 2004 (24.02.2004) entire document, especially Abstract; col. 4, ln. 45-65; col. 7, ln. 39-65; col. 8, ln. 40-67; col. 9, ln. 1-20; col. 11, ln. 45-61; col. 15, ln. 27-42	1a, 1b,2-10
A	US 6,859,791 B2 (SPAGNA et al.) 22 February 2005 (22.02.2005) entire document, especially Abstract	1a, 1b,2-10
☐ Further documents are listed in the continuation of Box C. ☐		
* Special categories of cited documents: "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier application or patent but published on or after the international filing date "I" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) "O" document referring to an oral disclosure, use, exhibition or other means "P" document published prior to the international filing date but later than the priority date claimed "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art "&" document member of the same patent family		
Date of the actual completion of the international search 12 March 2008 (12.03.2008)		Date of mailing of the international search report 05 MAY 2008
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US, Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201		Authorized officer: Lee W. Young PCT Helpdesk: 571-272-4300 PCT OSP: 571-272-7774

Form PCT/ISA/210 (second sheet) (April 2007)

Electronic Acknowledgement Receipt	
EFS ID:	15570782
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	25315
Filer:	Ellen M Bierman/Kimberly Papp
Filer Authorized By:	Ellen M Bierman
Attorney Docket Number:	MDIP-1-2408
Receipt Date:	19-APR-2013
Filing Date:	18-OCT-2010
Time Stamp:	20:38:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	MDIP-1-2408IDS01.pdf	612576 0525faaffb217329d021467c9dc006c5cb6d99e80	no	6

Warnings:

Information:

2	Non Patent Literature	PCTSearchReportPCTUS0722007.pdf	54304 675b1663fadc22bc7f31032ed0b7f44d66359b8a	no	1
Warnings:					
Information:					
Total Files Size (in bytes):			666880		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/906,938	10/18/2010	Mark P. Hahn	26629-17391 US

CONFIRMATION NO. 1059

POA ACCEPTANCE LETTER

25315
LOWE GRAHAM JONES, PLLC
701 FIFTH AVENUE
SUITE 4800
SEATTLE, WA 98104



Date Mailed: 08/14/2012

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/03/2012.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/kmoukdarath/

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/906,938	10/18/2010	Mark P. Hahn	26629-17391 US

CONFIRMATION NO. 1059

POWER OF ATTORNEY NOTICE



758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

Date Mailed: 08/14/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/03/2012.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/kmoukdarath/

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

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

25315

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

25315

OR

☐ Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	

Assignee Name and Address:

Media IP, LLC
220 W. Mercer Street, Suite W-430
Seattle, WA 98119

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	5/2/2012
Name	Derek de Bakker	Telephone	206-979-1045
Title	Manager		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.31 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Media IP, LLC

Application No./Patent No.: 12/906,938

Filed/Issue Date: October 18, 2010

Titled: HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

Media IP, LLC, a limited liability company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Mark P. Hahn et al. To: MOD Systems Incorporated

The document was recorded in the United States Patent and Trademark Office at
Reel 025328, Frame 0904, or for which a copy thereof is attached.

2. From: MOD Systems Incorporated To: MOD Asset Preservation LLC

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

3. From: MOD Asset Preservation LLC To: Media IP, LLC

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

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Ellen M. Bierman/

Signature

August 3, 2012

Date

Ellen M. Bierman

Printed or Typed Name

Attorney of Record

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

ACKNOWLEDGMENT AND ASSIGNMENT

WHEREAS, MOD Systems Incorporated (hereinafter referred to as MOD), MOD Asset Preservation LLC (hereinafter referred to as MAP), and Media IP, LLC (hereinafter referred to as Media IP), collectively the Parties, wish to avoid any uncertainty with regard to ownership of the Patents and Patent Applications listed in the attached Schedule A (hereinafter referred to collectively as INVENTIONS) and wish to transfer all rights in the INVENTIONS to Media IP;

WHEREAS, MOD, whose office was located at 1301 2nd Avenue, #501, Seattle, WA 98101, was the owner of the INVENTIONS;

WHEREAS, MOD surrendered its business and assets, including the INVENTIONS, as part of a Surrender of Collateral, Consent to Strict Foreclosure, and Release Agreement (UCC 9A-620) dated on or about March 22, 2011 to MAP, having an address of 220 West Mercer Street, Suite W-430, Seattle, WA 98119;

WHEREAS, Media IP, a Washington Limited Liability Company having a principal address at 220 W. Mercer Street, Suite W-430, Seattle, WA 98119, desires the entire right, title and interest in and to the INVENTIONS; and

WHEREAS, the Parties hereto wish to provide, via this Assignment, a complete and formal transfer of all rights, to the extent any exist from MOD and MAP, to Media IP in a form suitable for recordation with the U.S. Patent and Trademark Office;

NOW, THEREFORE, for ten U.S. dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, MOD and MAP (collectively ASSIGNORS) hereby sell, assign and transfer to Media IP, individually and collectively, their entire right, title and interest in and to the INVENTIONS, and any and all applications and letters patent which may be granted for the INVENTIONS in the United States of America and its territorial possessions and in any and all other countries, and in any and all divisions, reissues and continuations thereof, including the right to file applications directly in the name of Media IP and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said INVENTIONS, applications and all letters patent on said INVENTIONS to be held and enjoyed by Media IP and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not

been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said INVENTIONS to Media IP.

MOD and MAP each agree to execute all instruments and documents as may be reasonably required by Media IP for the making and prosecution of applications for United States and foreign letters patent on said INVENTIONS, or for the purpose of protecting title to said INVENTIONS or letters patent therefor.

MOD Systems Incorporated

Date: June 26, 2012 By: Julia DeHaan

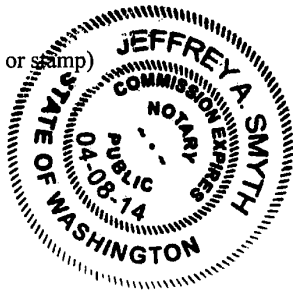
Julia DeHaan, Director, for MOD Systems Incorporated

STATE OF Washington)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that Julia DeHaan is the person who appeared before me and signed this instrument and acknowledged such signature to be a voluntary act for the purposes mentioned in the instrument.

Dated: 6-26-12

(Seal or Stamp)



Signature: [Signature]
Printed Name: JEFF SMYTH
Notary Public
My appointment expires 4-8-14

MOD Asset Preservation LLC

Date: June 26, 2012 By: Julia de Haan

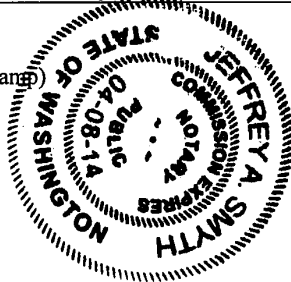
Julia DeHaan, Manager, for MOD Asset
Preservation LLC

STATE OF Washington)
) ss.
COUNTY OF King)

I certify that I know or have satisfactory evidence that Julia DeHaan is the person who appeared before me and signed this instrument and acknowledged such signature to be a voluntary act for the purposes mentioned in the instrument.

Dated: 6-26-12

(Seal or stamp)



[Signature]
Signature
Printed Name: JEFF SMYTH
Notary Public
My appointment expires 4-8-14

Media IP, LLC

Date: June 26, 2012 By: Derek de Bakker

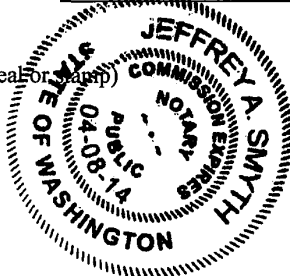
Derek de Bakker, Manager, for Media IP, LLC

STATE OF Washington)
) ss.
COUNTY OF King)

I certify that I know or have satisfactory evidence that Derek de Bakker is the person who appeared before me and signed this instrument and acknowledged such signature to be a voluntary act for the purposes mentioned in the instrument.

