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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,393	04/19/2016	9319720	141-1 US CIP	2438

24949 7590 03/30/2016
TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA

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 878 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):

John McCue, Ottawa, CANADA;
Robert McCue, Ottawa, CANADA;
Gregory Shostakovsky, Kanata, CANADA;
Glenn McCue, Ottawa, CANADA;

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.

Receipt date: 04/16/2014

Form PTO 1449A U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	ATTY. DOCKET NUMBER: 141-1 US CIP	SERIAL NUMBER: 13/313,393
	APPLICANT: McCue et al.	
	FILING DATE: December 7, 2011	GROUP: 2447

U.S. Patent Documents

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING APP
		7,984,147	Jul 19, 2011	Daoud et al	709	226	
		20020069218	Jun 6, 2002	Sull et al	715	202	
		20030167262	Sep 4, 2003	Iida et al	1	1	
		20070124331	May 31, 2017	Griffin	1	1	
			05/2007				

Change(s) applied
to document,
/R.S./
1/19/2016

Foreign Patent Documents

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

EXAMINER	/Alan Chou/	DATE CONSIDERED 11/23/2015
<i>EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant</i>		

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

Form PTO 1449A U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	ATTY. DOCKET NUMBER: 141-1 US CIP	SERIAL NUMBER: 13/313,393
	APPLICANT: McCue et al.	
	FILING DATE: December 7, 2011	GROUP: Unassigned

U.S. Patent Documents

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED APP
		5,586,264	Dec 17, 1996	Belknap et al	725	115	
		6,621,980	Sep 16, 2003	Gould et al	386	290	
		6,850,982	Feb 1, 2005	Siegel	709	227	
		7,242,809	Jul 10, 2001 07/2007	Hunter et al	382	224	
		20020184189	Dec 5, 2002	Hay et al	707	1	
		20030091338	May 15, 2003	Snow et al	386	96	
		20030172346	Sep 11, 2003	Gould et al	715	202	
		20030221194	Nov 27, 2003	Thiagarajan et al	725	55	
		20050061873	Mar 24, 2005	Pirillo	235	380	
		20050091062	Apr 28, 2005	Burges et al	704	273	
		20050111824	May 26, 2005	Hunter et al	386	240	
		20050245243	Nov 3, 2005	Zuniga	455	414.3	
		20050250439	Nov 10, 2005	Leslie	455	11.1	
		20060140162	Jun 29, 2006	Vasa	370	338	
		20060236219	Oct 19, 2006	Grigorovitch et al	715	203	
		20060242550	Oct 26, 2006	Rahman et al	715	203	
		20060271989	Nov 30, 2006	Glaser et al	725	111	
		20070041356	Feb 22, 2007	Fontijn	370	352	
		20070067267	Mar 22, 2007	Ives	1	1	
		20070083911	Apr 12, 2007	Madden et al	725	135	
		20090171750	Jul 2, 2009	Zhou et al	705	14.53	
		20100281509	Nov 4, 2010	Yu et al.	725	100	
		20110118858	May 19, 2011	Rottler et al.	700	94	

Change(s) applied
to document,
/R.S./
1/19/2016

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

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)

24949 7590 12/07/2015
TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA

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.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438

TITLE OF INVENTION: SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	03/07/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOU, ALAN S	2451	709-231000

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

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

2. For printing on the patent front page, list

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

1 Teitelbaum & MacLean

2 Neil Teitelbaum

3 Doug MacLean

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)

Audio Pod Inc.

Ottawa, CANADA

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. ~~NO CREDIT CARD PAYMENTS ARE ACCEPTED~~
- ☒ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number 502810 (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 /Neil Teitelbaum/

Date March 7, 2016

Typed or printed name Neil Teitelbaum

Registration No. 38793

Electronic Patent Application Fee Transmittal				
Application Number:		13313393		
Filing Date:		07-Dec-2011		
Title of Invention:		SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS		
First Named Inventor/Applicant Name:		John McCue		
Filer:		Neil Teitelbaum/Lisa Fader		
Attorney Docket Number:		141-1 US CIP		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	480	480

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				480

Electronic Acknowledgement Receipt

EFS ID:	25116043
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
Customer Number:	24949
Filer:	Neil Teitelbaum/Lisa Fader
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	07-MAR-2016
Filing Date:	07-DEC-2011
Time Stamp:	10:16:05
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$480
RAM confirmation Number	10217
Deposit Account	502810
Authorized User	FADER, LISA

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 CFR 1.19 (Document supply fees)

Charge any Additional Fees required under 37 CFR 1.20 (Post Issuance fees)

Charge any Additional Fees required under 37 CFR 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	PTOL_85.pdf	1109885	no	1
			4638fb3b1961235d2d714db8e14d24182359b552		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30464	no	2
			49b7716435a7b168ea9b363d62ea0d8d72ba965e		

Warnings:

Information:

Total Files Size (in bytes):			1140349
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438
24949 7590 01/14/2016 TEITELBAUM & MACLEAN 280 SUNNYSIDE AVENUE OTTAWA, ON K1S 0R8 CANADA			EXAMINER CHOU, ALAN S	
			ART UNIT 2451	PAPER NUMBER
			NOTIFICATION DATE 01/14/2016	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):

ANNETTE@PATENTS.ORG

Corrected Notice of Allowability	Application No. 13/313,393	Applicant(s) MCCUE ET AL.	
	Examiner ALAN S. CHOU	Art Unit 2451	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 9/29/2015.
☐ 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 1-29. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

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

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

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

Attachment(s)

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

/CHRIS PARRY/
Supervisory Patent Examiner, Art Unit 2451

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

DETAILED ACTION

Claims 1-29 are allowed.

EXAMINER'S AMENDMENT

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

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Neil Teitelbaum Reg # 38,793 on January 6, 2016.

The application has been amended as follows:

Please replace page 1 paragraph [0001] of the Specification with:

This application claims the benefit of priority of U.S. Provisional Appl. No. 61/420,352 filed December 7, 2010, which is hereby incorporated by reference. In addition, this application is a continuation-in-part of U.S. Pat. Appl. Ser. No. 12/096,933 filed June 11, 2008, which is a National Stage Entry of Application PCT/CA2006/002046 filed December 12, 2006, which claims priority from U.S. Provisional Appl. No. 60/749,632 filed December 13, 2005, both of which are incorporated herein by reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chou whose telephone number is (571) 272-5779. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher L. Parry can be reached on (571)272-8328. 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).

/ALAN S CHOU/
Examiner, Art Unit 2451

/CHRIS PARRY/
Supervisory Patent Examiner, Art Unit 2451



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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/313,393	12/07/2011	2451	1050	141-1 US CIP	29	5

CONFIRMATION NO. 2438 CORRECTED FILING RECEIPT

24949
TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA



CC00000079903112

Date Mailed: 01/14/2016

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

Inventor(s)

John McCue, Ottawa, CANADA;
Robert McCue, Ottawa, CANADA;
Gregory Shostakovsky, Kanata, CANADA;
Glenn McCue, Ottawa, CANADA;

Applicant(s)

John McCue, Ottawa, CANADA;
Robert McCue, Ottawa, CANADA;
Gregory Shostakovsky, Kanata, CANADA;
Glenn McCue, Ottawa, CANADA;

Power of Attorney: The patent practitioners associated with Customer Number 24949

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/420,352 12/07/2010
and is a CIP of 12/096,933 06/11/2008 PAT 8285809
which is a 371 of PCT/CA2006/002046 12/12/2006
which claims benefit of 60/749,632 12/13/2005

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

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

Permission to Access Application via Priority Document Exchange: No

Permission to Access Search Results: No

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

If Required, Foreign Filing License Granted: 12/20/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/313,393**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

Preliminary Class

709

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

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,

page 2 of 4

this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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

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

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

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

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UNITED STATES PATENT AND TRADEMARK OFFICE

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NOTICE OF ALLOWANCE AND FEE(S) DUE

24949 7590 12/07/2015
TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA

EXAMINER

CHOU, ALAN S

ART UNIT

PAPER NUMBER

2451

DATE MAILED: 12/07/2015

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438

TITLE OF INVENTION: SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	03/07/2016

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)

24949 7590 12/07/2015
TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA

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.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438

TITLE OF INVENTION: SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	03/07/2016

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOU, ALAN S	2451	709-231000

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

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

2. For printing on the patent front page, list

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

1 _____

2 _____

3 _____

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

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

(A) NAME OF ASSIGNEE

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

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

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

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

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

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The director is hereby authorized to charge the required fee(s), any deficiency, or 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. _____



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438
24949 7590 12/07/2015 TEITELBAUM & MACLEAN 280 SUNNYSIDE AVENUE OTTAWA, ON K1S 0R8 CANADA			EXAMINER CHOU, ALAN S	
			ART UNIT	PAPER NUMBER
			2451	

DATE MAILED: 12/07/2015

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. 13/313,393	Applicant(s) MCCUE ET AL.	
	Examiner ALAN S. CHOU	Art Unit 2451	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 9/29/2015.
☐ 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 1-29. 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 ____. | |

/CHRIS PARRY/
Supervisory Patent Examiner, Art Unit 2451

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Allowable Subject Matter

Claims 1-29 are allowed.

REASON FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach neither singly nor in combination, the claimed limitation of the use of "providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of media streams derived from a same originating written work, each media stream including a plurality of digital data files, the descriptor file including information allowing a simultaneous synchronized rendering of the plurality of media streams that provides a literary experience of the originating written work, the information including time information for each digital data file in each media stream, the time information for synchronizing the plurality of media streams and determined relative to a timeline of an audio recording of the originating written work" as stated in claims 1, 24-27. This limitation, in conjunction with other limitation in the independent claims, is not specifically disclosed or remotely suggested in the prior art or record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan S. Chou whose telephone number is (571) 272-5779. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher L. Parry can be reached on (571)272-8328. 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).

/ALAN S CHOU/
Examiner, Art Unit 2451

/CHRIS PARRY/
Supervisory Patent Examiner, Art Unit 2451

Search Notes 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

CPC- SEARCHED		
Symbol	Date	Examiner
H04L 29/06027, H04L 29/06462, H04L 29/06	4/16/2014	AC

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
709	231	4/16/2014	AC

SEARCH NOTES		
Search Notes	Date	Examiner
PLUS Search	4/16/2014	AC
EAST Search	4/16/2014	AC
EAST Search	11/21/2014	AC
EAST Search	6/12/2015	AC
Consulted with SPE Chris Parry regarding independent claim limitation	11/19/2015	AC
Consulted with Primary Saket Daftuar regarding independent claim limitation	11/23/2015	AC

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
709	231	11/23/2015	AC

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BIB DATA SHEET

CONFIRMATION NO. 2438

SERIAL NUMBER 13/313,393	FILING or 371(c) DATE 12/07/2011 RULE	CLASS 709	GROUP ART UNIT 2451	ATTORNEY DOCKET NO. 141-1 US CIP		
APPLICANTS INVENTORS John McCue, Ottawa, CANADA; Robert McCue, Ottawa, CANADA; Gregory Shostakovsky, Kanata, CANADA; Glenn McCue, Ottawa, CANADA; ** CONTINUING DATA ***** This appln claims benefit of 61/420,352 12/07/2010 and is a CIP of 12/096,933 06/11/2008 PAT 8285809 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 12/20/2011						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and Acknowledged <u>/ALAN S CHOU/</u> Examiner's Signature		☐ Met after Allowance AC Initials	STATE OR COUNTRY CANADA	SHEETS DRAWINGS 28	TOTAL CLAIMS 29	INDEPENDENT CLAIMS 5
ADDRESS TEITELBAUM & MACLEAN 280 SUNNYSIDE AVENUE OTTAWA, ON K1S 0R8 CANADA						
TITLE SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS						
FILING FEE RECEIVED 1050	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			

Receipt date: 04/16/2014

Form PTO 1449A U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	ATTY. DOCKET NUMBER: 141-1 US CIP	SERIAL NUMBER: 13/313,393
	APPLICANT: McCue et al.	
	FILING DATE: December 7, 2011	GROUP: 2447

U.S. Patent Documents

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING APP
		7,984,147	Jul 19, 2011	Daoud et al	709	226	
		20020069218	Jun 6, 2002	Sull et al	715	202	
		20030167262	Sep 4, 2003	Iida et al	1	1	
		20070124331	May 31, 2017	Griffin	1	1	

Foreign Patent Documents

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

EXAMINER	/Alan Chou/	DATE CONSIDERED 11/23/2015
<i>EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant</i>		

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

<i>Index of Claims</i> 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

✓	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	04/17/2014	11/21/2014	06/12/2015	11/23/2015						
	1	✓	✓	✓	=						
	2	✓	✓	✓	=						
	3	✓	✓	✓	=						
	4	✓	✓	✓	=						
	5	✓	✓	✓	=						
	6	✓	✓	✓	=						
	7	✓	✓	✓	=						
	8	✓	✓	✓	=						
	9	✓	✓	✓	=						
	10	✓	✓	✓	=						
	11	✓	✓	✓	=						
	12	✓	✓	✓	=						
	13	✓	✓	✓	=						
	14	✓	✓	✓	=						
	15	✓	✓	✓	=						
	16	✓	✓	✓	=						
	17	✓	✓	✓	=						
	18	✓	✓	✓	=						
	19	✓	✓	✓	=						
	20	✓	✓	✓	=						
	21	✓	✓	✓	=						
	22	✓	✓	✓	=						
	23	✓	✓	✓	=						
	24	✓	✓	✓	=						
	25	✓	✓	✓	=						
	26	✓	✓	✓	=						
	27	✓	✓	✓	=						
	28	✓	✓	✓	=						
	29	✓	✓	✓	=						

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	33647	(H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L2	29	((John) near2 (McQue)).INV.	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L3	1	"20050245243"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L4	1	"7984147".pn.	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L5	2	"20020069218"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L6	1	"20030167262"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L7	1	"20070124331"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L8	2	"20070083911"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L9	6702	(709/231.ccls.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L10	89	(audio SAME descriptor) AND (709/231.ccls.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L11	33156	(H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L12	4	(audio SAME descriptor SAME timing) AND (H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L13	164	(audio SAME descriptor) AND (H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L14	72	(audio SAME descriptor SAME timing) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L15	2	"20020068558"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23

L16	1	"20040267388"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L17	1196	(audio SAME segment\$4 SAME timing) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L18	856	(audio SAME segment\$4 SAME timing) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L19	347	(audio SAME segment\$4 SAME timing) AND (tim\$4 SAME offset) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L20	640	(audio SAME segment\$4 SAME timing) AND (timing SAME (start\$4 end\$4 duration)) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L21	63	(descriptor SAME audio) AND (audio SAME segment\$4 SAME timing) AND (timing SAME (start\$4 end\$4 duration)) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L22	1	"20120084455"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L23	1	"20090222442"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L24	85	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (ebook audiobook) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L25	0	(bookmark NEAR9 (email mail e-mail (electronic NEAR2 mail))) NEAR9 (ebook audiobook) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L26	7	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (electronic NEAR2 reader) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L27	1	(bookmark NEAR9 (email mail e-mail (electronic NEAR2 mail))) SAME (electronic NEAR2 reader) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L28	2	"20070112837"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L29	1	"8285809".pn.	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L30	36	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (ebook audiobook) AND (@AD<"20051213" @RLAD<"20051213")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L31	25	(time NEAR5 offset) AND (ebook audiobook) AND (@AD<"20051213" @RLAD<"20051213")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L32	1	"20050276570"	US-PGPUB;	OR	OFF	2015/11/23 18:23