Dated: 6-26-12

(Seal or stamp)



[Signature]
Signature
Printed Name: JEFF SMYTH
Notary Public
My appointment expires 4-8-14

SCHEDULE A

Application No.	App. Date	Publication No.	Pub. Date	Patent No.	Issue Date	Title
61/474,671	4/12/11					KIOSK DISTRIBUTION OF LICENSED CONTENT TO PORTABLE DEVICES WITHIN DVD AVAILABILITY WINDOW
61/478,204	4/22/11					ACCESS CONTROLS FOR KNOWN CONTENT
61/413,926	11/15/10					VIRTUAL SECURE DIGITAL CARD
13/078,323	4/1/11					VIRTUAL SECURE DIGITAL CARD
13/073,802	3/28/11					READ AND WRITE OPTIMIZATION FOR PROTECTED AREA OF MEMORY
61/294,070	1/11/10					CONTENT AND IDENTITY DELIVERY SYSTEM FOR PORTABLE PLAYBACK OF CONTENT AND STREAMING SERVICE INTEGRATION
13/004,806	1/11/11					CONTENT AND IDENTITY DELIVERY SYSTEM FOR PORTABLE PLAYBACK OF CONTENT AND STREAMING SERVICE INTEGRATION
61/253,777	10/21/09					RESUME POINT FOR DIGITAL MEDIA PLAYBACK
12/906,949	10/18/10	US11/0091187	4/21/11			RESUME POINT FOR DIGITAL MEDIA PLAYBACK

Application No.	App. Date	Publication No.	Pub. Date	Patent No.	Issue Date	Title
61/253,792	10/21/09					CONTEXTUAL CHAPTER NAVIGATION
12/906,941	10/18/10	US11/0197131	8/11/11			CONTEXTUAL CHAPTER NAVIGATION
61/253,789	10/21/09					HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
12/906,938	10/18/10	US11/0093622	4/21/11			HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
PCT/US10/53118	10/19/10	WO 11/049902	4/28/11			HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
60/851,631	10/13/06					DIGITAL CONTENT DELIVERY SYSTEM
11/974,918	10/15/07	US08/0133546	6/5/08	7,779,064	8/17/10	METHOD AND SYSTEM FOR EFFICIENT AND DYNAMICALLY ADAPTABLE DIGITALLY-ENCODED-INFORMATION DISTRIBUTION

Electronic Acknowledgement Receipt	
EFS ID:	13419180
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	758
Filer:	Ellen M Bierman/Kimberly Papp
Filer Authorized By:	Ellen M Bierman
Attorney Docket Number:	26629-17391 US
Receipt Date:	03-AUG-2012
Filing Date:	18-OCT-2010
Time Stamp:	19:36:47
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
------------------------	----

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	MDIP-5-1001XPOA.pdf	621505 13188915de48d86d28825c971385a5cd2924f01	no	2

Warnings:

Information:

2	Assignee showing of ownership per 37 CFR 3.73(b).	MDIP-1-2408SB9602.pdf	429377 1fe3e03c4b5f1e6246f4d4d21145179875dc57b	no	2
Warnings:					
Information:					
3	Assignee showing of ownership per 37 CFR 3.73(b).	MDIP-5-1001XAsgn.pdf	457580 8f1782bd3415e2eb2fa3b6c39f2f384d5466b375	no	5
Warnings:					
Information:					
Total Files Size (in bytes):			1508462		
This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503. <u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application. <u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course. <u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/906,938	10/18/2010	Mark P. Hahn	26629-17391 US

CONFIRMATION NO. 1059

PUBLICATION NOTICE



OC000000047287091

758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

Title:HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

Publication No.US-2011-0093622-A1

Publication Date:04/21/2011

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 12/906,938				
APPLICATION AS FILED - PART I										
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY				
FOR	NUMBER FILED	NUMBER EXTRA	RATE(\$)	FEE(\$)		RATE(\$)	FEE(\$)			
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	330			
SEARCH FEE (37 CFR 1.16(k), (l), 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))	18	minus 20 = *			OR	x 52 =	0.00			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *				x 220 =	0.00			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$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 1.16(s).						0.00			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	1090			
APPLICATION AS AMENDED - PART II										
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
TOTAL ADD'L FEE								OR	TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	x	=	OR	x	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x	=	OR	x	=
	Application Size Fee (37 CFR 1.16(s))							OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
TOTAL ADD'L FEE								OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.										



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/906,938	10/18/2010		1220	26629-17391 US	18	3

CONFIRMATION NO. 1059

UPDATED FILING RECEIPT



0000000045295456

758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

Date Mailed: 01/13/2011

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)

Mark P. Hahn, Issaquah, WA;
Daniel V. Bolstad, Seattle, WA;
Joseph P. Zipperer, Seattle, WA;

Assignment For Published Patent Application

MOD SYSTEMS INCORPORATED, Seattle, WA

Power of Attorney: The patent practitioners associated with Customer Number 00758

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/253,789 10/21/2009

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

If Required, Foreign Filing License Granted: 10/29/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/906,938**

Projected Publication Date: 04/21/2011

Non-Publication Request: No

Early Publication Request: No

Title

HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

Preliminary Class**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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

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

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

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

NOT GRANTED

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/906,938	10/18/2010	Mark P. Hahn	26629-17391 US

CONFIRMATION NO. 1059

POA ACCEPTANCE LETTER



758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

Date Mailed: 01/13/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 12/28/2010.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/mbayou/

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

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANTS: Mark P. Hahn, et al.
APPLICATION NO.: 12/906,938
FILING DATE: October 28, 2010
TITLE: High-Speed Secure Content Transfer to SD Card From Kiosk
EXAMINER: Not Yet Known
GROUP ART UNIT: Not Yet Known
ATTY. DKT. NO.: 26629-17391 US

CERTIFICATE OF ELECTRONIC (EFS-WEB) TRANSMISSION

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

Dated: December 28, 2010

By: /Rajiv P. Patel/
Rajiv P. Patel, Reg. No. 39,327

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

SIR:

Responsive to the Notice of Missing Parts dated November 4, 2010 received in the above-identified patent application, enclosed are:

- ☒ an executed Declaration;
- ☒ an executed Power of Attorney;
- ☒ an executed Statement Under 37 CFR 3.73(b);
- ☒ payment in the amount of \$130.00 for the missing parts surcharge.

Respectfully submitted,

Dated: December 28, 2010 By: /Rajiv P. Patel/
Rajiv P. Patel, Reg. No. 39,327
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel. (650) 335-7607
Fax (650) 938-5200

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

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
-------------------------------	--

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☐ The attached application, or

☒ Application No. 12/906,938 filed on October 18, 2010

☐ As amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

WARNING:

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

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Mark P. Hahn Date: 10/19/2010

Signature: [Signature] Citizen of: US

Inventor two: Daniel V. Bolstad Date: 10/19/2010

Signature: [Signature] Citizen of: US

☒ Additional inventors or a legal representative are being named on 1 additional form(s) attached hereto.

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

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

26629-17391

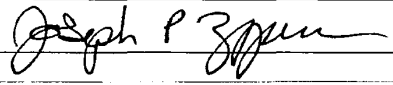
DECLARATION (37 CFR 1.63) FOR UTILITY
OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)

ADDITIONAL INVENTOR(S)
Supplemental Sheet

Page 2 of 2

Inventor three: Joseph P. Zipperer

Date: 18-October-2010

Signature: 

Citizen of: US

Inventor four: _____

Date: _____

Signature: _____

Citizen of: _____

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

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

00758

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

00758

OR

☐ Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

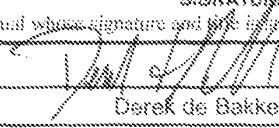
Assignee Name and Address:

MOD Systems Incorporated
1201 3rd Avenue, Suite 1000
Seattle, WA 98101

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/86 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	June 30, 2010
Name	Derek de Bakker	Telephone	(206) 432-3773
Title	General Counsel		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 216(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 *U.S. GSA* or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Mark P. Hahn, Daniel V. Bolstad, Joseph P. Zipperer

Application No./Patent No.: 12/906,938

Filed/Issue Date: October 18, 2010

Titled: High-Speed Secure Content Transfer to SD Card From Kiosk

MOD Systems Incorporated, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 025328, Frame 0904, or for which a copy therefore is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☒ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Rajiv P. Patel/

December 28, 2010

Signature

Date

Rajiv P. Patel, Reg. No. 39,327

Attorney of Record

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:		12906938		
Filing Date:		18-Oct-2010		
Title of Invention:		HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK		
First Named Inventor/Applicant Name:		Mark P. Hahn		
Filer:		Rajiv P. Patel/Alyona Eidingen		
Attorney Docket Number:		26629-17391		
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:				
Late filing fee for oath or declaration	1051	1	130	130
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				130

Electronic Acknowledgement Receipt	
EFS ID:	9127374
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	00758
Filer:	Rajiv P. Patel
Filer Authorized By:	
Attorney Docket Number:	26629-17391
Receipt Date:	28-DEC-2010
Filing Date:	18-OCT-2010
Time Stamp:	21:16:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$130
RAM confirmation Number	9511
Deposit Account	192555
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	17391_missing_parts_response.pdf	81953	no	2
			6295bc2a7689332ee524839d179c0dd769c4c61		
Warnings:					
Information:					
2	Oath or Declaration filed	17391_declaration.pdf	87709	no	2
			566e719a895347f119637f6bc0941abce0752efd		
Warnings:					
Information:					
3	Power of Attorney	17391_power_of_attorney.pdf	1243805	no	2
			c7576b464941c134b997b0640ec149085090fdc3		
Warnings:					
Information:					
4	Assignee showing of ownership per 37 CFR 3.73(b).	17391_statement_of_assignee.pdf	423180	no	2
			17ed6d29df47124d75847b32bb5448a0e80e9b5f		
Warnings:					
Information:					
5	Fee Worksheet (PTO-875)	fee-info.pdf	30020	no	2
			bed94a4616d6a0e76535d8ea3f2f603b6304c5a9		
Warnings:					
Information:					
Total Files Size (in bytes):			1866667		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
12/906,938	10/18/2010		1090	26629-17391	18	3

CONFIRMATION NO. 1059

758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

FILING RECEIPT



OC000000044270723

Date Mailed: 11/04/2010

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)

Mark P. Hahn, Issaquah, WA;
Daniel V. Bolstad, Seattle, WA;
Joseph P. Zipperer, Seattle, WA;

Assignment For Published Patent Application

MOD SYSTEMS INCORPORATED, Seattle, WA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/253,789 10/21/2009

Foreign Applications

If Required, Foreign Filing License Granted: 10/29/2010

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/906,938**

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

Non-Publication Request: No

Early Publication Request: No

Title

HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

Preliminary Class**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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

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

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

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

NOT GRANTED

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/906,938	10/18/2010	Mark P. Hahn	26629-17391

CONFIRMATION NO. 1059

FORMALITIES LETTER



758
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

Date Mailed: 11/04/2010

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

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

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.