			USPAT			
L33	37	((book NEAR3 mark) bookmark) SAME (email e-mail (electronic NEAR2 mail))) AND (ebook audiobook) AND (@AD<"20051213" @RLAD<"20051213")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L34	1	"20070106646"	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L35	0	((multiple plurality) NEAR5 (media stream data) NEAR9 (book written)) AND (audio SAME descriptor SAME timing) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23
L36	11938	((multiple plurality) NEAR5 (media stream data) NEAR9 (book written)) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2015/11/23 18:23

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L37	113	(descriptor SAME segment SAME time SAME offset)	USPAT	OR	OFF	2015/11/23 18:26
L38	3	(descriptor) AND (segment) AND (time NEAR5 offset) AND (written NEAR5 work)	USPAT	OR	OFF	2015/11/23 18:27
L39	101	(descriptor) AND (segment) AND (written NEAR5 work)	USPAT	OR	OFF	2015/11/23 18:28
L40	64	(descriptor) AND (segment) AND (written NEAR5 work) AND (synchroniz\$5)	USPAT	OR	OFF	2015/11/23 18:28
L41	51	(descriptor) AND (segment) AND (written NEAR5 work) AND (synchroniz\$5) AND (time NEAR5 information)	USPAT	OR	OFF	2015/11/23 18:29

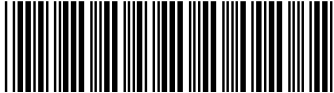
11/23/2015 6:30:43 PM**H:\Workspaces\13313393.wsp**

Issue Classification 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.	
	Examiner ALAN S CHOU	Art Unit 2451	

CPC						
Symbol					Type	Version
H04N		21		235	F	2013-01-01
H04N		21		278	I	2013-01-01
H04N		21		4307	I	2013-01-01
H04N		21		435	I	2013-01-01
H04N		21		4394	I	2013-01-01
H04N		21		8106	I	2013-01-01
H04N		21		8146	I	2013-01-01
H04N		21		8456	I	2013-01-01
H04N		21		8547	I	2013-01-01

CPC Combination Sets						
Symbol			Type	Set	Ranking	Version

/ALAN S CHOU/ Examiner.Art Unit 2451 (Assistant Examiner)	11/23/2015 (Date)	Total Claims Allowed: 29	
/CHRIS PARRY/ Supervisory Patent Examiner.Art Unit 2451 (Primary Examiner)	11/24/2015 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 3

Issue Classification 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION									
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED				
709		231				G	0	6	F	15 / 16 (2006.01.01)	G	0	6	F	7 / 00 (2006.01.01)
CROSS REFERENCE(S)											G	0	6	F	3 / 048 (2013.01.01)
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)														
707	600														
715	788														
		</													

/ALAN S CHOU/ Examiner.Art Unit 2451 (Assistant Examiner)	11/23/2015 (Date)	Total Claims Allowed: 29	
/CHRIS PARRY/ Supervisory Patent Examiner.Art Unit 2451 (Primary Examiner)	11/24/2015 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 3

Issue Classification 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

☒ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1		17												
	2		18												
	3		19												
	4		20												
	5		21												
	6		22												
	7		23												
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	9		25												
	10		26												
	11		27												
	12		28												
	13		29												
	14														
	15														
	16														

/ALAN S CHOU/ Examiner.Art Unit 2451 (Assistant Examiner)	11/23/2015 (Date)	Total Claims Allowed: 29	
/CHRIS PARRY/ Supervisory Patent Examiner.Art Unit 2451 (Primary Examiner)	11/24/2015 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 3

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

Request for Continued Examination (RCE) Transmittal

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

Application Number	13/313,393
Filing Date	12/07/2011
First Named Inventor	John McCue
Art Unit	2451
Examiner Name	Chou, Alan S.
Attorney Docket Number	141-1 US CIP

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

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

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

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

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. _____.

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☒ Payment by credit card (Form PTO-2038 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.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	/Neil Teitelbaum/	Date	September 29, 2015
Name (Print/Type)	Neil Teitelbaum	Registration No.	38,793

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature			
Name (Print/Type)		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, 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.

Instruction Sheet for RCEs

(not to be submitted to the USPTO)

NOTES:

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing date.

Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

Filing Requirements:

Prosecution in the application must be closed. Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under *Ex parte Quayle*). See 37 CFR 1.114(b).

A submission and a fee are required at the time the RCE is filed. If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

WARNINGS:

Request for Suspension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does not satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

Improper RCE will NOT toll Any Time Period:

Before Appeal - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

Under Appeal - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

See MPEP 706.07(h) for further information on the RCE practice.

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:		13313393		
Filing Date:		07-Dec-2011		
Title of Invention:		SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS		
First Named Inventor/Applicant Name:		John McCue		
Filer:		Neil Teitelbaum/Melanie Budarick		
Attorney Docket Number:		141-1 US CIP		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
Total in USD (\$)				600

Electronic Acknowledgement Receipt

EFS ID:	23629906
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
Customer Number:	24949
Filer:	Neil Teitelbaum/Melanie Budarick
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	29-SEP-2015
Filing Date:	07-DEC-2011
Time Stamp:	09:19:44
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 600
RAM confirmation Number	9568
Deposit Account	502810
Authorized User	BUDARICK, MELANIE

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	Response After Final Action	141-1USCIPOResponse.pdf	235011 30de60648371949a2c909aa8649055534da e863f	no	20

Warnings:

Information:

2	Request for Continued Examination (RCE)	141-1USCIPsb0030RCE.pdf	57539 91540dfeeed4deab738ff7b803d0f662ac72 5814	no	3
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Warnings:

This is not a USPTO supplied RCE SB30 form.

Information:

3	Fee Worksheet (SB06)	fee-info.pdf	30723 2c18d467320745b91447571ddc8554ab21 9ce0bc	no	2
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Warnings:

Information:

Total Files Size (in bytes):			323273
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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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: **McCue et al.**

Atty Docket No.: **141-1 US CIP**

Serial No.: **13/313,393**

Art Unit: **2451**

Filing Date: **December 7, 2011**

Examiner: **Chou, Alan S**

Confirmation No.: **2438**

For: **TRANSMISSION OF DIGITAL AUDIO DATA**

E-filed

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. § 1.114 SUBMITTED WITH
REQUEST FOR CONTINUED EXAMINATION

Dear Commissioner:

Continued examination of the above-identified application is respectfully requested. An Amendment under 37 C.F.R. 1.114 is submitted with this request.

In response to the Final Action dated June 29, 2015, the Applicants submit the following:

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

Remarks begin on page 12 of this paper.

Amendments to the Claims

1. (Currently amended) A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of ~~digital data files~~ media streams derived from ~~an~~ a same originating written work, each media stream including a plurality of digital data files, the descriptor file including information allowing a simultaneous synchronized rendering of the plurality of media streams that provides a literary experience of the originating written work, the information including time information for each digital data file in each media stream, the time information for synchronizing the plurality of media streams and determined relative to a timeline of an audio recording of the originating written work;

determining a first digital data file from the plurality of digital data files in a first media stream from the plurality of media streams, the first digital data file having digital content to be rendered with the media player; ~~the first digital data file~~ and determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording;

downloading the ~~digital content~~ first digital data file or a digital data segment contained in the first digital data file and determined using the time information in the descriptor file from the at least one server ~~in dependence upon whether the first digital data file~~ so that the digital content is resident with the media player; and

rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset.

2. (Currently amended) A method of rendering digital content according to claim 1, wherein the plurality of ~~digital data files~~ includes media streams comprises an audio stream including a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio

files ~~is~~ are rendered sequentially using the media player an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files, and wherein the first digital data file is a first digital audio file from the plurality of digital audio files in the audio stream.

3. (Original) A method of rendering digital content according to claim 2, wherein the time information includes at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files, the start and end times of each digital audio file determined relative to the beginning of the audio recording.

4. (Currently amended) A method of rendering digital content according to claim 3, wherein determining the first digital data file comprises comparing the predetermined time offset to the at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files to find a first digital audio file that includes digital audio data from a point in ~~the audio recording at a time~~ audio stream corresponding to the predetermined time offset.

5. (Currently amended) A method of rendering digital content according to claim 4, wherein downloading the ~~digital content~~ first digital data file or the digital data segment contained in the first digital data file and determined using the time information in the descriptor file comprises downloading the first digital audio file from the at least one server so that the first digital audio file is resident with the media player, and wherein ~~the method further rendering the digital content using the media player~~ comprises rendering the first digital audio file using the media player while simultaneously downloading subsequent digital audio files from the at least one server.

6. (Currently amended) A method of rendering digital content according to claim 4, wherein the ~~digital data includes~~ plurality of media streams further comprises a text stream including a plurality of electronic text files created by segmenting an electronic text of the originating written work, and wherein the time information further includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.

7. (Currently amended) A method of rendering digital content according to claim 6, wherein ~~determining the first digital data file~~ the method further comprises determining a first electronic text file from the plurality of electronic text files in the text stream by comparing the predetermined time offset to the at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files to determine find a first electronic text file in the plurality of digital data files having a point therein corresponding to the predetermined time offset, and downloading the first electronic text file from the at least one server so that the electronic text file is resident with the media player.

8. (Currently amended) A method of rendering digital content according to claim 7, wherein rendering the digital content using the media player comprises rendering the first digital audio file using the media player while simultaneously rendering the first electronic text file using the media player starting from a position point in the first electronic text file calculated to correspond to the predetermined time offset ~~while simultaneously rendering the first digital audio file.~~

9. (Currently amended) A method of rendering digital content according to claim 1, wherein the ~~digital data includes~~ plurality of media streams comprises a text stream including a plurality of electronic text files created by segmenting an electronic text of the originating written work, and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording, and wherein the first digital data file is a first electronic text file from the plurality of electronic text files in the text stream.

10. (Currently amended) A method of rendering digital content according to claim ~~1~~ 9, ~~wherein the digital data includes at least one electronic text file, and wherein determining the first digital data file comprises comparing the predetermined time offset to the at least one of a start time, an end time, and a duration of the at least one each electronic text file in the plurality of electronic text files with the predetermined time offset to determine find a first electronic text file having a point therein corresponding to the predetermined time offset.~~

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11. (Currently amended) A method of rendering digital content according to claim 10, wherein downloading the ~~digital content~~ first digital data file or the digital data segment contained in the first digital data file and determined using the time information in the descriptor file comprises downloading the first electronic text file from the at least one server, loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure.

12. (Original) A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises determining at least one of a start time and an end time of a plurality of paragraphs in the loaded first electronic text file using the plurality of hard time tags, the start and end times of each paragraph determined relative to one of the beginning of the audio recording and a beginning of the first electronic text file.

13. (Original) A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises extrapolating time values for a plurality of characters in the loaded first electronic text file, the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of hard time tags.

14. (Original) A method of rendering digital content according to claim 10, wherein rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event.

15. (Currently amended) A method of rendering digital content according to claim 14, wherein the plurality of media streams further comprises an audio stream including a plurality of digital audio files created by segmenting the audio recording, and wherein rendering the digital content using the media player further comprises simultaneously rendering a digital audio file from a point in the audio stream corresponding to the predetermined time offset and the first electronic text file from ~~the~~ a point in the text stream corresponding to the predetermined time offset.

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16. (Currently amended) A method of rendering digital content according to claim 15, wherein rendering the digital content using the media player further comprises providing automated page turns within the ~~loaded~~ first electronic text file using the current time offset.

17. (Currently amended) A method of rendering digital content according to claim 1, wherein the ~~digital data includes~~ plurality of media streams comprises an ancillary content stream including a plurality of ancillary files, and wherein the time information includes at least one of a start time, an end time, and a duration of each ancillary file in the plurality of ancillary files, the start and end times of each ancillary file determined relative to the beginning of the audio recording, the ~~plurality of ancillary files~~ ancillary content stream including at least one of a plurality of graphic files, a plurality of ~~advertising~~ advertising files, and a plurality of user generated ancillary files.

18. (Previously presented) A method of rendering digital content according to claim 1, wherein the predetermined time offset is provided by one of a bookmark, a search result, a table of contents, an index, a list of tables, a list of figures, footnotes, quotations, a list of illustrations, a fast-forward request, and a rewind request.

19. (Previously presented) A method of rendering digital content according to claim 1, wherein the predetermined time offset is provided by a bookmark, the bookmark including information to identify the descriptor file.

20. (Currently amended) A method of rendering digital content according to claim 10, wherein the plurality of media streams further comprises an audio stream including a plurality of digital audio files created by segmenting the audio recording and an illustration stream including a plurality of illustration files from the originating written work, and wherein the descriptor file includes at least one of a start time, an end time, and a duration of each digital audio file in the-a plurality of digital audio files representing the audio recording, and at least one of a start time, an end time, and a duration of each illustration file in the-a plurality of illustration files from the originating work, the start and end times of each digital audio file and each illustration file determined relative to the beginning of the audio recording.

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21. (Previously presented) A method of rendering digital content according to claim 10, wherein the predetermined time offset is provided from a text search result.

22. (Currently amended) A method of rendering digital content according to claim 14, further comprising creating a bookmark for a selected point in the digital content, the bookmark including the current time offset, the current time offset determined relative to the timeline of the audio recording.

23. (Currently amended) A method of rendering digital content according to claim 1, further comprising ~~the steps of~~:

determining a current time offset while rendering the digital content; and

creating a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

24. (Currently amended) A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file ~~and a plurality of digital data files, an audio stream, and a text stream, the audio stream and the text stream derived from an~~ a same originating written work, the audio stream including a plurality of digital audio files created by segmenting an audio recording of the originating written work, the text stream including a plurality of electronic text files created by segmenting an electronic text of the originating written work, the descriptor file including information allowing a simultaneous synchronized rendering of the audio stream and the text stream that provides a literary experience of the originating written work, the information including time information for each digital ~~data~~ audio file in the audio stream and for each electronic text file in the text stream, the time information for synchronizing the audio stream and the text stream and determined relative to a timeline of ~~an~~ the audio recording of the originating work;

determining a first ~~digital data~~ audio file from the plurality of ~~digital data files~~ audio files in the audio stream, the first digital audio file having ~~digital~~ audio content to be rendered with the media player, ~~the first digital data file and~~ determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording;

downloading the ~~digital content~~ first digital audio file or a digital audio segment contained in the first digital audio file and determined using the time information in the descriptor file from the at least one server ~~in dependence upon whether the first digital data file~~ so that the audio content is resident with the media player;

determining a first electronic text file from the plurality of electronic text files in the text stream, the first electronic text file having text content to be rendered with the media player and determined using the time information in the descriptor file and the predetermined time offset;

downloading the first electronic text file or an electronic text segment contained in the first electronic text file and determined using the time information in the descriptor file from the at least one server so that the text content is resident with the media player; and

simultaneously rendering the ~~digital~~ audio content and the text content using the media player at an arbitrary point determined using the predetermined time offset,

~~—wherein the plurality of digital data files includes at least one electronic text file and at least one digital audio file, and wherein rendering the digital content using the media player comprises~~ comprising providing automated page turns for the text derived from the at least one electronic text file content, the automated page turns determined in dependence upon a progressing time offset relative to the rendering of the ~~at least one digital audio file~~ audio content.

25. (Currently amended) A system for rendering digital content comprising:

~~a~~ at least one server having stored thereon digital data corresponding to an originating work and a descriptor file and a plurality of media streams derived from a same originating

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written work, each media stream including a plurality of digital data files, the descriptor file including information allowing a simultaneous synchronized rendering of the plurality of media streams that provides a literary experience of the originating written work, the information including time information for the each digital data file in each media stream, the time information for synchronizing the plurality of media streams and determined relative to a timeline of an audio recording of the originating written work;

a client for rendering the digital data corresponding to the originating work including computer readable code for:

determining a first digital data file from the plurality of digital data files in a first media stream from the plurality of media streams, the first digital data file having digital content to be rendered with the media player and determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording;

downloading the first digital data file or a digital data segment contained in the first digital data file and determined using the time information in the descriptor file from the at least one server so that the digital content is resident with the client; and

rendering the digital content at an arbitrary point determined using the predetermined time offset; and

a network for connecting the at least one server and the client and facilitating transmission of the digital data from the server to the client;

wherein the client includes computer readable code for rendering the digital content using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording, the digital content rendered at an arbitrary point determined using the predetermined time offset.

26. (Currently amended) A non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

access at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of media streams derived from a same originating written work, each media stream including a plurality of digital data files, the descriptor file including information allowing a simultaneous synchronized rendering of the plurality of media streams that provides a literary experience of the originating written work, the information including time information for each digital data file in each media stream, the time information for synchronizing the plurality of media streams and determined relative to a timeline of an audio recording of the originating written work;

determine a first digital data file from the plurality of digital data files in a first media stream from the plurality of media streams, the first digital data file having digital content to be rendered with the media player and determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording;

~~download-digital content~~ the first digital data file or a digital data segment contained in the first digital data file and determined using the time information in the descriptor file from the at least one server so that the digital content is resident with the computer, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work, the computer having access to the at least one server via a network;

~~select an arbitrary point within the digital content from which to begin rendering, the arbitrary point selected using the time information in the descriptor file and a predetermined time offset external to the descriptor file, the predetermined time offset determined relative to the timeline of the audio recording; and~~

render ~~begin rendering~~ the digital content from the at an arbitrary point determined using the predetermined time offset.

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27. (Currently amended) A non-transitory computer readable storage medium ~~including computer readable code according to claim 26~~, which when executed by a computer, further causes said computer to:

~~render digital content, the computer having access to at least one server via a network, the at least one server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file separate from the digital data and including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work, the digital data including the digital content;~~

determine a current time offset while rendering the digital content; and

create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

28. (Currently amended) A non-transitory computer readable storage medium according to claim 27, which when executed by a computer, further causes said computer to ~~e-mail~~ electronically transfer the bookmark ~~from one client~~ to another ~~client~~ computer.

29. (Currently amended) A non-transitory computer readable storage medium according to claim 27, which when executed by a computer, further causes said computer to transfer one of the bookmark and a shortcut to the bookmark to one of a desktop, a window other than the window used for rendering the digital content, and an application other than the application used for rendering the digital content.

Remarks

This Amendment and these Remarks are intended to be responsive to the Final Action dated June 29, 2015. Claims 1–29 are pending in the present application. Claims 1, 2, 4–11, 15–17, 20, and 22–29 are currently amended.

1. Claim Amendments

Independent claims 1, 25, and 26 have been amended to specify that the at least one server has stored thereon "a plurality of media streams derived from a same originating written work, each media stream including a plurality of digital data files". Independent claim 24 has been similarly amended to specify that the at least one server has stored thereon "an audio stream, and a text stream, the audio stream and the text stream derived from a same originating written work, the audio stream including a plurality of digital audio files created by segmenting an audio recording of the originating written work, the text stream including a plurality of electronic text files created by segmenting an electronic text of the originating written work". Support for these amendments is found at paragraphs [0066], [0115]–[0116], and [0138] of the original specification, for example.

Independent claims 1, 25, and 26 have also been amended to specify that the descriptor file includes "information allowing a simultaneous synchronized rendering of the plurality of media streams that provides a literary experience of the originating written work" and that the time information is "for synchronizing the plurality of media streams". Independent claim 24 has been similarly amended to specify that the descriptor file includes "information allowing a simultaneous synchronized rendering of the audio stream and the text stream that provides a literary experience of the originating written work" and that the time information is "for synchronizing the audio stream and the text stream". Support for these amendments is found at paragraphs [0066], [0116], [0175], [0198], and [0200] of the original specification, for example.

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The claims as a whole have also been amended for clarity and consistency. No new matter has been added.

2. Claim Rejections under 35 U.S.C. 103

Claims 1–27 stand rejected under pre-AIA 35 USC 103(a) as being unpatentable over U.S. Patent Application Publication No. 2007/0112837 to Houh et al. ("Houh") in view of U.S. Patent Application Publication No. 2005/0276570 to Reed et al. ("Reed"). Claims 28 and 29 stand rejected under pre-AIA 35 USC 103(a) as being unpatentable over Houh, in view of Reed, and further in view of U.S. Patent Application Publication No. 2007/0083354 to Collins et al. ("Collins").

The Applicants respectfully traverse all of these rejections for at least the following reasons.

2.1. Independent Claims 1, 25, and 26

Among other things, independent claims 1, 25, and 26, as amended, each require:

a plurality of media streams derived from a same originating written work, each media stream including a plurality of digital data files; and

a descriptor file including information allowing a simultaneous synchronized rendering of the plurality of media streams that provides a literary experience of the originating written work, the information including time information for each digital data file in each media stream, the time information for synchronizing the plurality of media streams and determined relative to a timeline of an audio recording of the originating written work.

In the rejection of claims 1, 25, and 26, the Examiner seems to suggest that the enhanced metadata (also referred to as a timed segment index) disclosed by Houh is equivalent to the claimed descriptor file. Accordingly, the Applicants presume that the Examiner considers the content segments in the media/file stream disclosed by Houh to be equivalent to the claimed

plurality of digital data files, as the enhanced metadata includes timing information for the content segments.

However, there are several differences between the media file/stream and enhanced metadata disclosed by Houh and the plurality of media streams and descriptor file of the amended claims, including the following:

1) The media file/stream disclosed by Houh is not derived from an originating written work, but rather is itself an originating audio/video work. Houh's disclosure is directed to generating metadata enhanced for audio/video search by processing an originating audio/video media file/stream, for example, an audio/video podcast (paragraphs [0005] and [0026]).

2) The media file/stream and enhanced metadata disclosed by Houh are not equivalent to a plurality of media streams derived from a same originating written work and a descriptor file including time information for synchronizing the plurality of media streams. Houh discloses a single media file/stream that is itself an originating audio/video work and enhanced metadata for the media file/stream. Houh does not teach any other media file/stream derived from the same originating work. Although Houh discloses determining the text of word segments in the media file/stream by speech recognition processing or by parsing closed caption data (paragraph [0035]), the text 225b is included in the enhanced metadata 200, as shown in Figure 2, not in a separate media stream. The text is also not derived from an originating written work, but rather from the originating audio/video media file/stream, by speech recognition or by transcription.

3) The media file/stream disclosed by Houh does not include a plurality of digital data files. Although the enhanced metadata identifies content segments of different types within the media file/stream (paragraph [0034]), the content segments are not separate digital data files. The enhanced metadata includes a location of the media file/stream (*e.g.*, a URL 215a in Figure 2) and timing information that "defines the boundaries of each segment within the media file/stream" (paragraph [0034]). Thereby, the enhanced metadata allows playback of the underlying media content of the media file/stream starting at any of the individual content

segments (paragraphs [0041] and [0044]). Moreover, although the enhanced metadata includes the text of word segments in the media file/stream, the text entries are simply character strings (e.g., "world" in Figure 9), not separate digital data files.

4) The media file/stream and enhanced metadata disclosed by Houh do not provide a literary experience of an originating written work. As explained above, the media file/stream is itself an originating audio/video work, e.g., and audio/video podcast, and the enhanced metadata is generated by processing the media file/stream (paragraph [0026]). Although the enhanced metadata includes the text of word segments in the media file/stream, the text may contain errors and omissions (e.g., if the confidence score for a word segment is below a threshold, the text may be replaced by a predefined symbol, as described in paragraph [0059]). Moreover, the enhanced metadata does not include any punctuation or formatting information (Figures 2 and 9). A rendering of the text in the enhanced metadata, with or without the media file/stream, does not provide a literary experience of a written work. For example, in the search snippet shown in Figure 6 of the provisional application corresponding to Houh (U.S. Provisional Patent Application No. 60/736,124 to Houh et al.), the text is difficult to understand (e.g., "feels like her entire house is seeking Meteorologist jamie --") and would not be considered to provide a literary experience.

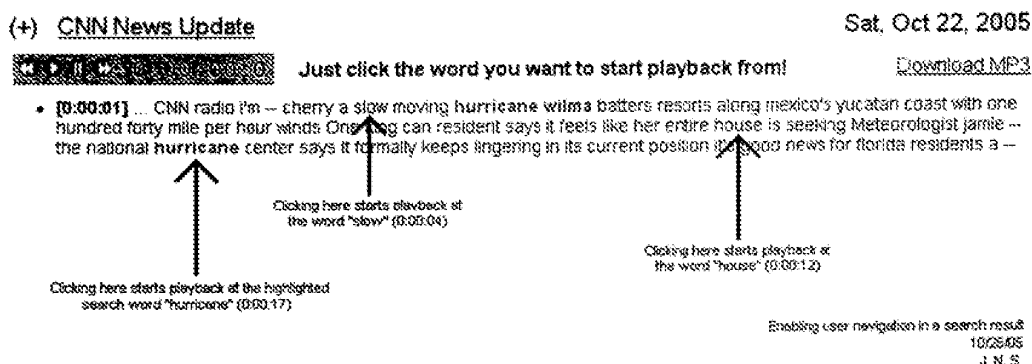


Fig. 6

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Therefore, Houh does not teach or suggest the plurality of media streams and the descriptor file as defined in claims 1, 25, and 26. As Reed does not remedy this deficiency, the proposed combination of Houh and Reed does not teach or suggest all the elements of claims 1, 25, and 26.

Accordingly, claims 1, 25, and 26 are patentable over the cited references. The Applicants respectfully request that the rejections of these claims be withdrawn.

2.2. Dependent Claims 2–23 and 27–29

Claims 2–23 ultimately depend from claim 1, and claims 27–29 ultimately depend from claim 26. Therefore, these claims are patentable for at least the reasons set forth above with respect to claims 1 and 26, and for the following additional reasons.

2.2.1. Dependent Claim 2

Among other things, claim 2, as amended, specifies that the plurality of media streams comprises:

an audio stream including a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio files are rendered sequentially using the media player an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files.

In the rejection of claim 2, the Examiner seems to suggest that the audio speech segments in the media file/stream disclosed by Houh are equivalent to the claimed plurality of digital audio files.

Although the media file/stream disclosed by Houh may be an audio stream, the media file/stream does not include a plurality of digital audio files. The media file/stream is either a

media file or a media stream (paragraph [0005]), a media stream being commonly understood as a sequence of frames.

As explained above in Section 2.1., although the enhanced metadata identifies content segments of different types, such as audio speech segments, within the media file/stream (paragraph [0034]), the content segments are not separate digital data files. The enhanced metadata includes a location of the media file/stream (*e.g.*, a URL 215a in Figure 2) and timing information that "defines the boundaries of each segment within the media file/stream" (paragraph [0034]). Thereby, the enhanced metadata allows playback of the underlying media content of the media file/stream starting at any of the individual content segments (paragraphs [0041], [0044]).

In particular, as illustrated in Figure 1B and described in paragraph [0032], a natural language processor 100b may be used define timing boundaries of timed audio speech segments 105b within the media file/stream. The natural language processor is not used to create a plurality of digital audio files by segmenting, *i.e.*, dividing, the media file/stream.

Therefore, Houh does not teach or suggest an audio stream including a plurality of digital audio files created by segmenting an audio recording in dependence upon natural language gaps, as defined in claim 2. As Reed does not remedy this deficiency, the proposed combination of Houh and Reed does not teach or suggest all the elements of claim 2.

2.2.2. Dependent Claims 6 and 9

Among other things, claims 6 and 9, as amended, each specify that the plurality of media streams comprises:

a text stream including a plurality of electronic text files created by segmenting an electronic text of the originating written work.

In the rejection of claims 6 and 9, Examiner suggests that the text 225b of word segments 225 included in the enhanced metadata 200 disclosed by Houh in paragraph [0035] is equivalent to the claimed plurality of electronic text files.

However, there are several differences between the enhanced metadata including the text of word segments disclosed by Houh and the text stream including a plurality of electronic text files of the amended claims, including the following

1) The text of word segments in the enhanced metadata disclosed by Houh is not created by segmenting an electronic text of an originating written work. Rather, as described in paragraph [0035], the text of word segments "can be determined using a speech recognition processor 100a or parsed from closed caption data included with the media file/stream". In both of these methods, the text of word segments is derived from an originating audio/video work, the media file/stream, by speech recognition or by transcription. As a result, the text of word segments included in the enhanced metadata is likely to contain errors and omissions (e.g., if the confidence score for a word segment is below a threshold, the text may be replaced by a predefined symbol, as described in paragraph [0059]). Moreover, only the text of word segments is included in the enhanced metadata; the enhanced metadata does not include any punctuation or formatting information corresponding to an originating written work (Figures 2 and 9).

2) The text of word segments in the enhanced metadata disclosed by Houh is not a separate text stream. Rather, as shown in Figure 2, the text 225b is included in the enhanced metadata 200, which the Examiner considers as a descriptor file.

3) The text of word segments in the enhanced metadata disclosed by Houh is not equivalent to a plurality of electronic text files. As shown in Figure 9, the text entries in the timed segment index 1200, an example of enhanced metadata, are character strings (e.g., "world"), not separate electronic text files.

Therefore, Houh does not teach or suggest a text stream including a plurality of electronic text files created by segmenting an electronic text of the originating written work, as defined in claims 6 and 9. As Reed does not remedy this deficiency, the proposed combination of Houh and Reed does not teach or suggest all the elements of claims 6 and 9.

2.3. Independent Claim 24

Among other things, claim 24, as amended, requires:

an audio stream and a text stream, the audio stream and the text stream derived from a same originating written work, the audio stream including a plurality of digital audio files created by segmenting an audio recording of the originating written work, the text stream including a plurality of electronic text files created by segmenting an electronic text of the originating written work; and

a descriptor file including information allowing a simultaneous synchronized rendering of the audio stream and the text stream that provides a literary experience of the originating written work, the information including time information for each digital audio file in the audio stream and for each electronic text file in the text stream, the time information for synchronizing the audio stream and the text stream and determined relative to a timeline of the audio recording.

For similar reasons to those set forth above in Sections 2.1. and 2.2., the Applicants submit that Houh does not teach or suggest the audio stream, the text stream, and the descriptor file as defined in claim 24. As Reed does not remedy this deficiency, the proposed combination of Houh and Reed does not teach or suggest all the elements of claim 24.

Accordingly, claim 24 is patentable over the cited references. The Applicants respectfully request that the rejection of this claim be withdrawn.

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3. Conclusion

Reconsideration of the present application is respectfully requested in light of the amendments to the claims and the accompanying remarks.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No. 50-2810.

Please associate this application with Customer No. 24949.