The applicant needs to satisfy supplemental fees problems indicated below.

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

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of **\$130** for a non-small entity, must be submitted with the missing items identified in this notice.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a non-small entity

- **\$130** Surcharge.

Replies should be mailed to:

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

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

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/atesfaye/

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

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	26629-17391
		Application Number	
Title of Invention	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK		
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	
	Mark	P.	Hahn		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Issaquah	State/Province	WA	Country of Residence i	US
Citizenship under 37 CFR 1.41(b) i		US			
Mailing Address of Applicant:					
Address 1		c/o MOD Systems Incorporated			
Address 2		1201 3rd Ave., Suite 1000			
City	Seattle	State/Province	WA		
Postal Code	98101	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	
	Daniel	V.	Bolstad		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Seattle	State/Province	WA	Country of Residence i	US
Citizenship under 37 CFR 1.41(b) i		US			
Mailing Address of Applicant:					
Address 1		c/o MOD Systems Incorporated			
Address 2		1201 3rd Ave., Suite 1000			
City	Seattle	State/Province	WA		
Postal Code	98101	Country i	US		
Applicant 3					Remove
Applicant Authority		☒ Inventor		☐ Legal Representative under 35 U.S.C. 117	☐ Party of Interest under 35 U.S.C. 118
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Joseph	P.	Zipperer		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Seattle	State/Province	WA	Country of Residence i	US

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	26629-17391	
		Application Number		
Title of Invention	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK			
Citizenship under 37 CFR 1.41(b) i		US		
Mailing Address of Applicant:				
Address 1	c/o MOD Systems Incorporated			
Address 2	1201 3rd Ave., Suite 1000			
City	Seattle	State/Province	WA	
Postal Code	98101	Country	US	
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.				Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).			
☐ An Address is being provided for the correspondence Information of this application.			
Customer Number	00758		
Email Address	rpatel@fenwick.com	Add Email	Remove Email

Application Information:

Title of the Invention	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK		
Attorney Docket Number	26629-17391	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)	3	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 and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.			
Please Select One:	☒ Customer Number	☐ US Patent Practitioner	☐ Limited Recognition (37 CFR 11.9)

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	26629-17391	
		Application Number		
Title of Invention	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK			
Customer Number	00758			

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.			
Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
herewith	non provisional of	61253789	2009-10-21
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			Add

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).			
			Remove
Application Number	Country ⁱ	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			☒ Yes ☐ No
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			Add

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.			
			Remove
Assignee 1			
If the Assignee is an Organization check here. ☒			
Organization Name	MOD Systems Incorporated		
Mailing Address Information:			
Address 1	1201 3rd Ave., Suite 1000		
Address 2			
City	Seattle	State/Province	WA
Country ⁱ	US	Postal Code	98101
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.
--

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	26629-17391		
		Application Number			
Title of Invention	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK				
Signature	/Rajiv P. Patel/			Date (YYYY-MM-DD)	2010-10-18
First Name	Rajiv	Last Name	Patel	Registration Number	39327

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.

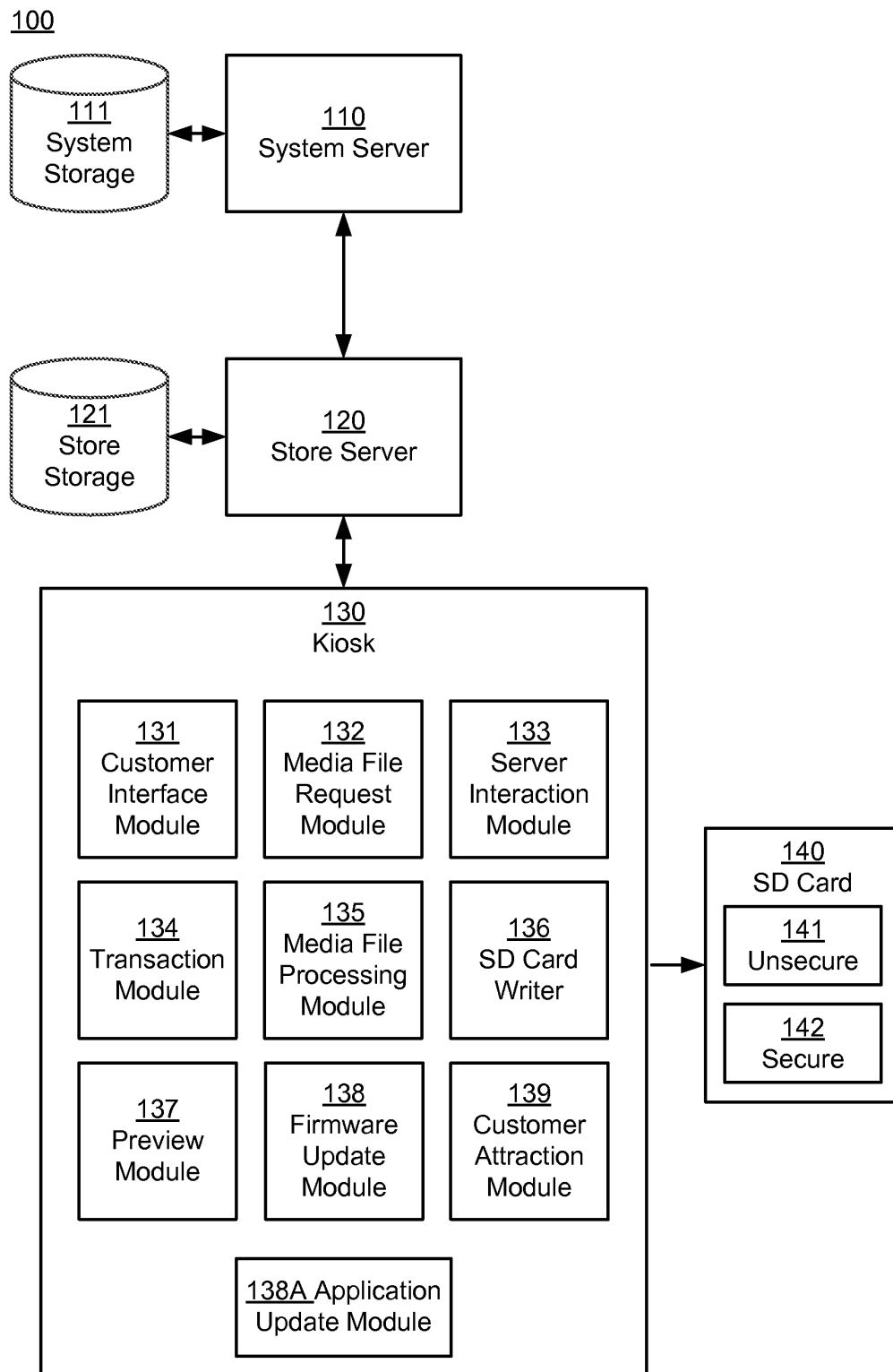


FIG. 1

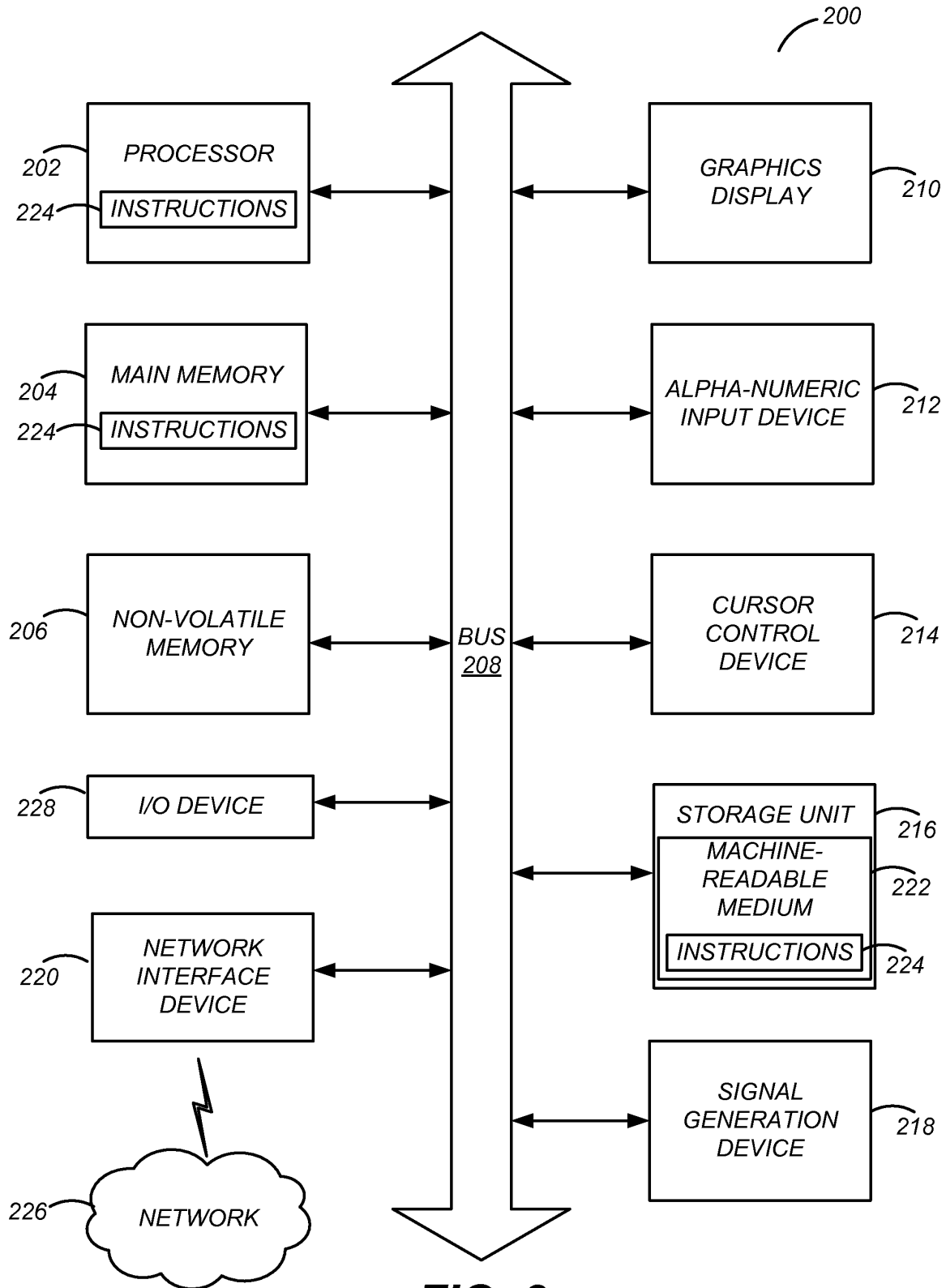
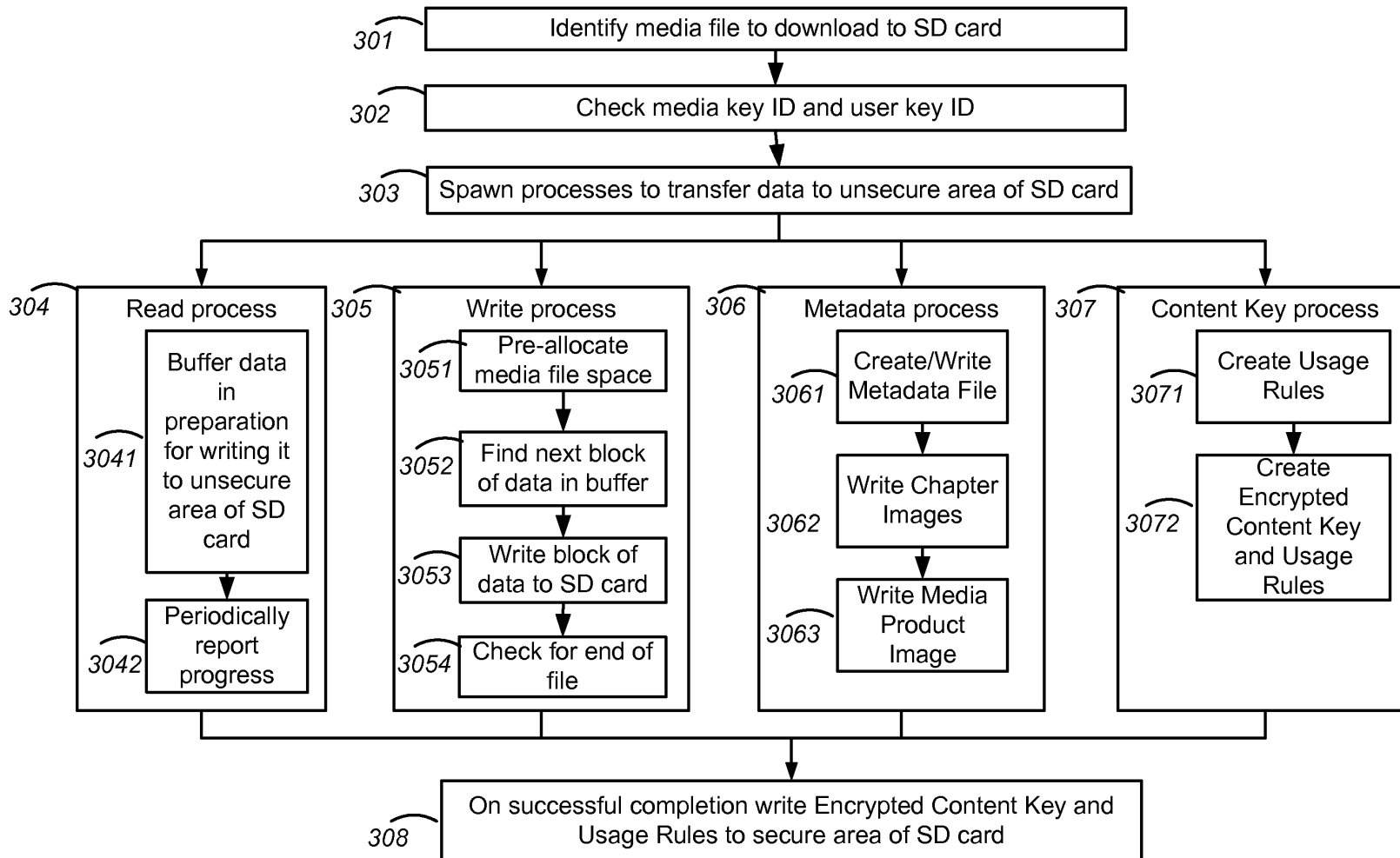


FIG. 2

300



Title: High-Speed Secure Content Transfer to SD
Card from Kiosk
Inventors: Mark P. Hahn, et al.
Atty Dkt. No.: 26629-17391

FIG. 3

HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK

INVENTORS:

MARK P. HAHN
DANIEL V. BOLSTAD
JOSEPH P. ZIPPERER

CROSS REFERENCE TO RELATED APPLICATIONS

[0001] This application claims the benefit of U.S. Provisional Application No. 61/253,789, filed October 21, 2009, titled “High-Speed Secure Content Transfer to SD Card from Kiosk,” the contents of which is incorporated by reference in its entirety.

BACKGROUND

1. FIELD OF ART

[0002] The disclosure generally relates to the field of distributing digital media content via a kiosk.

2. DESCRIPTION OF ART

[0003] As the popularity of digital media content has increased, so has the demand for acquiring digital media content in quick, convenient ways. One method of distributing digital media content is through kiosk systems. A kiosk is placed where it is accessible to customers. The kiosk is connected via a network to one or more servers having access to storage of digital media content. Customers can interact with the kiosk, for example through a touch screen interface, to select desired digital media content for purchase. The desired digital media content is located either in a storage local to the kiosk or in a remote storage and served to the kiosk. Then, the desired digital media content is downloaded to a storage medium, for example the memory in a customer’s digital playback device that has been connected to the kiosk, or another computer-readable medium such as a CD or DVD.

BRIEF DESCRIPTION OF DRAWINGS

[0004] The disclosed embodiments have other advantages and features which will be more readily apparent from the detailed description, the appended claims, and the accompanying figures (or drawings). A brief introduction of the figures is below.

[0005] Figure (FIG.) 1 illustrates an example embodiment of a kiosk distribution system.

[0006] FIG. 2 illustrates one embodiment of components of an example machine able to read instructions from a machine-readable medium and execute them in a processor (or controller) for use as a server or a kiosk.

[0007] FIG. 3 illustrates an example embodiment of a method of operating a media file processing module and an SD card writer.

DETAILED DESCRIPTION

[0008] The Figures (FIGS.) and the following description relate to preferred embodiments by way of illustration only. It should be noted that from the following discussion, alternative embodiments of the structures and methods disclosed herein will be readily recognized as viable alternatives that may be employed without departing from the principles of what is claimed.

[0009] Reference will now be made in detail to several embodiments, examples of which are illustrated in the accompanying figures. It is noted that wherever practicable similar or like reference numbers may be used in the figures and may indicate similar or like functionality. The figures depict embodiments of the disclosed system (or method) for purposes of illustration only. One skilled in the art will readily recognize from the following description that alternative embodiments of the structures and methods illustrated herein may be employed without departing from the principles described herein.

CONFIGURATION OVERVIEW

[0010] One embodiment of a disclosed system, method and computer readable storage medium includes expediting the download of digital media content from a kiosk to a secured digital (SD) card. A SD card comprises a media device having computer readable and writable storage areas with a secure area and an unsecure area thereon. In one embodiment the storage area is comprised of a flash memory.