Respectfully submitted,



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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), (l), 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(j))	minus 20 =	*		X \$ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		X \$ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))			If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).		
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED – PART II									
(Column 1)			(Column 2)			(Column 3)			

AMENDMENT	09/29/2015	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	* 29	Minus	** 29	= 0	x \$40 =	0
	Independent (37 CFR 1.16(h))	* 4	Minus	***5	= 0	x \$210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

(Column 1)			(Column 2)			(Column 3)			
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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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438
24949 7590 06/29/2015 TEITELBAUM & MACLEAN 280 SUNNYSIDE AVENUE OTTAWA, ON K1S 0R8 CANADA			EXAMINER CHOU, ALAN S	
			ART UNIT 2451	PAPER NUMBER
			NOTIFICATION DATE 06/29/2015	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):

ANNETTE@PATENTS.ORG

Office Action Summary	Application No. 13/313,393	Applicant(s) MCCUE ET AL.	
	Examiner ALAN S. CHOU	Art Unit 2451	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 3/2/2015.
☐ 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) 1-29 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) 1-29 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

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

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

Attachment(s)

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

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

DETAILED ACTION

This action is in response to amendment filed on March 2, 2015.

Claims 1-29 are presented for examination.

Claim Rejections - 35 USC § 103

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

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

2. Claim 1-27 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Houh et al. 2007/0112837 A1 (hereinafter Houh), further in view of Reed, JR et al. U.S. Patent Application Publication Number 2005/0276570 A1 (hereinafter Reed).

3. As per claims 1, 25-26, Houh discloses a method of rendering digital content comprising:

4. providing a media player (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11 and see client 410 on page 4 section [0047] and Figure 4 and see media player in Figure 6A and see Media player 830 on page 7 section [0071] and on Figure 6C) having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9

section [0089] and see search engine module 420 on page 4 section [0047] and Figure 4), the at least one server having stored thereon a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089] and see meta data 230 on page 3 section [0036] and content descriptor on page 3 section [0033] and Figure 2), the descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]);

5. determining a first digital data file from the plurality of digital files having digital content to be rendered with the media player (see search engine 1320 select timed segment corresponding to the requested tag on page 9 section [0090] and see meta data 200 identifies segments of audio/video content on page 3 section [0034] and see search driven application on page 3 section [0033] and Figure 2 and search engine module provide client with search query response on page 4 section [0047] and Figure 4).

6. downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player (downloading audio data on page 2 section [0027]); and

7. rendering the selected digital content using the media player (see media player 1345 jump to the timed segment on page 9 section [0090] and see jumping to user generated snippet with start and end offset on page 5 section [0054] and see user generating playback of media content on page 6 section [0066] and Figure 6A).
8. Houh do not disclose expressly: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (Houh teaches generating snippet segment with start and end offset on page 5 section [0054]), the predetermined time offset external to the descriptor file, and determined relative to the timeline of the audio recording.
9. Houh do not disclose expressly: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset.
10. Reed teaches: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]), the predetermined time offset external to the descriptor file (see dynamic book mark creation on page 16 section [0238]), and determined relative to the timeline of the audio recording (see user designated position to play in the audio recording on page 16 section [0242]).
11. Reed teaches: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset (see user designated position to play in the audio recording on page 16 section [0242]).

12. Houh and Reed are analogous art because they are from the same field of endeavor, audio file with advanced metadata description and controls. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a predetermined time offset such as a bookmark to allow user to render the specific predetermined time position in an audio file. The motivation for doing so would have been to allow user to go to a specific bookmarked position. Therefore, it would have been obvious to combine Houh and Reed for the benefit of using a predetermined time offset external to the descriptor file to render audio content as specified in claims 1, 25-26.

13. As per claim 2, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the plurality of digital data files includes a plurality of digital audio files (see audio stream on page 2 section [0026] in Houh), the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps (see natural language processor 100b on page 3 section [0032] in Houh) so that when the plurality of digital audio files are rendered sequentially an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files (see rendered timed segments on page 3 section [0032] in Houh).

14. As per claim 3, Houh and Reed disclose a method of rendering digital content according to claim 2, wherein the time information includes at least one of a start time,

an end time, and a duration of each digital audio file in the plurality of digital audio files, the start and end times of each digital audio file determined relative to the beginning of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh).

15. As per claim 4, Houh and Reed disclose a method of rendering digital content according to claim 3, wherein determining the first digital file comprises comparing predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) to the at least one of a start tune, an end time, and a duration (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh) of each digital audio file offset (see identify selected timed segments that correspond to the requested tag and instructions to play timed tagged segments on page 9 section [0090] and see predetermined timed offset on page 7 section [0072-0073] in Houh) in the plurality of digital audio files to find a first digital audio file that includes digital audio data from a point in the audio recording at a time corresponding to the predetermined time (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed).

16. As per claim 5, Houh and Reed disclose a method of rendering digital content according to claim 4, wherein downloading the digital content comprises downloading

the first digital audio file from the server, and wherein the method further comprises rendering the first digital audio file using the media player while simultaneously downloading subsequent digital audio files from the server (see media file and audio streaming on page 1 section [0005] in Houh).

17. As per claim 6, Houh and Reed disclose a method of rendering digital content according to claim 4, wherein the digital data includes a plurality of electronic text files (see timed word segments 225 for text of an individual words 225b on page 3 section [0035] in Houh), and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

18. As per claim 7, Houh and Reed disclose a method of rendering digital content according to claim 6, wherein determining the first digital data file comprises comparing the predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) to the at least one of a start time, an end time, and a duration of each electronic text file (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh) to determine a first electronic text file (see timed word segments 225 for text of an individual words 225b on page 3 section [0035] in Houh) in the

plurality of digital data files having a point therein corresponding to the predetermined time offset.

19. As per claim 8, Houh and Reed disclose a method of rendering digital content according to claim 7, wherein rendering the digital content using the media player comprises rendering the first electronic text file from a position (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh) calculated to correspond to the predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) while simultaneously rendering the first digital audio file (see media file and audio streaming on page 1 section [0005] in Houh).

20. As per claim 9, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the digital data includes a plurality of electronic text files (see timed word segments 225 for text of an individual words 225b on page 3 section [0035] in Houh), wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

21. As per claim 10, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the digital data includes at least one electronic text tile (see audiobook on page 2 section [0019] in Reed and see word segments 105 on page 3 section [0032] in Houh), and determining the first digital data file (see selecting the timed segments that corresponds to the requested tag on page 9 section [0090] and see determining content segment and timing information on page 5 section [0049] in Houh) comprises comparing the at least one of a start time, an end time, and a duration of the at least one electronic text file with the predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) to determine a first electronic text having a point therein corresponding to the predetermined time offset (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

22. As per claim 11, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein downloading the digital content comprises downloading the first electronic text file from the server (see transmitting timed tagged segments to the media player 1345 on page 9 section [0090] and see receiving metadata 230 on page 3 section [0036] and page 6 section [0065] and downloading audio data on page 2 section [0027] in Houh), loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure (see rendering video using timed tagged segments on page

9 section [0090] see receiving metadata with descriptors such as timing information on page 6 section [0065] in Houh).

23. As per claim 12, Houh and Reed disclose a method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises determining at least one of a start time and an end time of a plurality of paragraphs (see segments corresponding to a paragraph on page 1 section [0007] and page 3 section [0036] in Houh) in the loaded first electronic text file using the plurality of hard time tags, the start and end times of each paragraph determined relative to one of the beginning of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh) and a beginning of the first electronic text file (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

24. As per claim 13, Houh and Reed disclose a method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises extrapolating time values for a plurality of characters in the loaded first electronic text file (see timed word segments 225 for text of an individual words 225b on page 3 section [0035] in Houh), the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of

hard time tags (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

25. As per claim 14, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event (see media player 1345 rendering segments by presenting identified timed tagged segments on page 9 section [0090] and see receiving metadata with descriptors such as timing information on page 6 section [0065] and see player rendering content with timing offset on page 7 section [0073] in Houh).

26. As per claim 15, Houh and Reed disclose a method of rendering digital content according to claim 14, wherein rendering digital content using the media player further comprises simultaneously rendering a digital audio file from a point corresponding to the predetermined time offset (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh and see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) and the first electronic text file from the point corresponding to the predetermined time offset (see dynamic bookmark generation by on page 16 section [0238] and see new time location in the audio file on page 16 section [0242] in Reed).

27. As per claim 16, Houh and Reed disclose a method of rendering digital content according to claim 15, wherein rendering the digital content using the media player comprises providing automated page turns within the loaded first electronic text file using the current time offset (see automatic rendering of the selected segments on page 9 section [0090] and see playback rendering using predetermined timing offsets on page 7 section [0073] and see rendering of segments from markers such as chapters on page 4 section [0039] in Houh and see automatic page turning on see page 16 section [0242] and page 16 section [0252] in Reed).

28. As per claim 17, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the digital data includes a plurality of ancillary files, and wherein the time information includes at least one of a start time, an end time, and a duration of each ancillary file in the plurality of ancillary files (see video segments 245 on page 3 section [0037] in Houh), the start and end times of each ancillary file determined relative to the beginning of the audio recording, the plurality of ancillary files including at least one of a plurality of graphic files, a plurality of advertising files, and a plurality of user generated ancillary files (see video segments 245 with segment type 245b, timing start offset 245c, end offset 245d, duration 245e on page 3 section [0037] in Houh).

29. As per claim 18, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the predetermined offset is provided by one of a

bookmark (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed), a search result (see search result on page 4 section [0041] in Houh), a table of contents (see chapter markers on page 4 section [0039] in Houh), an index, a list of tables, a list of figures, footnotes, quotations, a list of illustrations, a fast-forward request, and a rewind request (see forward and back request on page 6 section [0068-0069] in Houh).

30. As per claim 19, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the predetermined offset is provided by a bookmark (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed), the bookmark including information to identify the descriptor file (see markers on page 4 section [0039] in Houh).

31. As per claim 20, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein the descriptor file includes at least one of a start time, an end time, and a duration of a plurality of digital audio files representing the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh), and at least one of a start time, an end time, and a duration of a plurality of illustration files from the originating work (see video segments 245 with segment type 245b, timing start offset 245c, end offset 245d, duration 245e on page 3 section [0037] in Houh).

32. As per claim 21, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein the predetermined offset (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed) is provided from a text search result (see search result on page 4 section [0041] in Houh).

33. As per claim 22, Houh and Reed disclose a method of rendering digital content according to claim 14, comprising creating a bookmark for a selected point in the digital content (see markers on page 4 section [0039] in Houh), the bookmark including the current time offset, the current time offset determined relative to the timeline of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh).

34. As per claim 23, Houh and Reed disclose a method of rendering digital content according to claim 1, comprising the steps of: determining a current time offset while rendering the digital content; and creating a bookmark(see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed) for a selected point in the rendered digital content (see markers on page 4 section [0039] in Houh), the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the

audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh), the selected point in the audio recording corresponding to the selected point in the digital content (see selecting specific timed segments to render on page 9 section [0090] and see using metadata to determine timing offset on page 6 section [0065] in Houh).

35. As per claim 24, Houh discloses a method of rendering digital content comprising:

36. providing a media player (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11) having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9 section [0089] and see search engine module 420 on page 4 section [0047] and Figure 4), the at least one server having stored thereon a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089] and see meta data 230 on page 3 section [0036] and content descriptor on page 3 section [0033] and Figure 2), the descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]);

37. determining a first digital data file from the plurality of digital files having digital content to be rendered with the media player (see search engine 1320 select timed segment corresponding to the requested tag on page 9 section [0090] and see meta data 200 identifies segments of audio/video content on page 3 section [0034] and see search driven application on page 3 section [0033] and Figure 2 and search engine module provide client with search query response on page 4 section [0047] and Figure 4).
38. downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player (downloading audio data on page 2 section [0027]); and
39. rendering the selected digital content using the media player (see media player 1345 jump to the timed segment on page 9 section [0090] and see jumping to user generated snippet with start and end offset on page 5 section [0054] and see user generating playback of media content on page 6 section [0066] and Figure 6A),
40. wherein the plurality of digital data files includes at least one electronic text file and at least one digital audio file (see timed word segments 225 for text of an individual words 225b on page 3 section [0035]).
41. Houh do not disclose expressly: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (Houh teaches generating snippet segment with start and end offset on page 5 section [0054]), the predetermined time offset external to the descriptor file, and determined relative to the timeline of the audio recording.

42. Houh do not disclose expressly: rendering the selected digital content using the media player at an arbitrary point determined using the predetermined time offset.
43. Houh do not disclose expressly: wherein rendering the digital content using the media player comprises providing automatic page turn for text derived from the at least one electronic text file, the automated page turn determined in dependence upon a progression time offset relative to the rendering of the at least one digital audio file.
44. Reed teaches: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]), the predetermined time offset external to the descriptor file (see dynamic book mark creation on page 16 section [0238]), and determined relative to the timeline of the audio recording (see user designated position to play in the audio recording on page 16 section [0242]).
45. Reed teaches: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset (see user designated position to play in the audio recording on page 16 section [0242]).
46. Reed teaches: wherein rendering the digital content using the media player comprises providing automatic page turn for text derived from the at least one electronic text file (see movement between pages on page 2 section [0020] and see page guides to show specific page progress in the audio book on page 15 section [0222-0223]), the automated page turn determined in dependence upon a progression time offset relative to the rendering of the at least one digital audio file (see dynamic book mark creation on

page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]).

47. Houh and Reed are analogous art because they are from the same field of endeavor, audio file with advanced metadata description and controls. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a predetermined time offset such as a bookmark to allow user to render the specific predetermined time position in an audio file and show the user the progression of the audio track based on the page breaks. The motivation for doing so would have been to allow user to go to a specific bookmarked position and use page guides to progress the audiobook. Therefore, it would have been obvious to combine Houh and Reed for the benefit of using a predetermined time offset external to the descriptor file and page guides to render audio content as specified in claim 24.

48. As per claims 27 Houh discloses a non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

49. render digital content (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11 and see client 410 on page 4 section [0047] and Figure 4 and see media player in Figure 6A and see Media player 830 on page 7 section [0071] and on Figure 6C), the computer having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9 section [0089] and see search engine module 420 on page 4 section [0047]

and Figure 4), the at least one server having stored thereon digital data corresponding to an originating work and a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089] and see meta data 230 on page 3 section [0036] and content descriptor on page 3 section [0033] and Figure 2), the descriptor file separate from the digital data (see timed tag index 1335 metadata on page 9 section [0089] and Figure 11 and see meta data 230 on page 3 section [0036] and content descriptor on page 3 section [0033] and Figure 2) including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]), the digital data including the digital content;

50. Houh do not disclose expressly: determine a current time offset while rendering the digital content; and

51. create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

52. Reed teaches: determine a current time offset while rendering the digital content (see user designated position to play in the audio recording on page 16 section [0242]); and

53. create a bookmark for a selected point in the rendered digital content (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]), the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording (see user designated position to play in the audio recording on page 16 section [0242]), the selected point in the audio recording corresponding to the selected point in the digital content (see dynamic book mark creation on page 16 section [0238]).

54. Houh and Reed are analogous art because they are from the same field of endeavor, audio file with advanced metadata description and controls. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a predetermined time offset such as a bookmark to allow user to render the specific predetermined time position in an audio file. The motivation for doing so would have been to allow user to go to a specific bookmarked position. Therefore, it would have been obvious to combine Houh and Reed for the benefit of creating a bookmark to render audio content as specified in claim 27.

55. Claims 28, 29 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Houh et al. 2007/0112837 A1 (hereinafter Houh), further in view of Reed, JR et al. U.S. Patent Application Publication Number 2005/0276570 A1 (hereinafter Reed), further in view of Collins et al. U.S. Patent Application Publication Number 2007/0083354 A1 (hereinafter Collins).

56. As per claims 28, 29, Houh does not teach expressly e-mailing or transfer the bookmarks from one client to another.

57. Collins teaches the need to backup application files such as bookmarks and ebook files to a data backup system (see page 3 section [0031]) to be retrieved later.