[0011] A download (or write) of digital media content to the SD card comprises a manufacture or creation of an SD card with specified content. The download in one embodiment is by pre-allocating space for the digital media content and prioritizing the writing of the media file. After an initial set-up of the SD card by writing a user key, all data in an unsecure area of the SD card is written prior to writing any data in the secure area of the SD card. Thus, large media files can be written to removable media quickly with lower risk to the rights holders.

[0012] One embodiment of the system includes a configuration for high speed secure writing to an SD card. One implementation of the SD card writer contains the functionality to enable high-speed writing and the functionality to enable writing to a secure portion of the SD card.

[0013] Another embodiment includes the ability to distribute firmware updates for playback devices through downloads from a kiosk to the SD cards. When the SD card is inserted into a playback device, the playback device determines whether the version of the firmware on the SD card supersedes the version of the firmware on the playback device and if it does, the playback device installs the newer version from the SD card. In other embodiments, for example, configurations using a personal computer software playback player (or application) for playback of content from the SD card, the kiosk may download updates to the software playback player to the SD card. When the SD card is inserted into the personal computer and the playback player is ready to launch, the personal computer playback player installs the update of the playback player from the SD card. Likewise, other consumer applications may be loaded through the kiosk configuration described herein. It is noted that although reference is made to a personal computer, the personal computer includes devices having other form factors that may be configured with a software playback player, for example, a tablet computer, a netbook computer, a mobile phone or a smartphone. In addition, it is noted that the physical form factor of the SD card may be appropriately adjusted for the particular computing environment. For ease of discussion throughout the specification, reference to firmware update is understood to be software playback player updates for configurations using a personal computer playback player.

[0014] According to another embodiment, the kiosk can include digital sign and vending functionalities in a single unit. While not actively being used by a customer, the kiosk may function as a digital sign to attract customers by playing previews of media files that are currently available for download from the kiosk. Then, if a customer is attracted by the preview to the content on the kiosk, the customer can immediately purchase the item from the same kiosk.

[0015] According to yet another embodiment, the kiosk can allow a customer to preview other media content of the customer's choice while downloading content to the SD card. Thus, the customer can be entertained by content of the customer's choice while waiting.

EXAMPLE KIOSK DISTRIBUTION CONFIGURATION

[0016] FIG. 1 illustrates an example embodiment of a kiosk distribution system 100. The

kiosk distribution system 100 includes a system server 110 connected to a system storage 111, at least one store server 120 connected to a store storage 121, and at least one kiosk 130 connected to a store server 120. Although only one store server 120 and one kiosk 130 are shown in the example system 100 of FIG. 1, in some embodiments, the kiosk distribution system includes many store servers 120 at different retail locations. In addition, each retail location can include many kiosks 130 connected to a store server 120. One or more communications networks, such as an intranet, the Internet, a local area network, a wide area network, a wireless network, or any other data network such as a cellular network connect the system server 110 to at least one store server 120 and the store server 120 to at least one kiosk 130. The customer connects an SD card 140 to a kiosk 130 in order to download media content to the SD card through the kiosk 130 from the distribution system 100. Kiosks and servers can be contained in one or more physical devices as necessary to meet cost, size, security, and other constraints.

[0017] The system storage 111 stores media files for distribution to stores through the system server 110. In one embodiment, the system storage 111 includes a database, system files, and user files stored on any combination of storage media. The media files stored in the system storage 111 can include audio, visual, and audio-visual files, for example, music, music videos, movies, television shows, video games, electronic books, etc. The media files may be stored at various quality standards and in various formats in order to accommodate various playback devices. In one embodiment, the process of loading the media files into the system storage 111 is referred to as “ingesting.” During the ingest process, the playable content of the media file is stored along with metadata. Metadata includes the title of the playable content, and expanded descriptive information about the content, such as the actors, the director, and/or other information that may appear on or inside a DVD box, for example. In one embodiment, during the ingest process, the industry standard Content Protection for Recordable Medium digital rights management (CPRM DRM) specification of information such as a content description, and a content key is also stored for each media file.

[0018] The system server 110 accesses the media files stored in the system storage 111 and distributes them to at least one store server 120 in response to a request for the media file from the store server 120, or based on pre-established distribution policies under which the system

server 110 operates. The pre-established distribution policies may be pre-stored in a storage device of the kiosk 120 or in the store server 120 (to which the kiosk is communicatively coupled).

[0019] The store server 120 receives media files from the system server 110, either based on a request from the store server 120 or based on pre-established distribution policies, and the store server 120 stores the media files in the store storage 121. In one embodiment, the store storage 121 includes a database, system files, and user files stored on any combination of storage media. The store server 120 also accesses the stored media files from the store storage 121 in order to deliver them to a kiosk 130 in response to requests from the kiosk 130.

[0020] The kiosk 130 receives selections of media from customers, requests selected media files from the store server 120, and receives the media files in response to the requests, and writes the media files to the customer's SD card 140. In one embodiment, the kiosk 130 includes a customer interface module 131, a media file request module 132, a server interaction module 133, a transaction module 134, a media file processing module 135, an SD card writer 136, a preview module 137, a firmware update module 138, and a customer attraction module 139.

[0021] The customer interface module 131 manages a graphical user interface presented to a customer, through which, the customer can select media to preview at the kiosk 130 or download to the customer's SD card 140. The customer interface module 131 receives user selections of media for download, for example, by interpreting the user's interactions with a touch screen display of the kiosk 130 or through the user's alphanumeric input into a keyboard, button selections, or selections using a pointing device such as a computer mouse. The customer interface module 131 passes the user's selections to the media file request module 132.

[0022] The media file request module 132 prepares requests for media files. The media file request module 132 receives the user's selections of media from the customer interface module 131 and prepares a request for the corresponding media files, for example, by performing a lookup of the selected media file.

[0023] The server interaction module 133 manages communications between the kiosk 130 and the store server 120. Specifically, the server interaction module 133 receives requests for

media files from the media file request module 132 (for example by content availability date) and communicates them to the store server 120. The server interaction module 133 also receives media files from the store server 120 that are distributed to the kiosk 130.

[0024] The transaction module 134 manages the payment details of the customer's purchase from the kiosk 130. The transaction module 134 receives the customer's payment information, for example from information read from the swipe of a card through a card reader (not shown) of the kiosk 130. Alternatively the transaction module 134 can receive the customer's payment information as entered by the customer through alphanumeric or other input into the kiosk 130. The transaction module 134 then processes the customer's payment according to the payment information received. The transaction module 134 then verifies and confirms the customer's payment.

[0025] The media file processing module 135 processes media files in preparation for writing the files to SD cards 140. The media file processing module 135 receives the requested media files from the store server 120 via the server interaction module 133. The media file processing module 135 then queues the media file for download to the SD card 140. It is noted that the SD card can be provided by the customer (for insertion into an SD card slot of the SD card writer 136 or otherwise communicatively coupled to the SD card writer, such as through a USB adaptor attached to a USB port of a kiosk 130) or may be provided through a kiosk that includes a pre-retained (e.g., stacked) quantity of SD cards that can be inserted into the SD card writer 136 and subsequently discharged for the customer when the process described herein completes writing to the SD card.

[0026] Continuing on, the SD card writer 136 writes the media file to the SD card 140 in compliance with the standards of security known as Content Protection for Recordable Media (CPRM) for controlling the copying, moving, and deletion of digital media. In one embodiment, the SD card writer 136 is a high-speed writer capable of writing data to both an unsecured area (or user area) 141 of the SD card as well as a secure area (or protected area) 142 of the SD card as needed for CPRM for SD cards. The operation of the media file processing module 134 and the SD card writer 136 will be described in greater detail with reference to FIG. 3.

[0027] The preview module 137 manages the playback of previews of media files that are

available for purchase. The preview module 137 can operate in parallel with the SD card writer 136 so that a customer can preview other media files of the customer's choice while the customer's selected media file is downloading to the SD card 140. Alternatively, the preview module 137 can show a customer a preview selected randomly or selected based on the content that the customer is downloading. Previews may also constitute advertisements, training materials, or any such purpose that can be included into a video. Advantageously, the preview module 137 can show previews without affecting the performance of the SD card writer 136. In one embodiment, the SD card write process is designed to use a low amount of resources to avoid contention with the preview module 137.

[0028] The firmware update module 138 receives firmware updates (e.g., firmware software updates) (or application update module 138A if software playback application is configured within system) for use in updating firmware on the playback devices that use the SD cards 140. The firmware updates are disseminated by the system server 110 through the store server 120 to the kiosk 130. The firmware update module 138 queues firmware updates to be written by the SD card writer 136 to the SD card 140, for example during or after the media file is written. It is noted that the kiosk will only provide firmware update if the version stored on the kiosk is newer than the version on the SD card. In one embodiment, the firmware update code is obfuscated (e.g., scrambled, cryptographically concealed) and signed to prevent tampering. Subsequently, when the SD card 140 is inserted into a playback device, the playback device checks to see if the version of the firmware on the SD card supersedes the version of the firmware currently on the playback device, and if it does, then the firmware update is loaded onto the playback device. Thus, through the SD card, a mechanism is provided to update firmware present on a playback device without requiring the playback device to have any network connection. It is noted that this is an optional process to update firmware on devices that playback SD cards created (or manufactured) with stored media as described herein.

[0029] The customer attraction module 139 enables the kiosk 130 to function as a digital sign, for example, while a customer is not actively engaging in the selection or download of media files. Through the kiosk 130, the customer attraction module 139 plays previews, such as movie previews, short segments of media files, and/or advertisements to download particular

media files, in order to entice customers to make a purchase. Advantageously, the customer attraction module 139 can be programmed to only play previews from, segments of, or advertisement for media files, or training media files on how to use the system in addition to videos, that are currently available for download from the kiosk 130. The customer attraction module 139 can be synchronized with the content of the system storage 111 so that the kiosk 130 is only attracting customers to purchase items that are available immediately for purchase. In one embodiment, the customer attraction module 139 plays a loop of previews configured based on data available at the store server 120, which is a subset of the data available on the system server 110. For example, an operator of the system server 110 uses the system server 110 to make updates to the list of previews and/or advertisements in the storage 111. The system server 110 and the store server 120 work in concert to move these updates first to the store storage 121 and then to the kiosk 130. These updates then propagate to the list of previews and/or advertisements displayed by the preview module 137. This allows a system operator at a central location to update the previews and/or advertisements displayed in many kiosks 130 located in many different physical locations.

COMPUTING MACHINE ARCHITECTURE

[0030] FIG. 2 is a block diagram illustrating components of an example machine able to read instructions from a machine-readable medium and execute them in a processor (or controller). The example machine as described provides the machine structure for executing functionality of the components of the example kiosk distribution configuration. For example, the machine is configured for use as a system server 110, a store server 120, and/or kiosk 130. Specifically, FIG. 2 shows a diagrammatic representation of a machine in the example form of a computer system 200 within which instructions 224 (e.g., software) for causing the machine to perform any one or more of the methodologies discussed herein may be executed. In alternative embodiments, the machine operates as a standalone device or may be connected (e.g., networked) to other machines. In a networked deployment, the machine may operate in the capacity of a server machine or a client machine in a server-client network environment, or as a peer machine in a peer-to-peer (or distributed) network environment.

[0031] The machine may be a server computer, a client computer, or any machine capable of executing instructions 224 (sequential or otherwise) that specify actions to be taken by that machine. Further, while only a single machine is illustrated, the term “machine” shall also be taken to include any collection of machines that individually or jointly execute instructions 224 to perform any one or more of the methodologies discussed herein.

[0032] The example computer system 200 includes a processor 202 (e.g., a central processing unit (CPU), a graphics processing unit (GPU), one or more application specific integrated circuits (ASICs), one or more radio-frequency integrated circuits (RFICs), or any combination of these), a main memory 204, and a non-volatile memory 206, which are configured to communicate with each other via a bus 208. The computer system 200 may further include graphics display unit 210 (e.g., a plasma display panel (PDP), a liquid crystal display (LCD), a projector, or a cathode ray tube (CRT)). The computer system 200 may also include alphanumeric input device 212 (e.g., a keyboard), a cursor control device 214 (e.g., a mouse, a trackball, a joystick, a motion sensor, or other pointing instrument), a storage unit 216, a signal generation device 218 (e.g., a speaker), an input/output (I/O) device 228, and a network interface device 220, which also are configured to communicate via the bus 208. It is noted that in one embodiment the I/O device 228 can be a hardware component configured to read and write to SD cards. The hardware component is configured to physically couple with the SD card so that the SD card communicatively couples with the computer system 200.

[0033] The storage unit 216 includes a machine-readable medium 222 on which is stored instructions 224 (e.g., software) embodying any one or more of the methodologies or functions described herein. The instructions 224 (e.g., software) may also reside, completely or at least partially, within the main memory 204 or within the processor 202 (e.g., within a processor’s cache memory) during execution thereof by the computer system 200, the main memory 204 and the processor 202 also constituting machine-readable media. The instructions 224 (e.g., software) may be transmitted or received over a network 226 via the network interface device 220.

[0034] While machine-readable medium 222 is shown in an example embodiment to be a single medium, the term “machine-readable medium” should be taken to include a single

medium or multiple media (e.g., a centralized or distributed database, or associated caches and servers) able to store instructions (e.g., instructions 224). The term “machine-readable medium” shall also be taken to include any medium that is capable of storing instructions (e.g., instructions 224) for execution by the machine and that cause the machine to perform any one or more of the methodologies disclosed herein. The term “machine-readable medium” includes, but not be limited to, data repositories in the form of solid-state memories, optical media, and magnetic media.

DOWNLOADING MEDIA FILES TO AN SD CARD

[0035] FIG. 3 illustrates an example embodiment of a method 300 of operating a media file processing module 135 and an SD card writer 136. The goal is to quickly and securely transfer media files, for example a digital version of a movie, from a kiosk 130 to an SD card 140. The example method of FIG. 3 will be described herein with reference to transferring a selected movie purchased from a kiosk 130 to be loaded onto an SD card 140 to be watched later by a customer on a playback device. The method 300 described herein can also be used to transfer other media files from a kiosk 130 to an SD card 140 securely and at high-speed. Further, in this example, the method 300 configured to function within the kiosk 130 is configured with functional components of the machine, e.g., the computer system 200, as described in FIG. 2.

[0036] In step 301, the media file to download to the SD card is identified. The media file may be identified by a customer through a selection using the customer interface module 131 of the kiosk 130. In one embodiment, the media file to download includes three portions: 1) a playable content portion that contains the audio and/or video presentation of the content (i.e., the movie itself in this example); 2) a metadata portion that contains the metadata associated with the media file (e.g., metadata such as the title of the playable content, and expanded descriptive information about the content, such as the actors, the director, and/or other information that would normally appear on a DVD box, as described above); and 3) a portion that contains the information required by CPRM for SD cards to properly protect the playable content. In most instances, the playable content portion is vastly larger than the metadata portion and the CPRM for SD cards information portion.

[0037] Regarding the third portion, one example embodiment of CPRM for SD cards requires the playable content portion of the media file to be encrypted with a “content key.” The content key cannot be stored in the clear or be easily obtainable or the playable content is not truly protected. Thus, CPRM for SD cards specifies the content key is encrypted with a “user key.” This user key must also be encrypted. The user key is encrypted with the SD card’s “media key” in an operation which can only be performed on the SD card through special interactions with the SD card’s secured area 142. In short, CPRM for SD cards specifies the SD card’s media key encrypts the user key which encrypts the content key which encrypts the playable media. The kiosk 130 software modules do not access the actual keys because they are handled only in the secured area 142 of the SD card 140, but refer to all these keys by identifiers: the media key ID, the user key ID and the content key ID. CPRM for SD cards specifies that the card’s media key encrypts the user key which encrypts the content key which encrypts the playable media. The media key ID is a unique identifier for the SD card, such as a serial number. The user key ID is a unique identifier for a key required by CPRM for SD cards as part of the chain of protection for the content and is assigned the first time a user transfers content to a particular SD card from the kiosk distribution system 100 or whenever a compatible user key is not present. The content key ID is an identifier for a key that enables a playback device to playback the playable content portion of the media file.

[0038] The third portion of the media file to download also includes the usage rules. The usage rules are a set of rules specifying the access rights to the playable content portion of the media file that have been purchased by the customer. For example, the usage rules may specify the rental period, the number of times the movie can be watched, the period of time allowed between beginning to playable the movie and completing the playback of the movie, etc.

[0039] In step 302, the media key ID and user key ID are checked. The media key ID is retrieved and the user key ID is retrieved or assigned so that they are available to be written to the SD card as part of the third portion of the media file. The user key is written to the secure area 142 of the SD card 140 as part of initial set-up of the SD card. Thereafter, it need not be written again for subsequent uses of the SD card 140.

[0040] In step 303, four processes are spawned to transfer data to an SD card 140. First data

is transferred to the unsecure area 141 of the SD card 140. Thereafter, data is written to the secure area 142 of the SD card 140.

[0041] In step 304, the read process operates by first buffering 3041 data in preparation for writing it to the unsecure area 141 of the SD card 140. In one embodiment, the read process 304 and the write process 305 share a circular buffer. The read process 304 must always stay at least one buffer ahead of the write process 305 so that the write process never pauses to wait for the read process 304 in order to obtain optimal speed. However, at the same time, the read process 304 must also not get too far ahead of the write process 305 because they share a circular buffer. The read process 304 should not delete data in a buffer (in order to refill it) unless the write process 305 has already written the data in the buffer to the SD card 140.

[0042] As the read process 304 buffers 3041 data in preparation for writing, the read process 304 periodically reports 3042 the progress of the file transfer. Thus, the progress reports can be used to keep the customer updated on the status of the file transfer, in order to prevent the customer from becoming needlessly frustrated and aborting the transfer.

[0043] As the read process 304 is executing, the write process 305 begins executing. In step 3051, space is optionally pre-allocated for the media file. Typically, a large media file stored on an SD card includes multiple directory blocks and many data blocks. Each directory block points to a plurality of data blocks. In one example embodiment, a data block is a 512-byte data block. If space is not pre-allocated, the directory blocks may be mixed in among the data blocks in the SD card. As a result, context switching from creating the directory blocks to writing data blocks may slow down the write process. By pre-allocating the space needed to write the media file, the storage blocks for all directory information are put together at the front, and they are followed by the blocks pointed to by the directory blocks sequentially in order. In this way, interruptions to the write process caused by switching between creating directory blocks and writing data blocks are avoided and speed is increased.