58. Houh and Collins are analogous art because they are from the same field of endeavor, electronic content delivery system. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to transfer the bookmarks. The motivation for doing so would have been able to share or transfer metadata to another client. Therefore, it would have been obvious to combine Houh and Reed and Collins for the benefit of transfer bookmark to obtain the invention as specified in claims 28, 29.

Response to Arguments

59. Applicant's arguments filed March 2, 2015 have been fully considered but they are not persuasive. As per claims 1, 25, 26, the applicant asserts that Reed does not

teach time-based bookmarks because the time based bookmarks are optional (see Remarks on page 9). The examiner respectfully disagrees. Reeds teaches dynamic generating a bookmarks (see page 16 section [0238]) based on user set new time location (see page 16 section [0242]), or as a predetermined time offset as claimed.

60. Applicant asserts that cited references do not teach time information to be considered to be a descriptor file and a predetermined offset (see Remarks on page 10). The examiner respectfully disagrees. Houh teaches a descriptor file (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028]) with timing information as claimed and see audio timing information (see metadata 230 with audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036]).

61. Reed teaches the predetermined time offset (see user designated time position to play in the audio recording on page 16 section [0242] and see user set listening positions at a specific time on page 16 section [0256]) external to the descriptor file (see user generated dynamic bookmark external to pre-rendered audio data on page 2 section [0026]).

62. Applicant asserts that Reed do not teach expressly that predetermined time offset that is external to the descriptor file because the metadata would be embedded with the file (see Remarks on page 11). The examiner respectfully disagrees. Reed teaches the predetermined time offset (see user designated time position to play in the

audio recording on page 16 section [0242] and see user set listening positions at a specific time on page 16 section [0256]) external to the descriptor file (see user generated dynamic bookmark external to pre-rendered audio data on page 2 section [0026]). Reed's user set timed bookmark (see bookmark on page 1 section [0017]) would be external to other pre rendered metadata for the audio file (see metadata separate from user bookmarks on page 1 section [0017] and metadata definition on page 2 section [0019]).

63. Applicant asserts that Houh does not teach "downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player" as per claim 1, 25, 26 (see Remarks on page 12). The examiner respectfully disagrees. Houh teaches downloading of audio data (downloading audio data on page 2 section [0027]) and downloading audio databased on specific metadata (see search driven audio/video applications based on metadata on page 3 section [0033] that uses metadata to find specific digital content from servers on page 3 section [0034] and on page 4 section [0041]).

64. Applicant asserts that Houh cannot be used to teach subject matter in independent claims 1, 25, 26, because the subject matter of paragraph of [0075-0100] and Figure 7-11 of Houh were only introduced in the CIP application, more specifically the subject matter corresponding to timed tagging of media content (see Remarks on page 13). After further consideration, the subject matter of timed tagging of media

content are also present on both application publications in section previously disclosed in Figure 6b-6c. New citation is supplemented to show Houh fully supports the subject matter in independent claims 1, 25, 26 corresponding to timed tagging of media content (see timed audio speech segments on page 7 section [0072] and see predetermined timing offset for playback offset on page 7 section [0073] and Figure 6C and see metadata information with timing information such as start and end offset and duration on page 6 section [0065]).

65. Applicant asserts that Houh does not teach “determining a first digital file from the plurality of digital files having digital content to be rendered with the media player” and “downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player” as per claims 1, 25, 26 (see Remarks on page 12).

66. The examiner respectfully disagrees. Houh teaches “determining a first digital file from the plurality of digital files having digital content to be rendered with the media player (see search engine 1320 select time segment corresponding to the requested tag on page 9 section [0090])” and “downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player (see requesting media content from server on page 9 section [0090])” as claimed.

67. Applicant asserts that one of ordinary skill in the art would not have found it obvious to combine predetermined time offset such as a bookmark as taught by Reed with enhanced metadata search-driven application as taught by Houh (see Remarks on page 13). The examiner respectfully disagrees. Both Houh and Reed teach the use of metadata driven media files for audio files. Houh teaches metadata descriptor file used to describe and navigate the audio file. Reed teaches the user of the audio file could apply a personalized time based bookmark, or predetermined time offset. Both are analogous techniques used to enhance audio media consumption. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use any techniques to enhance user audio media consumption.

68. Applicant asserts that the combination of Houh and Reed would have provide the method for "determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording" because the data file would not be determined using a descriptor file and the predetermined offset (see Remarks on page 14). The examiner respectfully disagrees. Houh teaches metadata descriptor file used to describe and navigate the audio file. Reed teaches the user of the audio file could apply a personalized time based bookmark, or predetermined time offset. Both are analogous techniques used to enhance audio media consumption. At the time of the

invention, it would have been obvious to a person of ordinary skill in the art to use any techniques to enhance user audio media consumption. The user could use either metadata type to track and find the specific audio files for consumption.

69. Applicant asserts that one of ordinary skill in the art would have considers “snippets” to be a plurality of digital audio files stored on the server as taught by Houh as per claim 2 (see Remarks on page 15). The examiner respectfully disagrees. Houh teaches rendering of the digital content into plurality of audio files based on natural language gaps (see page 3 section [0032]).

70. Applicant asserts that one of ordinary skill in the art would have considers “snippets” to be a plurality of digital audio files stored on the server as taught by Houh, because Houh specifically teaches some of the timed segment will not be rendered, as per claim 2 (see Remarks on page 16). The examiner respectfully disagrees. Houh teaches rendering of the digital content into plurality of audio files based on natural language gaps in sequential segments (see page 3 section [0032]). It would have been inherent for the audio data processing to rendered all the required timed segments to make the audio segments rending natural language complete.

71. Applicant asserts that Reed teaches non-sequential audio format and thus does not teach " plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio files

are rendered sequentially an experience of an contiguous audio stream is reproduced for a user without reassembling sequential digital audio files" as defined in claim 2 (see Remarks on page 16). The examiner respectfully disagrees. Reed teaches rendering of complete audio books (see page 4 section [0072-0075]) with sequential format such as line by line or chapter by chapter to have a smooth presentation by the narrator (see page 4 section [0075]).

72. Applicant asserts that Houh does not teach digital audio files with start and end time that can be downloaded or stored on a server (see Remarks on page 17). The examiner respectfully disagrees. Houh teaches audio speech segments 235 with content segment timing start offset, end offset and duration on page 3 section [0036]. Houh also teaches search of the media content segment with the start and end time offset (see page 7 section [0069] and [0072] and Figure 6C) and requesting from database (see page 9 section [0089]).

73. Applicant asserts that Houh does not teach downloading the first digital audio file from the server and rendering the first digital audio file using the media player while simultaneously downloading the subsequent digital audio files from the server, as per claim 5 (see Remarks on page 18). The examiner respectfully disagrees. Houh teaches download from a server (see client requesting and downloading a timed segment from the database on page 5 section [0089]). Houh then teaches

simultaneously downloading the subsequent digital files in a form of stream (see audio streaming on page 1 section [0005]).

74. Applicant asserts that Houh does not teach the digital data includes a plurality of electronic text files, and wherein the time information includes at least one of a start time, and end time, and a duration of each electronic text files in the plurality of electronic text files, as per claim 6 (see Remarks on page 18). The examiner respectfully disagrees. Houh teaches timed word segments 225 for text of an individual words on page 3 section [0035]. Houh also teaches the word segments 225b with start offset 225, end offset 225d, and duration 225e on page 5 section [0035].

75. Applicant asserts that Houh and Reed do not teach determining the first digital data file comprises comparing the predetermined time offset to at least one of a start time, and end time, and a duration of each electronic text file to determine a first electronic text file in the plurality of digital files having a point therein corresponding to the predetermined time offset, as per claims 4, 7 and 8 (see Remarks on page 17 & 19). The examiner respectfully disagrees. Houh teaches using the predetermined time offset (see user location playback using position on page 16 section [0242] and [0256]) and use the time offset to find the position between the start and end time offset (see page 3 section [0035]) as taught by Houh.

76. Applicant asserts that Houh and Reed do not teach the digital data includes a plurality of electronic text files, wherein the time information includes at least one of a start time, and end time, and a duration of each electronic text file in the plurality of electronic text files, as per claim 9 (see Remarks on page 19). The examiner respectfully disagrees. Houh teaches timed word segments 225 with text of individual words with start and duration offset of teach text as claimed (see page 3 section [0035]).

77. Applicant asserts that Houh and Reed do not teach determining the first digital data file comprises comparing at least one of a starting time, an end time, and duration of the at least one electronic text file with the predetermined time offset to determining a first electronic text have having a point corresponding to the predetermined time offset, as per claim 10 (see Remarks on page 20). The examiner respectfully disagrees. Reed teaches the predetermined time offset (see user designated time position to play in the audio recording on page 16 section [0242] and see user set listening positions at a specific time on page 16 section [0256]) to determine what part of the audio book segment is needed (see page 16 section [0242] and [0238-0239]).

78. Applicant asserts that Houh and Reed do not teach downloading the first electronic text file from the server, loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure, as per claim 11 (see Remarks on page 20). The

examiner respectfully disagrees. Houh teaches downloading of the segment of the audio/video stream from a database (see page 9 section [0089] and Figure 11).

79. Applicant asserts that Houh and Reed do not teach extrapolating time values for a plurality of characters in the loaded first electronic text file, as per claim 13 (see Remarks on page 21). The examiner respectfully disagrees. Houh teaches evaluating and taking out the values of the start and end offset to calculate and create caption data (see page 3 section [0035]).

80. Applicant asserts that Houh and Reed do not teach rendering the digital content using the media player comprises determining a current offset using at least one of a discrete and timed event, as per claim 14, (see Remarks on page 21). The examiner respectfully disagrees. Houh teaches using a media player 1345 rendering segments by presenting identified timed tagged segment on page 9 section [0090].

81. Applicant asserts that Houh and Reed do not teach providing automated page turns within the loaded first electronic text file using the current time offset, as per claim 16, (see Remarks on page 21). The examiner respectfully disagrees. Reed teaches automatic (see page 16 section [252]) page turning (see page 16 section [0242]).

82. Applicant asserts that Houh and Reed do not teach determining a first digital data file from the plurality of digital data files having digital content to be rendered with the

media player, the first digital data file determined using the time information in the descriptor file and a predetermined time offset, wherein the predetermined time offset is provided by a bookmark, as per claims 18, 19 (see Remarks on page 22). The examiner respectfully disagrees. Reed teaches time based bookmarks usable to select specific audio files (see page 16 section [0242]).

83. Applicant asserts that Houh and Reed do not teach determining a current time offset while rendering the digital content; and create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file includes the current time offset and identification of the descriptor file as per claim 23 (see Remarks on page 22). The examiner respectfully disagrees. Reed teaches a timed bookmark to identify a location for playback on page 16 section [0242]. The bookmark inherently discloses specific time sampled in the specific book which a descriptor file for the book refers to.

84. Applicant asserts that Houh and Reed do not teach providing automated page turns as defined in claim 24 (see Remarks on page 23). The examiner respectfully disagrees. Reed teaches automatic (see page 16 section [252]) page turning (see page 16 section [0242]).

85. Applicant asserts that Houh and Reed do not teach the descriptor file is separate from the digital data as defined in claim 27 (see Remarks on page 26). The examiner

respectfully disagrees. Houh teaches metadata 27 from content descriptor 25 is separate from audio/video podcast 20 (see page 2 section [0028]). Houh teaches the metadata to be timed tag indexes 1335 that is separate from the actual media file (see page 9 section [0089]). Houh teaches content descriptor is obtainable from descriptor indexer 50 and is separated from audio/video content data (see page 3 section [0033]). Houh cited an alternative embodiment that the descriptor could be extracted from embedded media files (see page 3 section [0033]).

86. Applicant asserts that Houh and Reed do not teach creating a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the descriptor file separate from the digital data because that one of ordinary skill in the art would not have find it obvious to create a bookmark including the current time offset and identification of the descriptor file in view of Houh and Reed as per claim 28-29 (see Remarks on page 26). The examiner respectfully disagrees. Houh teaches the use of statically generated descriptor files with media content files (see page 3 section [0033]) for enhancing media contents such as adding closed captions to the media content (see page 3 section [0035]). Reed teaches creating of dynamic user set bookmarks (page 16 section [0238]) on set time offset position (see page 16 section [0242]). Both Houh and Reed are analogous art of using metadata to consume media contents. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use

both media metadata techniques of generating static descriptors and dynamic bookmarks to help user navigate and consume media contents.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN S. CHOU whose telephone number is (571)272-5779. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher L. Parry can be reached on (571)272-8328. 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.

ALAN S CHOU
Examiner
Art Unit 2451

/ALAN S CHOU/
Examiner, Art Unit 2451

/CHRIS PARRY/
Supervisory Patent Examiner, Art Unit 2451

<i>Index of Claims</i> 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

✓	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	04/17/2014	11/21/2014	06/12/2015						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
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	28	✓	✓	✓						
	29	✓	✓	✓						

Search Notes 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

CPC- SEARCHED		
Symbol	Date	Examiner
H04L 29/06027, H04L 29/06462, H04L 29/06	4/16/2014	AC

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
709	231	4/16/2014	AC

SEARCH NOTES		
Search Notes	Date	Examiner
PLUS Search	4/16/2014	AC
EAST Search	4/16/2014	AC
EAST Search	11/21/2014	AC
EAST Search	6/12/2015	AC

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

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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L4	1	"7984147".pn.	US-PGPUB; USPAT	OR	OFF	2015/06/12 19:26
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L6	1	"20030167262"	US-PGPUB; USPAT	OR	OFF	2015/06/12 19:26
L7	1	"20070124331"	US-PGPUB; USPAT	OR	OFF	2015/06/12 19:26
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			USPAT			
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L34	1	"20070106646"	US-PGPUB; USPAT	OR	OFF	2015/06/12 19:26

EAST Search History (I nterference)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: **McCue et al**

Atty Docket No.: **141-1 US CIP**

Serial No.: **13/313,393**

Art Unit: **2451**

Filing Date: **December 7, 2011**

Examiner: **Chou, Alan S**

Confirmation No.: **2438**

For: **TRANSMISSION OF DIGITAL AUDIO DATA**

March 2, 2015

E-filed

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action dated December 1, 2014, please consider the following remarks and amend the above-identified 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 9 of this paper.

Amendments to the Claims

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

1. (Previously presented) A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work;

determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording;

downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player; and

rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset.

2. (Currently amended) A method of rendering digital content according to claim 1, wherein the plurality of digital data files includes a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio files ~~is~~ are rendered sequentially an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files.

3. (Original) A method of rendering digital content according to claim 2, wherein the time information includes at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files, the start and end times of each digital audio file determined relative to the beginning of the audio recording.

4. (Previously presented) A method of rendering digital content according to claim 3, wherein determining the first digital data file comprises comparing the predetermined time offset to the at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files to find a first digital audio file that includes digital audio data from a point in the audio recording at a time corresponding to the predetermined time offset.

5. (Previously presented) A method of rendering digital content according to claim 4, wherein downloading the digital content comprises downloading the first digital audio file from the server, and wherein the method further comprises rendering the first digital audio file using the media player while simultaneously downloading subsequent digital audio files from the server.

6. (Original) A method of rendering digital content according to claim 4, wherein the digital data includes a plurality of electronic text files, and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.

7. (Previously presented) A method of rendering digital content according to claim 6, wherein determining the first digital data file comprises comparing the predetermined time offset to the at least one of a start time, an end time, and a duration of each electronic text file to determine a first electronic text file in the plurality of digital data files having a point therein corresponding to the predetermined time offset.