[0044] The write process 305 finds 3052 the next block of data in the circular buffer shared with the read process 304, and then writes 3053 the block of data to the SD card 140. After writing 3053 the block of data, the write process 305 checks 3054 for the end of the file. If the end of the file is not found, the write process returns to step 3052 to find the next block of data in

the buffer and repeats steps 3052-3054 until the end of the file is found.

[0045] In one embodiment, the read process 304 and write process 305 operate in parallel to read and write data to the unsecure area 141 of the SD card 140. In one embodiment, the read process 305 begins by reading the playable content portion of the media file first. Because the playable content portion of the file is the rate limiting step for the overall transfer of the media file (because of its relatively large size), the writing of the playable content portion is preferentially started first and runs essentially continuously until the playable content portion has been written to the unsecure area 141 of the SD card 140. While the playable content portion is being written 305, the metadata process 306 and the content key process 307 also execute.

[0046] The metadata process 306 begins with creating and writing 3061 the metadata file. The metadata file includes, for example, the metadata and the parts of DRM information that are written to the unsecure area 141 of the SD card 140. Then chapter images are written 3062 to the SD card 140, if any. The chapter images are images that represent the chapters in on-screen displays and/or menus and can be selected to navigate the playable content on a playback device. Then the media product image is written 3063. The media product image may include images that would accompany the media sold or rented in conventional channels, for example the box cover art or the album cover.

[0047] As the metadata process is executing 306, the content key process 307 also executes. In step 3071, the usage rules are created. Recall the usage rules are a set of rules specifying the access rights to the playable content portion of the media file that have been purchased by the customer. A copy of the usage rules applicable to the playable content being transferred to the SD card 140 is obtained for transfer to the SD card 140 as well. Then, in step 3072, an encrypted content key and an encrypted set of usage rules are created and queued for transfer to the SD card 140.

[0048] It has been found that because the metadata process 306 and the content key process 307 treat relatively small amounts of data as compared to the playable content portion, the execution of these processes only mildly interferes with the continuous writing of the playable content portion. For example, although transferring a full-length movie to an SD card 140 may take approximately 2 minutes, the other smaller portions only mildly interfere with the writing of

the movie for a few seconds. After the first few seconds of writing the movie to the SD card 140 during which the metadata is also written to the SD card 140, the movie gets the benefit of exclusive access to the SD card writer 136 for the duration of the download.

[0049] Finally, in step 308, if writing data to the unsecure area 141 of the SD card 140 successfully completes, the encrypted content key and usage rules are written to the secure area 142 of the SD card 140. Although the data intended for the secure area is prepared in the content key process 307 that executes as the read process 304, write process 305, and metadata process 306 execute, so that there are no delays once the data finishes writing to the unsecure area 141 of the SD card 140, the secure data is not written to the SD card 140 until the end of the method 300 for two main reasons. First, writing to the secure area 142 of the SD card slows down the write process 305. Thus, any data (other than the user key which is written as part of an initial set-up of the SD card 140) to be written to the secure area 142 is queued to be written at the end to avoid delays caused by switching back and forth between the unsecure area 141 and the secure area 142 of the SD card 140. Secondly, by waiting until the end of the method 300, if there is any kind of problem with the payment for the transaction through the transaction module 134 or with the transfer of the media file to the SD card 140, the kiosk 130 can abort the transfer without writing the data to the secure area 142 of the SD card 140. As a result, no matter what portion of the media file has been downloaded to the SD card 140 prior to the transfer process being aborted, the customer will not be able to playback any playable content that was downloaded to the SD card 140 without the data that needs to be in the secure area 142 (i.e., the encrypted content key and the usage rules). Thus, the owners of the intellectual property rights in the media file gain a measure of protection against people who may try to abscond with a copy of the media file without proper payment. As a result, using the method 300 described in FIG. 3, media files can be quickly and securely transferred from a kiosk 130 to an SD card 140.

[0050] The example method 300 described with reference to FIG. 3 can be adapted to describe the transfer of multiple media files. Steps 301-307 each run separately for each of the multiple media files, however step 302 need only be performed the first time to check the media key ID and the user key ID (because it will be the same for the subsequent media files). After all of the data is written to the unsecure area 141 of the SD card 140 for all of the multiple media

files, step 308 is executed one time to write all the data to the secure area 142 of the SD card 140, provided that the transaction successfully completes. As a result, according to an embodiment of the configurations noted, the process of transferring multiple media files to the SD card 140 avoids delays that would be caused by switching back and forth between writing to the unsecure 141 and secure 142 areas of the SD card 140. The streamlined process increases efficiency and manufacturing (or creating) SD cards with desired content in real time (or “on the fly”).

ADDITIONAL CONFIGURATION CONSIDERATIONS

[0051] Throughout this specification, plural instances may implement components, operations, or structures described as a single instance. Although individual operations of one or more methods are illustrated and described as separate operations, one or more of the individual operations may be performed concurrently, and nothing requires that the operations be performed in the order illustrated, e.g., in FIGS. 1, 2 and 3. Structures and functionality presented as separate components in example configurations may be implemented as a combined structure or component. Similarly, structures and functionality presented as a single component may be implemented as separate components. These and other variations, modifications, additions, and improvements fall within the scope of the subject matter herein.

[0052] Certain embodiments are described herein as including logic or a number of components, modules, or mechanisms. Modules may constitute either software modules (e.g., code embodied on a machine-readable medium or in a transmission signal) or hardware modules. A hardware module is tangible unit capable of performing certain operations and may be configured or arranged in a certain manner. In example embodiments, one or more computer systems (e.g., a standalone, client or server computer system) or one or more hardware modules of a computer system (e.g., a processor or a group of processors) may be configured by software (e.g., an application or application portion) as a hardware module that operates to perform certain operations as described herein. The one or more processors 202 may also operate to support performance of the relevant operations in a “cloud computing” environment or as a “software as a service” (SaaS). For example, at least some of the operations may be performed

by a group of computers (as examples of machines including processors), these operations being accessible via a network (e.g., the Internet) and via one or more appropriate interfaces (e.g., application program interfaces (APIs)).

[0053] Modules may constitute either software modules (e.g., code embodied on a machine-readable medium or in a transmission signal) or hardware modules. A “hardware module” is a tangible entity, be that an entity that is physically constructed, permanently configured (e.g., hardwired), or temporarily configured (e.g., programmed) to operate in a certain manner or to perform certain operations described herein. As used herein, “hardware-implemented module” refers to a hardware module. Considering embodiments in which hardware modules are temporarily configured (e.g., programmed), each of the hardware modules need not be configured or instantiated at any one instance in time. For example, where the hardware modules comprise a general-purpose processor configured using software, the general-purpose processor may be configured as respective different hardware modules at different times. The hardware modules may be regarded as being communicatively coupled. Where multiple of such hardware modules exist contemporaneously, communications may be achieved through signal transmission (e.g., over appropriate circuits and buses) that connect the hardware modules. Software may accordingly configure a processor, for example, to constitute a particular hardware module at one instance of time and to constitute a different hardware module at a different instance of time.

[0054] The various operations of example methods described herein, e.g., in FIG. 3, may be performed, at least partially, by one or more processors that are temporarily configured (e.g., by software) or permanently configured to perform the relevant operations. Whether temporarily or permanently configured, such processors may constitute processor-implemented modules that operate to perform one or more operations or functions. The modules referred to herein may, in some example embodiments, comprise processor-implemented modules.

[0055] Similarly, the methods described herein may be at least partially processor-implemented. For example, at least some of the operations of methods in FIGS. 1-3 may be performed by one or processors 202 or processor-implemented hardware modules. The performance of certain of the operations may be distributed among the one or more processors,

not only residing within a single machine, but deployed across a number of machines. The one or more processors may also operate to support performance of the relevant operations in a “cloud computing” environment or as a “software as a service” (SaaS). For example, at least some of the operations may be performed by a group of computers (as examples of machines including processors), these operations being accessible via a network (e.g., the Internet) and via one or more appropriate interfaces (e.g., application program interfaces (APIs).)

[0056] The performance of certain of the operations may be distributed among the one or more processors, not only residing within a single machine, but deployed across a number of machines. In some example embodiments, the one or more processors or processor-implemented modules may be located in a single geographic location (e.g., within a home environment, an office environment, or a server farm). In other example embodiments, the one or more processors or processor-implemented modules may be distributed across a number of geographic locations.

[0057] Some portions of this specification are presented in terms of algorithms or symbolic representations of operations on data stored as bits or binary digital signals within a machine memory (e.g., a computer memory), for example, the process noted in FIG. 3. These algorithms or symbolic representations are examples of techniques used by those of ordinary skill in the data processing arts to convey the substance of their work to others skilled in the art. As used herein, an “algorithm” is a self-consistent sequence of operations or similar processing leading to a desired result. In this context, algorithms and operations involve physical manipulation of physical quantities. Typically, but not necessarily, such quantities may take the form of electrical, magnetic, or optical signals capable of being stored, accessed, transferred, combined, compared, or otherwise manipulated by a machine. It is convenient at times, principally for reasons of common usage, to refer to such signals using words such as “data,” and “content,” or the like. These words, however, are merely convenient labels and are to be associated with appropriate physical quantities.

[0058] Unless specifically stated otherwise, discussions herein using words such as “processing,” “computing,” “determining,” “presenting,” “displaying,” or the like may refer to actions or processes of a machine (e.g., a computer) that manipulates or transforms data

represented as physical (e.g., electronic, magnetic, or optical) quantities within one or more memories (e.g., volatile memory, non-volatile memory, or a combination thereof), registers, or other machine components that receive, store, transmit, or display information.

[0059] As used herein any reference to “one embodiment” or “an embodiment” means that a particular element, feature, structure, or characteristic described in connection with the embodiment is included in at least one embodiment. The appearances of the phrase “in one embodiment” in various places in the specification are not necessarily all referring to the same embodiment.

[0060] Some embodiments may be described using the expression “coupled” and “connected” along with their derivatives. For example, some embodiments may be described using the term “coupled” to indicate that two or more elements are in direct physical or electrical contact. The term “coupled,” however, may also mean that two or more elements are not in direct contact with each other, but yet still co-operate or interact with each other. The embodiments are not limited in this context.

[0061] As used herein, the terms “comprises,” “comprising,” “includes,” “including,” “has,” “having” or any other variation thereof, are intended to cover a non-exclusive inclusion. For example, a process, method, article, or apparatus that comprises a list of elements is not necessarily limited to only those elements but may include other elements not expressly listed or inherent to such process, method, article, or apparatus. Further, unless expressly stated to the contrary, “or” refers to an inclusive or and not to an exclusive or. For example, a condition A or B is satisfied by any one of the following: A is true (or present) and B is false (or not present), A is false (or not present) and B is true (or present), and both A and B are true (or present).

[0062] In addition, use of the “a” or “an” are employed to describe elements and components of the embodiments herein. This is done merely for convenience and to give a general sense of the invention. This description should be read to include one or at least one and the singular also includes the plural unless it is obvious that it is meant otherwise.

[0063] Upon reading this disclosure, those of skill in the art will appreciate still additional alternative structural and functional designs for a system and a process for a high-speed secure

content transfer to an SD card from a kiosk through the disclosed principles herein. Thus, while particular embodiments and applications have been illustrated and described, it is to be understood that the disclosed embodiments are not limited to the precise construction and components disclosed herein. Various modifications, changes and variations, which will be apparent to those skilled in the art, may be made in the arrangement, operation and details of the method and apparatus disclosed herein without departing from the spirit and scope defined in the appended claims.

CLAIMS

What is claimed is:

1. A kiosk for transferring content to a secure digital (SD) card, the kiosk comprising:
a customer interface module for receiving a customer's selection of a plurality of media files to transfer to the SD card;
a media file request module for requesting the plurality of media files and corresponding metadata file for each media file from a server communicatively coupled to the kiosk;
a server interaction module for receiving the requested plurality of media files and the corresponding metadata files from the server;
a transaction module for accepting payment from a customer for the customer's selection of the plurality of media files to transfer to the SD card;
a media file processing module for preparing the plurality of media files and the corresponding metadata files to be written to the SD card, wherein, except for a user key, data to be written to a unsecure area of the SD card is queued to be written before data to be written to a secure area of the SD card; and
an SD card writer for writing data to an user area of the SD card and a protected area of the SD card.
2. The kiosk of claim 1, further comprising a preview module for playing a preview of other content of the selected through the kiosk while the SD card writer writes the media file to the SD card.

3. The kiosk of claim 1, further comprising a firmware update module for transferring a firmware update to the SD card.
4. The kiosk of claim 1, further comprising a software player update module for transferring a software player update to the SD card.
5. The kiosk of claim 1, further comprising a customer attraction module for playing segments from media files currently available for download from the kiosk while the kiosk is not used for purchase of a media file.
6. The kiosk of claim 1, further comprising a USB port to allow connection of the SD card with a USB adapter to the kiosk.
7. A method of quickly and securely transferring media files from a kiosk to a secure digital (SD) card, the method comprising:

identifying a media files for download to the SD card;

writing all directory blocks together and thereafter writing all data block sequentially for the playable content portion of the media file; and

writing all data to an unsecure area of the SD card prior to writing any data to a secure area of the SD card, except for a user key.
8. The method of claim 7, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.
9. The method of claim 7, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.
10. The method of claim 7, further comprising:

writing the user key to the secure area of the SD card prior to writing all data to the unsecure area of the SD card; and
writing other data to the secure area of the SD card after writing all data to the unsecure area of the SD card.

11. The method of claim 7, further comprising pre-allocating space on the SD card for a playable content portion of the media file.
12. The method of claim 7, where the directory blocks are optionally written together.
13. A non-transitory computer readable storage medium storing instructions thereon, the instructions when executed cause at least one processor to:
identify a media file for download to an SD card;
write all directory blocks together and thereafter write all data block sequentially for the playable content portion of the media file; and
write all data to an unsecure area of the SD card prior to writing any data to a secure area of the SD card, except for a user key.
14. The computer readable storage medium of claim 13, wherein, except for a user key, data is only written to the secure area of the SD card if a transaction for the media file successfully completes.
15. The computer readable storage medium of claim 13, wherein the SD card is pre-configured with the user key stored in the secure area of the SD card.
16. The computer readable storage medium of claim 13, further comprising instructions that when executed cause the at least one processor to:

write the user key to the secure area of the SD card prior to a write of all data to the unsecure area of the SD card; and
write other data to the secure area of the SD card after a write of all data to the unsecure area of the SD card.

17. The computer readable storage medium of claim 13, further comprising instructions that when executed cause the at least one processor to pre-allocate space on the SD card for a playable content portion of the media file.
18. The computer readable storage medium of claim 13, where the directory blocks are optionally written together.

ABSTRACT

A system and a method are disclosed for quickly and securely transferring media files to an SD card from a kiosk. The kiosk includes a customer interface module for receiving a selection of a media file to transfer, a transaction module for accepting payment, a media file processing module for preparing the media file to be written to the SD card, and a high-speed secure SD card writer that can write to both an unsecure area and a secure area of the SD card. All data is written to the unsecure area before data is written to the secure area to improve speed. Optionally, the kiosk includes a firmware update module for distributing firmware updates through the SD cards, and the ability to play previews to attract customers and entertain them while transferring media files to the SD card.

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK		
First Named Inventor/Applicant Name:		Mark P. Hahn		
Filer:		Rajiv P. Patel/Alyona Eidingen		
Attorney Docket Number:		26629-17391		
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

Electronic Acknowledgement Receipt	
EFS ID:	8648028
Application Number:	12906938
International Application Number:	
Confirmation Number:	1059
Title of Invention:	HIGH-SPEED SECURE CONTENT TRANSFER TO SD CARD FROM KIOSK
First Named Inventor/Applicant Name:	Mark P. Hahn
Customer Number:	00758
Filer:	Rajiv P. Patel
Filer Authorized By:	
Attorney Docket Number:	26629-17391
Receipt Date:	18-OCT-2010
Filing Date:	
Time Stamp:	19:54:38
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1090
RAM confirmation Number	6240
Deposit Account	192555
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.20 (Post Issuance fees)					
Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)					
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	17391_ads.pdf	1031660	no	5
			3f9d5ea923748e12f67819d642e5e197881f55d		
Warnings:					
Information:					
2	Drawings-only black and white line drawings	17391_figures.pdf	71548	no	3
			d6a464335d506623e075db841b2441b15cd7105a9		
Warnings:					
Information:					
3		17391_specification.pdf	123005	yes	26
			a431d56600b6b05b037774e2566165638aa1ca0		
	Multipart Description/PDF files in .zip description				
	Document Description	Start	End		
	Specification	1	21		
	Claims	22	25		
	Abstract	26	26		
Warnings:					
Information:					
4	Fee Worksheet (PTO-875)	fee-info.pdf	33067	no	2
			8c92ad9a783f93b989870c92c3963b0e555a32ef		
Warnings:					
Information:					
Total Files Size (in bytes):			1259280		

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.

DATE 10/18/10

PTO/SB/06 (12-04)

Approved for use through 7/31/2006. 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 12/906,938	
APPLICATION AS FILED – PART I						
(Column 1)		(Column 2)		SMALL ENTITY		OR
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), (l), 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))	18	minus 20 =	x\$26		x\$52	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *	x\$110		x\$220	
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	
			TOTAL		TOTAL	1090
* If the difference in column 1 is less than zero, enter "0" in column 2.						
APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		TOTAL ADD'T FEE
(Column 1)		(Column 2)		(Column 3)		OR
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
	Total (37 CFR 1.16(i))	Minus **	=	X =		X =
	Independent (37 CFR 1.16(h))	Minus ***	=	X =		X =
	Application Size Fee (37 CFR 1.16(s))			N/A		N/A
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			TOTAL ADD'T FEE		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 comment 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.