8. (Previously presented) A method of rendering digital content according to claim 7, wherein rendering the digital content using the media player comprises rendering the first electronic text file from a position calculated to correspond to the predetermined time offset while simultaneously rendering the first digital audio file.

9. (Original) A method of rendering digital content according to claim 1, wherein the digital data includes a plurality of electronic text files, wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text

files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.

10. (Previously presented) A method of rendering digital content according to claim 1, wherein the digital data includes at least one electronic text file, and wherein determining the first digital data file comprises comparing at least one of a start time, an end time, and a duration of the at least one electronic text file with the predetermined time offset to determine a first electronic text file having a point therein corresponding to the predetermined time offset.

11. (Previously presented) A method of rendering digital content according to claim 10, wherein downloading the digital content comprises downloading the first electronic text file from the server, loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure.

12. (Original) A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises determining at least one of a start time and an end time of a plurality of paragraphs in the loaded first electronic text file using the plurality of hard time tags, the start and end times of each paragraph determined relative to one of the beginning of the audio recording and a beginning of the first electronic text file.

13. (Original) A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises extrapolating time values for a plurality of characters in the loaded first electronic text file, the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of hard time tags.

14. (Original) A method of rendering digital content according to claim 10, wherein rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event.

15. (Currently amended) A method of rendering digital content according to claim 14, wherein rendering digital content using the media player further comprises simultaneously rendering a

digital audio file from a point corresponding to the predetermined time offset and the first electronic text file from the point corresponding to the predetermined time offset.

16. (Original) A method of rendering digital content according to claim 15, wherein rendering the digital content using the media player comprises providing automated page turns within the loaded first electronic text file using the current time offset.

17. (Original) A method of rendering digital content according to claim 1, wherein the digital data includes a plurality of ancillary files, and wherein the time information includes at least one of a start time, an end time, and a duration of each ancillary file in the plurality of ancillary files, the start and end times of each ancillary file determined relative to the beginning of the audio recording, the plurality of ancillary files including at least one of a plurality of graphic files, a plurality of advertizing files, and a plurality of user generated ancillary files.

18. (Previously presented) A method of rendering digital content according to claim 1, wherein the predetermined time offset is provided by one of a bookmark, a search result, a table of contents, an index, a list of tables, a list of figures, footnotes, quotations, a list of illustrations, a fast-forward request, and a rewind request.

19. (Previously presented) A method of rendering digital content according to claim 1, wherein the predetermined time offset is provided by a bookmark, the bookmark including information to identify the descriptor file.

20. (Original) A method of rendering digital content according to claim 10, wherein the descriptor file includes at least one of a start time, an end time, and a duration of a plurality of digital audio files representing the audio recording, and at least one of a start time, an end time, and a duration of a plurality of illustration files from the originating work.

21. (Previously presented) A method of rendering digital content according to claim 10, wherein the predetermined time offset is provided from a text search result.

22. (Original) A method of rendering digital content according to claim 14, comprising creating a bookmark for a selected point in the digital content, the bookmark including the current time offset, the current time offset determined relative to the timeline of the audio recording.

23. (Original) A method of rendering digital content according to claim 1, comprising the steps of:

determining a current time offset while rendering the digital content; and

creating a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

24. (Previously presented) A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work;

determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording;

downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player; and

rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset,

wherein the plurality of digital data files includes at least one electronic text file and at least one digital audio file, and wherein rendering the digital content using the media player comprises providing automated page turns for text derived from the at least one electronic text file, the automated page turns determined in dependence upon a progressing time offset relative to the rendering of the at least one digital audio file.

25. (Previously presented) A system for rendering digital content comprising:

- a server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file including time information for the digital data, the time information determined relative to a timeline of an audio recording of the originating work;
- a client for rendering the digital data corresponding to the originating work; and
- a network for connecting the server and the client and facilitating transmission of the digital data from the server to the client,

wherein the client includes computer readable code for rendering the digital content using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording, the digital content rendered at an arbitrary point determined using the predetermined time offset.

26. (Previously presented) A non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

- download digital content from at least one server, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work, the computer having access to the at least one server via a network;

- select an arbitrary point within the digital content from which to begin rendering, the arbitrary point selected using the time information in the descriptor file and a predetermined time

offset external to the descriptor file, the predetermined time offset determined relative to the timeline of the audio recording; and

begin rendering the digital content from the arbitrary point.

27. (Currently amended) A non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

render digital content, the computer having access to at least one server via a network, the at least one server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file separate from the digital data and including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work, the digital data including the digital content;

determine a current time offset while rendering the digital content; and

create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

28. (Previously presented) A non-transitory computer readable storage medium according to claim 27, which when executed by a computer, causes said computer to e-mail the bookmark from one client to another client.

29. (Previously presented) A non-transitory computer readable storage medium according to claim 27, which when executed by a computer, causes said computer to transfer one of the bookmark and a shortcut to the bookmark to one of a desktop, a window other than the window used for rendering the digital content, and an application other than the application used for rendering the digital content.

REMARKS

Claims 1-29 are pending, with claims 1, 24, 25, 26, and 27 being independent, and claims 2, 15, and 27 amended.

Claims 1-27 have been rejected under pre-AIA 35 USC 103(a) as being unpatentable over Houh et al. (US Pat. Appl. No. 20070112837, hereinafter Houh) in view of Reed JR et al. (UA Pat. Appl. No. 20050276570, hereinafter Reed). These rejections are respectfully traversed.

First, it is respectfully submitted that Reed does not teach “the first digital data file determined using the time information in the descriptor file and a predetermined time offset”, as defined in claims 1, 25, and 26.

Referring to paragraphs [0138] and [0242], Reed teaches that a user can move to a specific location that has been designated earlier by a bookmark, which is either fixed by the publisher or dynamically created by the user. It is respectfully submitted that the bookmarks taught in Reed are not time-based, but rather are based on one of the byte addressable bookmarking techniques commonly used at the time of application to allow a user to easily return to the bookmarked position. In fact, it is respectfully submitted that at the time Reed was filed, electronic bookmarks for audiobooks were typically linked directly to the audio file (e.g., Reed teaches that the bookmarks are stored on the memory card with the content). Some examples of support for the assertion that Reed does not teach time-based bookmarks can be found in paragraph [0238], which states that in Stage 3 ("Bookmark Navigation"), a user can move to a specific *location* that has been designated earlier by a bookmark. Further support can be found in paragraph [0521], column 32, wherein the representative script for audio navigation indicates that, in stage two (chapter/page navigation), the level duration and/or level start times are *optional* (i.e., by specifying “*if present*”). Clearly, if the level duration and/or start times are optional, the chapter/page navigation and bookmark navigation (e.g., which according to paragraph [0255] shares the same logic) taught by Reed cannot be time-based. In fact, it appears that Reed teaches that time is only used as an indication of which page the listener is on within

the content. For example, paragraph [0222] specifically states that time can be used as a guide to users as to how far they have listened. Since the navigations and/or bookmarks taught by Reed do not appear to be time-based, it is respectfully submitted that Reed cannot teach that their use corresponds to “the first digital data file determined using the *time* information in the descriptor file and a predetermined *time* offset”.

Moreover, it is respectfully submitted that Reed does not teach “the first digital data file determined using the time information in the descriptor file *and* a predetermined time offset”. In particular, it is respectfully submitted that even if the bookmark taught by Reed was time-based, it’s use would not include *time information* from anything that could be considered to be *a descriptor file*. More specifically, since Reed appears to teach that all of the chapters of an audiobook are provided in a single file, there would be no need to use any other time information (e.g., start time of each chapter) in order to go to the bookmarked location. Support for the statement that Reed teaches that all of the chapters are provided in a single file is provided in paragraphs [0135]-[0137], wherein it is stated that the audio data is concatenated if originating from multiple tracks and is stored as *an* audio file, and in paragraph [0155], wherein it is stated that *the* audio file for an audiobook being processed by the mastering system is compressed multiple times and that after each compression, that the index file is attached to *the* compressed audio file, and that *the* resulting combined audiobook is manually reviewed for size and quality.

Second, it is respectfully submitted that Reed does not teach “rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset”, particularly when the predetermined time offset is external to the descriptor file as defined in claims 1, 25, and 26.

Referring to paragraph [0242], Reed teaches that the user may press play and that playback may resume from the bookmarked position. However, it is respectfully submitted that the bookmarks taught by Reed do not allow “the digital content to be rendered at an *arbitrary point*”, but rather that they always render the content at specific pre-set points defined by the start of a page. For example, referring to paragraphs [0238]-[0239], Reed states that while

navigating bookmarks the user is informed that “you’re currently on page 53 of Chapter 4”. In other words, the bookmarks taught by Reed simply bookmark “a page” and cannot bookmark a time other than the start of a page (e.g., cannot bookmark an arbitrary point). Additional support for the statement that the bookmarks taught in Reed can only bookmark a page is provided in paragraph [0222], which states that chapter/page navigations allows the user to change the current location to another chapter or page, and paragraph [0255] which states that chapter/page navigation and bookmark navigation share the same logic. Further support can be found in the representative script for audio navigation (e.g., on page 33 of Reed), wherein the script includes terms such as *pagesame.sfy*. Accordingly, it is respectfully submitted that the bookmark granularity is not time-based, but instead is page-based, and thus that bookmarks cannot be used to render the content from an *arbitrary point*, but rather only at preset points corresponding to the start of a chapter/page.

Although Reed does appear to teach an “at bat” position (e.g., paragraph [0256]), Reed does not specify if the “at bat” position is based on time or an addressable byte. Nevertheless, it is respectfully submitted that one of ordinary skill in the art would never consider the “at bat” listening position to include a predetermined time offset that is *external* to the descriptor file, as defined in claims 1, 25, and 26. More specifically, it is respectfully submitted that the “at bat” position taught in Reed would be considered to be part of the file format, which includes the code, control, and data all stored together. For example, paragraphs [0155]-[0157] specifically state that the index file is attached to the compressed audio file, that the navigation module adds navigation information to the compressed file, and that the scripting module adds basic scripts to the compressed and indexed file, respectively. Referring to paragraphs [0331]-[0333], Reed states that the file format can have metadata and/or scripts embedded in it. It is respectfully submitted that one skilled in the art would never interpret something that is part of an *attached* file and/or is *embedded* within a file to be *external* to said file. As discussed in paragraphs [13] and [79] of the instant application, using a predetermined time offset that is external to the descriptor file provides the ability to position an audio stream at some arbitrary point without the need for that media to be resident, thus providing increased flexibility. In addition, as discussed in paragraph [199] of the instant application, a time offset that is external to the descriptor file

can be easily transmitted electronically between users (e.g., by email, ftp, or html), thus providing improved flexibility. In contrast, as described in paragraphs [135] of Reed, the content, metadata, and scripts (e.g., including the “at bat” position) taught therein are all linked and/or stored together on a memory card, and cannot be individually transferred between users.

Third, it is respectfully submitted that Houh does not teach “downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player”, as defined in claims 1, 25, and 26.

Referring to paragraph [0027], Houh teaches that the first (and only) file is downloaded to an *index generator* responsible for creating the required metadata. It is respectfully submitted that one of ordinary skill in the art would never interpret downloading a file to an index generator to be equivalent to downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player (i.e., since the media player has nothing to do with the index generator).

Fourth, it is respectfully submitted that Houh does not teach the combination of “determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player” and “downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player”, as defined in claims 1, 25, and 26.

For example, if Houh’s step of using a search engine 1320 to find select timed segments (i.e., the metadata) is equated to the step of “determining a first digital data file from the plurality of digital data files having digital content to be rendered”, as stated on page 3 of the Office Action, then it would be illogical to then interpret Houh’s downloading audio data to the indexer as being equivalent to “downloading the digital content from the at least one server”. In particular, since the only reason to download audiodata to the indexer is to create metadata, it would be illogical to use the metadata in order to determine what is downloaded.

Since Houh and/or Reed do not teach each and every element defined in claims 1, 25, and 26, it is respectfully submitted that the combination of Houh and/or Reed cannot teach all of the subject matter defined in claims 1, 25, and 26, and thus, that a *prima facie* case of obviousness has not been established. Accordingly, it is respectfully submitted that amended claims 1, 25, and 26, and claims 2-23, which depend from amended claim 1, are patentable.

In addition, it is respectfully submitted that one having ordinary skill in the art would not have found the subject matter in claims 1, 25, and 26 obvious in view of Houh and Reed at the time the invention was made for the following reasons:

First, Houh is a CIP of application No. 11/395,732 and was filed on June 1, 2006 (i.e., after the earliest priority date of the instant application). Since it appears that paragraphs [0075]-[0100] and Figs. 7-11 of Houh were only introduced when filing the CIP application (i.e., were not present in the parent application - US Pat. Appl. No. 20070106646), it is respectfully submitted that the subject matter therein, and more specifically the subject matter corresponding to the timed tagging of media content, was only available as of June 1, 2006. Since claims 1, 25, and 26 of the instant application have a priority date of December 13, 2005, it is respectfully submitted that the subject matter in paragraphs [0075]-[0100] of Houh cannot be used in determining obviousness of claims 1, 25, and 26.

Second, it is respectfully submitted that one of ordinary skill in the art would not have found it obvious to use a predetermined time offset (e.g., such as a bookmark) in the method and/or apparatus of Houh. Referring to paragraph [0005], Houh teaches an automated method and apparatus for generating enhanced metadata for audio and/or video for use in search-driven applications. It is respectfully submitted that one having ordinary skill in the art would not have found it obvious to use a predetermined time offset such as a bookmark to “allow a user to go to a specific bookmarked position” because a user using a search-driven application has no need or desire to go to a specific bookmarked location (e.g., why would someone use a search engine to look for something that is bookmarked?). In addition, it is respectfully submitted that one having ordinary skill in the art would not have found it obvious to use a predetermined time

offset, in general (e.g., from a bookmark or elsewhere), in the method/apparatus taught in Houh because doing so would introduce an additional step that would not be expected to confer any particular desirable property on the final product/method that was not already provided by Houh. For example, referring to paragraph [0044] Houh teaches that playback of the underlying media content begins at the start offset corresponding to the content segment mapped to the selected word or group of words. Since Houh already teaches that the user can go to a specific position (e.g., via the mapping), providing a predetermined time offset would not provide any additional advantages to the method taught in Houh.

Furthermore, is respectfully submitted that the combination of Houh and Reed would not provide a method/system as defined in claim 1 of the instant application. In particular, it is respectfully submitted that the combination would not teach “determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file *and* a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording.” More specifically, it is respectfully submitted that even if a predetermined time offset such as a bookmark was used in the method/apparatus taught in Houh, since Houh only teaches that specific segments have start/end times and that these segments are accessed via tags, that a first digital data file having digital content to be rendered would not be determined using a descriptor file *and* the predetermined offset. As discussed in paragraphs [108], [114], and [115] of the instant application, using a descriptor and a predetermined time offset advantageously provides efficient tracking/navigation for the user, the ability to navigate content that is not resident on the user device, and means that no link, address or other references needs to be imbedded or inserted in any media stream that makes reference or represents logical links to any other media stream. In contrast, both Houh and Reed require a link to the primary media stream.

Referring to claim 2, it is respectfully submitted that neither Houh nor Reed teaches teach that “the plurality of digital data files includes a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio files are rendered sequentially an

experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files”.

Referring to paragraph [0032], Houh teaches natural language processors 100b used to define timing boundaries of content segments (e.g., word segments and timed audio speech segments). Referring to paragraph [0041], these content segments are used to generate and present search “snippets”. Referring to paragraph [0046], the user can read the text corresponding to the “snippet” and then “jump to” the media content. It is respectfully submitted that one of ordinary skill, in view of Houh, would understand that the term “snippet” refers to selected small portions of the entire media content, and that these “snippets” could not be rendered sequentially to provide an experience of a contiguous audio stream for a user. In fact, it is respectfully submitted that rendering sequential “snippets” would provide an audio stream having a broken sequence. Support for the statement that the “snippets” taught in Houh would not provide a contiguous audio stream if rendered sequentially is provided in the fact that the “snippets” are generated to correspond to specific search results and the fact that the user is required to “jump to” the media stream in order to render a larger section of the audio stream. In addition, these “snippets” are not stored on a server, but rather appear to be generated each time using the snippet generator module (e.g., see paragraph [0047]). Accordingly, it is respectfully submitted that one of ordinary skill in the art would never consider the “snippets” taught in Houh to be a plurality of digital audio files *stored on a server*, as defined in claim 2.

Moreover, it is respectfully submitted that the content segments taught in paragraph [0032] of Houh are considered to be part of the enhanced metadata (e.g., see paragraph [0034]) and that one of ordinary skill in the art would never interpret this enhanced metadata to be *a plurality of digital audio files stored on a server that can be rendered*, as defined in claim 2. In fact, it is respectfully submitted that this metadata cannot be rendered directly at all, but rather is only used to generate “snippets” using the snippet generator module (e.g., see paragraph [0047] or to “jump to” some audio stream (e.g., see paragraph [0046])).

Furthermore, it is respectfully submitted that the timed segments taught in paragraph [0032] cannot *be rendered sequentially to reproduce an experience of a contiguous audio stream*

for a user, as defined in claim 2. As discussed *supra*, the timed segments are part of the enhanced metadata. As is understood by one having ordinary skill in the art, metadata is data about data, and thus inherently lacks some of the content of the source. For example, it is respectfully submitted that when creating a metadata index, as taught in Houh, it is common to omit stopwords (e.g., such as the, an, as, be, bye, to, that, etc) in order reduce the size of the database, thus reducing disk space requirements, reducing processing times, and improving the efficiency of the search engine. In addition, at paragraphs [0051]-[0052], Houh specifically teaches that some of the timed segments will not be rendered (e.g., in dependence upon the confidence score). Furthermore, in Fig. 10A and paragraph [0087], Houh teaches that the metadata includes entries that represent mapped words and/or phrases, and more specifically, that the metadata is in the form of a database that also includes references to a plurality of media streams (e.g., AV1, AV2, etc). Accordingly, each and every recognizable word in the database may be replicated within multiple metadata references. Accordingly, it is respectfully submitted that, as a result, even if the timed segments were rendered sequentially (e.g., as snippets) that the result for the user would be a gibberish of disjointed words, phrases and sentences that would fail to recreate the experience of a contiguous media stream. In fact, it is respectfully submitted that the metadata taught in Houh would require some order or precedence applied thereto in order to make logical sense of the metadata (i.e., for media stream reconstruction) and that Houh does not teach such a process.

As discussed above, Reed teaches that all of the chapters are provided in a single file, and that all of the code, control, and data are stored together (e.g., on a memory card). Referring also to paragraph [0127], Reed teaches that the file format is non-sequential, and specifically states that audio files cannot be simply read in sequence or by a user-defined playlist, but rather must be combined by the control file. Accordingly, it is respectfully submitted that Reed cannot teach “the plurality of digital data files includes a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio files are rendered sequentially an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files”, as defined in claim 2.

Since neither Houh nor Reed teaches “the plurality of digital data files includes a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio files are rendered sequentially an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files”, as defined in claim 2, it is respectfully submitted that the combination of references cannot teach all of the subject matter defined in claim 2, and thus, that a *prima facie* case of obviousness has not been established. Accordingly, it is respectfully submitted that claim 2 is allowable. Notably, claim 2 has been amended to correct a typographical error and now includes subject matter inadvertently omitted in the previous office action response but present in the original claim. No new matter has been added.

With regard to claim 3, it is it is respectfully submitted that neither Houh nor Reed teach that the “time information includes at least one of a start time, an end time, and a duration of each *digital audio file* in the plurality of digital audio files”, wherein each audio file is stored on the at least one server. Referring to paragraph [0036], Houh describes metadata having start and end times, but does not discuss *digital audio files* having start and end times and that can be downloaded and/or are stored on a server. In addition, it is respectfully submitted that Houh does not teach anything that could be interpreted as digital audio files, each digital audio file having at least one of a start time, an end time, and a duration, and being derived from an originating work, which is *stored on at least one server* and which can be downloaded, as defined in claim 3. In particular, it is respectfully submitted that the “snippets” are not stored.

With regard to claim 4, it is respectfully submitted that neither Houh nor Reed teach “determining a first digital data file by comparing the predetermined time offset to the at least one of a start time, an end time, and a duration of each digital *audio file* in the plurality of digital audio files to find a first digital audio file that includes digital audio data from a point in the audio recording at a time corresponding to the predetermined time offset”. Referring to paragraph [0222] Reed teaches chapter/page navigation. However, as described *supra*, Reed teaches that all of the chapters are part of the same audio file, and thus cannot teach “determining a first digital data file from the plurality of digital data files” because the data file must be already determined/loaded in order for chapter/page navigation and because there is only one

file. Referring to paragraph [0036], Houh teaches that metadata includes descriptive parameters for each of the timed audio speech segments including timing information such as the start and end times. However, as discussed *supra*, it is respectfully submitted that one having ordinary skill in the art would never consider this metadata to be digital audio data.

With regard to claim 5, it is respectfully submitted that neither Houh nor Reed teach “downloading the first digital audio file from the server” and “rendering the first digital audio file using the media player while simultaneously downloading subsequent digital audio files from the server.” Referring to paragraph [0005], Houh teaches that the media indexer obtains a media file or stream and applies one or more automated media processing techniques to it, and stores the resulting enhanced metadata in a searchable index. Houh does not teach rendering the first digital audio file while simultaneously downloading subsequent digital audio files. In fact, it is respectfully submitted that Houh makes it clear that the entire media stream is acquired before being processed (e.g., see paragraph [0028]).

With regard to claim 6, it is respectfully submitted that neither Houh nor Reed teach that “the digital data includes a plurality of electronic text files, and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files”. Referring to paragraph [0035], Houh teaches that the timed word segments and/or speech segments are considered to be metadata. It is respectfully submitted that one of ordinary skill in the art would understand the term metadata to refer to data about data, and that although metadata can include descriptions, keywords, and metatags, it would never be interpreted as an electronic text file having digital content to be rendered by a media player, as defined in claim 6. In fact, as is well known in the field, without context and a point of reference, it is often nearly impossible to make any sense of metadata just by looking at it. For example, even the method taught by Houh requires a snippet generator to render information corresponding to the metadata (e.g., the metadata is not rendered itself (e.g., see paragraph [0054])). Moreover, it is respectfully submitted that each word segment and/or each content segment in the metadata taught by Houh would never be considered to be a “electronic text file” on its own, but instead is always part of a larger database (e.g., see Figs. 2, 6c, 9, 10A, 10B), and that this larger database (e.g., segment list or index) would not have “at least one of a

start time, and end time, and a duration determined relative to a timeline of an audio recording of the originating work” as defined in claim 6.

With regard to claims 7 and 8, it is respectfully submitted that neither Houh nor Reed, nor any combination thereof, teach that “determining the first digital data file comprises comparing the predetermined time offset to the at least one of a start time, an end time, and a duration of each electronic text file to determine a first electronic text file in the plurality of digital data files having a point therein corresponding to the predetermined time offset.” Referring to paragraph [0035], Houh teaches metadata including start offset, end offset, and/or duration of selected content segments, and that the start offset 225c is an offset for *indexing* into the audio/video content to the beginning of the content segment. Houh does not teach that the start offsets and/or end offsets are referenced by anything and certainly does not teach that they are used to determine a first electronic text file (i.e., the content is instead determined using tags). In addition, it is respectfully submitted that the bookmark taught in paragraph [0242] of Reed is for an audio file, and is not used to “determine a first electronic text file”, as defined in claim 7. Moreover, it is respectfully submitted that it would not have been obvious in view of Houh and/or Reed to use time (i.e., a predetermined offset and/or the start times, end times, and or durations of electronic text files) to determine a first electronic text file. In fact, as discussed in paragraph [129] of the instant application, it is quite unconventional to talk about text and/or addressing text in terms of time since text is generally a series of characters linked together in sequence, and thus is typically addressed using byte addresses, character pointers, counters or some combination thereof to produce a specific, exact address.

With regard to claim 9, it is respectfully submitted that Houh does not teach that “the digital data includes a plurality of electronic text files, wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.” Referring to paragraph [0035], Houh teaches that timed word segments 225 are part of the metadata 220. As discussed *supra*, it is respectfully submitted that one of ordinary skill in the art would never consider the timed word segment 225 to be an *electronic text file* having at least one of a start time, an end time, and a duration, as defined in

claim 9. For example, it is clear from paragraph [0035] and Fig. 2 that the time word segment 225 is part of the enhanced metadata 200. It is respectfully submitted that one of ordinary skill in the art would understand the metadata 200 to correspond to one file (e.g., database or index), and that the time word segments would be part of that file (i.e., not individual files). Support for this statement can be found in Fig. 2, wherein the different types of metadata (e.g., 220, 230, etc) are shown as part of the enhanced metadata 200, and in paragraph [0081], wherein the metadata 220 is referred to as a timed segment index. Further support can be found in paragraph [0028], wherein Houh states that the media indexer 10 outputs the “combined results” to the combiner 60, which then further combines the results to form the enhanced metadata 30. It is further submitted that one having ordinary skill in the art would never interpret this “index file” to have at least one of a start time and an end time determined relative to the beginning of an audio recording.

With regard to claim 10, it is respectfully submitted that the combination of Houh and Reed does not teach that “determining the first digital data file comprises *comparing* at least one of a start time, an end time, and a duration of the at least one electronic text file with the predetermined time offset to determine a first electronic text file having a point therein corresponding to the predetermined time offset.” More specifically, it is respectfully submitted that the times corresponding to the start and end time of the word segments taught in Houh are only used in producing the snippets and/or in jumping to the selected media stream and are not compared with anything that would be considered a predetermined time offset in order to determine a first digital audio file.

With regard to claim 11, it is respectfully submitted that Houh does not teach “downloading the first electronic text file from the server, loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure.” Referring to paragraph [0090], Houh teaches that the search engine accesses the timed tagged indexes to identify each of the timed segments and *generates instructions to present* one or more of the timed tagged segments. The segments are not downloaded, but rather are presented as snippets. Referring to paragraph [0028], Houh

teaches that the *audio/video* podcast is downloaded to the media indexer, not that an *electronic text file* is downloaded.

With regard to claim 13, it is respectfully submitted that Houh does not teach “extrapolating time values for a plurality of characters in the loaded first electronic text file, the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of hard time tags.” In fact, it is respectfully submitted that one of ordinary skill in the art would not interpret anything in paragraph [0035] to correspond to “extrapolating”.

With regard to claim 14, it is respectfully submitted that Houh does not teach that “rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event.” Referring to paragraph [0090], Houh teaches presenting identified timed tagged segments and jumping between timed segments. However, Houh does not teach determining a *current* time offset while rendering the digital content. In fact, it is respectfully submitted that the time offsets disclosed in Houh are used only before any digital content is rendered.

Claim 15 has been amended to specify that the method includes simultaneously rendering a digital audio file from a point corresponding to the predetermined time offset and the first electronic text file from the point corresponding to the predetermined time offset. Some examples of support for this amendment can be found in paragraphs [0114] and [0194] of the instant application. No new matter has been added.

With regard to claim 16, it is respectfully submitted that Houh does not teach “providing automated page turns within the loaded first electronic text file using the current time offset.” Referring to paragraph [0090] teaches that the search engine transmits a request for *audio/video* content, whereas paragraph [0039] describes metadata for *audio/video* content. In fact, it is respectfully submitted that Houh only teaches rendering *audio/video* content, and does not teach rendering electronic text files (e.g., an e-books) at all. Moreover, it is respectfully submitted that one having ordinary skill in the art would never interpret the metadata and/or snippets taught in Houh to correspond to electronic text files that require and/or use “automated page turns” as

defined in claim 16. In particular, it is respectfully submitted that one having ordinary skill in the art would never interpret jumping between snippets to correspond to automated page turns within text.

With regard to claims 18 and 19, it is respectfully submitted that the combination of Houh and Reed does not teach “determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file *and* a predetermined time offset, wherein the predetermined time offset is provided by a bookmark”. As discussed *supra*, Houh teaches a method and apparatus for timed tagging of media content. According to paragraph [0090], this timed tagged media is accessed using a search engine. As discussed *supra*, the bookmark taught by Reed could not be used with the timed tags to determine a first digital data file having digital content to be rendered because the timed tags taught by Houh may correspond to many different sources and/or because the content to be rendered is only addressed via the tags.

With regard to claim 23, it is respectfully submitted that neither Houh nor Reed, nor any combination thereof, teaches “determining a current time offset while rendering the digital content; and creating a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file”. As discussed *supra*, neither Houh nor Reed teaches “determining a current time offset while rendering the digital content”. In addition, the bookmark taught by Reed does not and has no reason to include “an identification of a descriptor file”. Furthermore, it is respectfully submitted that one having ordinary skill in the art would never create a bookmark including a current time offset and a identification of the timed tag index taught by Houh, because the timed tag index would be useless in determining the bookmarked position.

With regard to claim 24, it is respectfully submitted that Houh and/or Reed do not teach “providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for each digital data file, the time

information determined relative to a timeline of an audio recording of the originating work; determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording; downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player; and rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset” for the reasons discussed *supra* with regard to claim 1.

In addition, it is respectfully submitted that Reed does not teach that “the plurality of digital data files includes at least one electronic text file and at least one digital audio file” and that “rendering the digital content using the media player comprises providing automated page turns for text derived from the at least one electronic text file, the automated page turns determined in dependence upon a progressing time offset relative to the rendering of the at least one digital audio file.”

Referring to paragraph [0020], Reed teaches that navigation is *a user’s interaction* with content, which in the context of an audiobook, may include movement between pages or chapters. Accordingly, although the audio stream may be repositioned, it is respectfully submitted this reposition is dependent on *user interaction*, and does not involve a synchronized or *automated* process, and thus that Reed does not teach “providing automated page turns”, as defined in claim 24.

Referring to paragraphs [0222]-[0223], Reed teaches that navigation allows the user to change the current location in the audio content, and states that for audiobooks the concept of page can be defined as 1) the actual position of page breaks in a textbook that was converted to an audiobook or 2) as a set amount of time. It is respectfully submitted that theses paragraphs, and in fact the entire document, fail to teach the simultaneous rendering of synchronized text and audio related to an audiostream, and thus cannot teach “providing automated page turns *for text* derived from the at least one electronic text file, the automated page turns determined in

dependence upon a progressing time offset relative to the rendering of the at least one digital audio file”, as defined in claim 24. In fact, it is respectfully submitted that in Reed, text is only described with regard to creating the audiostream, to validating the results of the compression methodology, and/or for creating metadata. Since the originating text stream is neither reproduced, rendered or synchronized, it is respectfully submitted that Reed cannot teach automated page turns *for text*. Additional support that Reed does not teach rendering a text stream is provided in paragraph [205], wherein it is stated that that the graphics window sector 150 can be used to present the Player's user with illustrations or other visual information related to the content (i.e. not the content).

Since Houh and/or Reed do not teach all of the subject matter defined in claim 24, it is respectfully submitted that a *prima facie* case of obviousness has not been established, and that claim 24 is allowable.

With regard to claim 27, it is respectfully submitted that Reed does not teach a non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to “determine a current time offset while rendering the digital content” and “create a bookmark for a selected point in the rendered digital content, *the bookmark an electronic file including the current time offset and an identification of the descriptor file*, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.”

As discussed *supra*, it is respectfully submitted that the bookmarks taught by Reed are not time-based, but rather are based on one of the byte addressable bookmarking techniques commonly used at the time of application to allow a user to easily return to the bookmarked position. In fact, it is respectfully submitted that at the time of Reed's application, electronic bookmarks were typically linked directly to the bookmarked document (e.g., Reed teaches that the bookmarks are stored on the memory card with the content). Some examples of support for the statement that Reed does not teach time-based bookmarks can be found in paragraph [0238], which states that in Stage 3 ("Bookmark Navigation"), a user can move to a specific *location* that has been designated earlier by a bookmark. Further support can be found in paragraph [0521],

column 32, wherein the representative script for audio navigation indicates that, in stage two (chapter/page navigation), the level duration and/or level start times are *optional* (i.e., by specifying “*if present*”). Clearly, if the level duration and/or start times are optional, the chapter/page navigation and bookmark navigation (e.g., which according to paragraph [0255] shares the same logic) taught by Reed cannot be not time-based. In fact, it appears that Reed teaches that time is only used as an indication of which page the listener is on within the content. For example, paragraph [0222] specifically states that time can be used as a guide to users as to how far they have listened. Since the navigations and/or bookmarks taught by Reed do not appear to be time-based, it is respectfully submitted that Reed cannot teach “create a bookmark for a selected point in the rendered digital content, the bookmark and electronic file including *the current time offset*”.

Moreover, it is respectfully submitted that Reed does not teach “that the bookmark includes an identification of a descriptor file”, as defined in claim 27. More specifically, since Reed appears to teach that all of the chapters of an audiobook are provided in a single file, there would be no need or advantage for a bookmark to identify anything that could be interpreted as a descriptor file. Support for the statement that all of the chapters are provided in a single file is provided in paragraphs [0135]-[0137], wherein Reed states that the audio data is concatenated if originating from multiple tracks and is stored as *an* audio file, and in paragraph [0155], wherein Reed states that *the* audio file for an audiobook being processed by the mastering system is compressed multiple times and that after each compression, the index file is attached to *the* compressed audio file, and the resulting combined audiobook is manually reviewed for size and quality.

Furthermore, referring to paragraphs [0238] and [0242], Reed teaches that the bookmarks can be fixed by the publisher or dynamically created by the user. In each case, the bookmark would be used directly without identifying anything considered to be a descriptor file, particularly when the descriptor file *is stored on at least one server* and includes time information for defining the digital data. For example, as discussed *supra* Reed teaches that the file format is stored on a memory card.

Since Houh and/or Reed do not teach all of the subject matter defined in claim 27, it is respectfully submitted that a *prima facie* case of obviousness has not been established, and that claim 27 is allowable.

Nevertheless, claim 27 has been amended to specify that the descriptor file is “separate from the digital data”. Some examples of support for this amendment can be found in paragraphs [67] and [171] of the instant application. No new matter has been added. It is respectfully submitted that Houh teaches that the metadata is embedded within the media file (e.g., see paragraph [0033]), and thus cannot teach a descriptor file that is separate from the digital data having content to be rendered, as defined in amended claim 27. As described at paragraphs [76] and [79] of the instant application, creating a bookmark including the current time offset and the information in the descriptor file allows the software product to select the appropriate small audio file to be played and/or downloaded without the digital audio data being resident with the device, thus providing improved flexibility, including allowing changes in media and format.

With regard to claims 28 and 29, it is respectfully submitted that the combined teachings of the cited references do not teach “creating a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the descriptor file separate from the digital data” and “e-mailing or transferring the bookmark”. Moreover, it is respectfully submitted that one of ordinary skill in the art would not find it obvious to create a bookmark including the current time offset and an identification of the descriptor file in view of Houh and/or Reed. In particular, Houh teaches a method of tagging media content, thus rendering a bookmark useless, whereas Reed teaches that the metadata is embedded with the media content. In addition, it is respectfully submitted that one ordinary skill in the art would never consider using the tagging/search engine methods taught in Houh in order to create a bookmark while rendering digital content, as defined in claims 28 and 29, because tagging/search engine methods use different techniques and technology (e.g., indexers) than rendering digital data (e.g., media players). Moreover, the context of Houh (i.e., the tagging and searching functionality) indicates that the

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Serial No.: 13/313,393
Filed: 12/07/2011

digital data to be rendered is streamed (e.g., since you would not download an entire podcast to begin rendering from a point corresponding to a specific search term). Accordingly, it is respectfully submitted that one having ordinary skill in the art would not have found it obvious to create a *bookmark that is an electronic file including the current time offset and an identification of a descriptor file*, wherein the descriptor file is separate from the digital data and includes time information for defining the digital data. Accordingly, claims 28 and 29 are believed to be allowable.

In view of the foregoing amendments and remarks early and favorable reconsideration of this application is respectfully requested.

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No: 50-2810.

Please associate this application with Customer No: 24949.

Respectfully submitted,



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JMC/lmf

Electronic Acknowledgement Receipt

EFS ID:	21633192
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
Customer Number:	24949
Filer:	Neil Teitelbaum/Lisa Fader
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	02-MAR-2015
Filing Date:	07-DEC-2011
Time Stamp:	10:45:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	ResponseOA2.pdf	189309 <small>7cb902fb11028d8388b2918bcb8908d8e66d8042c</small>	no	27

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.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/313,393	Filing Date 12/07/2011	☐ To be Mailed
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ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	(Column 1)	(Column 2)	(Column 3)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	03/02/2015	CLAIMS REMAINING AFTER AMENDMENT					
	Total (37 CFR 1.16(j))	* 29	Minus	** 29	= 0	x \$40 =	0
	Independent (37 CFR 1.16(h))	* 5	Minus	***5	= 0	x \$210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

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

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

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

LIE
/VIKKI GRAY/

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438
24949 7590 12/01/2014 TEITELBAUM & MACLEAN 280 SUNNYSIDE AVENUE OTTAWA, ON K1S 0R8 CANADA			EXAMINER CHOU, ALAN S	
			ART UNIT 2451	PAPER NUMBER
			NOTIFICATION DATE 12/01/2014	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):

ANNETTE@PATENTS.ORG

Office Action Summary	Application No. 13/313,393	Applicant(s) MCCUE ET AL.	
	Examiner ALAN S. CHOU	Art Unit 2451	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 7/29/2014.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 1-29 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) 1-29 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

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

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

Attachment(s)

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

DETAILED ACTION

This action is in response to amendment filed on July 29, 2014.

Claims 1-29 are presented for examination.

Claim Rejections - 35 USC § 103

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

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

2. Claim 1-27 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Houh et al. 2007/0112837 A1 (hereinafter Houh), further in view of Reed, JR et al. U.S. Patent Application Publication Number 2005/0276570 A1 (hereinafter Reed).

3. As per claims 1, 25-26, Houh discloses a method of rendering digital content comprising:

4. providing a media player (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11) having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9 section [0089]), the at least one server having stored thereon a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089]), the

descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]);

5. determining a first digital data file from the plurality of digital files having digital content to be rendered with the media player (see search engine 1320 select timed segment corresponding to the requested tag on page 9 section [0090]).

6. downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player (downloading audio data on page 2 section [0027]); and

7. rendering the selected digital content using the media player (see media player 1345 jump to the timed segment on page 9 section [0090] and see jumping to user generated snippet with start and end offset on page 5 section [0054]).

8. Houh do not disclose expressly: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (Houh teaches generating snippet segment with start and end offset on page 5 section [0054]), the predetermined time offset external to the descriptor file, and determined relative to the timeline of the audio recording.

9. Houh do not disclose expressly: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset.

10. Reed teaches: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (see dynamic book mark creation on

page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]), the predetermined time offset external to the descriptor file (see dynamic book mark creation on page 16 section [0238]), and determined relative to the timeline of the audio recording (see user designated position to play in the audio recording on page 16 section [0242]).

11. Reed teaches: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset (see user designated position to play in the audio recording on page 16 section [0242]).

12. Houh and Reed are analogous art because they are from the same field of endeavor, audio file with advanced metadata description and controls. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a predetermined time offset such as a bookmark to allow user to render the specific predetermined time position in an audio file. The motivation for doing so would have been to allow user to go to a specific bookmarked position. Therefore, it would have been obvious to combine Houh and Reed for the benefit of using a predetermined time offset external to the descriptor file to render audio content as specified in claims 1, 25-26.

13. As per claim 2, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the plurality of digital data files includes a plurality of digital audio files (see audio stream on page 2 section [0026] in Houh), the plurality of digital audio files created by segmenting the audio recording in dependence upon

natural language gaps (see natural language processor 100b on page 3 section [0032] in Houh) so that when the plurality of digital audio files are rendered sequentially an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files (see rendered timed segments on page 3 section [0032] in Houh).

14. As per claim 3, Houh and Reed disclose a method of rendering digital content according to claim 2, wherein the time information includes at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files, the start and end times of each digital audio file determined relative to the beginning of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh).

15. As per claim 4, Houh and Reed disclose a method of rendering digital content according to claim 3, wherein determining the first digital file comprises comparing predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) to the at least one of a start time, an end time, and a duration (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh) of each digital audio file offset (see identify selected timed segments that correspond to the requested tag and instructions to play timed tagged segments on page 9 section [0090] in Houh) in the plurality of digital audio files to find a first digital

audio file that includes digital audio data from a point in the audio recording at a time corresponding to the predetermined time (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed).

16. As per claim 5, Houh and Reed disclose a method of rendering digital content according to claim 4, wherein downloading the digital content comprises downloading the first digital audio file from the server, and wherein the method further comprises rendering the first digital audio file using the media player while simultaneously downloading subsequent digital audio files from the server (see media file and audio streaming on page 1 section [0005] in Houh).

17. As per claim 6, Houh and Reed disclose a method of rendering digital content according to claim 4, wherein the digital data includes a plurality of electronic text files (see timed word segments 225 for text of an individual words 225b on page 3 section [0035] in Houh), and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

18. As per claim 7, Houh and Reed disclose a method of rendering digital content according to claim 6, wherein determining the first digital data file comprises comparing the predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) to the at least one of a start time, an end time, and a duration of each electronic text file (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh) to determine a first electronic text file (see timed word segments 225 for text of an individual words 225b on page 3 section [0035] in Houh) in the plurality of digital data files having a point therein corresponding to the predetermined time offset.

19. As per claim 8, Houh and Reed disclose a method of rendering digital content according to claim 7, wherein rendering the digital content using the media player comprises rendering the first electronic text file from a position (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh) calculated to correspond to the predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) while simultaneously rendering the first digital audio file (see media file and audio streaming on page 1 section [0005] in Houh).

20. As per claim 9, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the digital data includes a plurality of electronic text files

(see timed word segments 225 for text of an individual words 225b on page 3 section [0035] in Houh), wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

21. As per claim 10, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the digital data includes at least one electronic text tile (see audiobook on page 2 section [0019] in Reed and see word segments 105 on page 3 section [0032] in Houh), and determining the first digital data file (see selecting the timed segments that corresponds to the requested tag on page 9 section [0090] in Houh) comprises comparing the at least one of a start time, an end time, and a duration of the at least one electronic text file with the predetermined time offset (see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed) to determine a first electronic text having a point therein corresponding to the predetermined time offset (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

22. As per claim 11, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein downloading the digital content comprises downloading the first electronic text file from the server (see transmitting timed tagged segments to

the media player 1345 on page 9 section [0090] and downloading audio data on page 2 section [0027] in Houh), loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure (see rendering video using timed tagged segments on page 9 section [0090] in Houh).

23. As per claim 12, Houh and Reed disclose a method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises determining at least one of a start time and an end time of a plurality of paragraphs (see segments corresponding to a paragraph on page 1 section [0007] and page 3 section [0036] in Houh) in the loaded first electronic text file using the plurality of hard time tags, the start and end times of each paragraph determined relative to one of the beginning of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh) and a beginning of the first electronic text file (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

24. As per claim 13, Houh and Reed disclose a method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises extrapolating time values for a plurality of characters in the loaded first electronic text file (see timed word segments 225 for text of an individual words 225b on

page 3 section [0035] in Houh), the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of hard time tags (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035] in Houh).

25. As per claim 14, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event (see media player 1345 rendering segments by presenting identified timed tagged segments on page 9 section [0090] in Houh).

26. As per claim 15, Houh and Reed disclose a method of rendering digital content according to claim 14, wherein rendering digital content using the media player further comprises simultaneously rendering a digital audio file from a point corresponding to the predetermined time offset (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh and see user location playback from position on page 16 section [0242] in the specific page on page 15 section [0222] in Reed).

27. As per claim 16, Houh and Reed disclose a method of rendering digital content according to claim 15, wherein rendering the digital content using the media player comprises providing automated page turns within the loaded first electronic text file

using the current time offset (see automatic rendering of the selected segments on page 9 section [0090] and see rendering of segments from markers such as chapters on page 4 section [0039] in Houh).

28. As per claim 17, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the digital data includes a plurality of ancillary files, and wherein the time information includes at least one of a start time, an end time, and a duration of each ancillary file in the plurality of ancillary files (see video segments 245 on page 3 section [0037] in Houh), the start and end times of each ancillary file determined relative to the beginning of the audio recording, the plurality of ancillary files including at least one of a plurality of graphic files, a plurality of advertising files, and a plurality of user generated ancillary files (see video segments 245 with segment type 245b, timing start offset 245c, end offset 245d, duration 245e on page 3 section [0037] in Houh).

29. As per claim 18, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the predetermined offset is provided by one of a bookmark (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed), a search result (see search result on page 4 section [0041] in Houh), a table of contents (see chapter markers on page 4 section [0039] in Houh), an index, a list of tables, a list of

figures, footnotes, quotations, a list of illustrations, a fast-forward request, and a rewind request (see forward and back request on page 6 section [0068-0069] in Houh).

30. As per claim 19, Houh and Reed disclose a method of rendering digital content according to claim 1, wherein the predetermined offset is provided by a bookmark (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed), the bookmark including information to identify the descriptor file (see markers on page 4 section [0039] in Houh).

31. As per claim 20, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein the descriptor file includes at least one of a start time, an end time, and a duration of a plurality of digital audio files representing the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh), and at least one of a start time, an end time, and a duration of a plurality of illustration files from the originating work (see video segments 245 with segment type 245b, timing start offset 245c, end offset 245d, duration 245e on page 3 section [0037] in Houh).

32. As per claim 21, Houh and Reed disclose a method of rendering digital content according to claim 10, wherein the predetermined offset (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio

file on page 16 section [0242] in Reed) is provided from a text search result (see search result on page 4 section [0041] in Houh).

33. As per claim 22, Houh and Reed disclose a method of rendering digital content according to claim 14, comprising creating a bookmark for a selected point in the digital content (see markers on page 4 section [0039] in Houh), the bookmark including the current time offset, the current time offset determined relative to the timeline of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh).

34. As per claim 23, Houh and Reed disclose a method of rendering digital content according to claim 1, comprising the steps of: determining a current time offset while rendering the digital content; and creating a bookmark(see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242] in Reed) for a selected point in the rendered digital content (see markers on page 4 section [0039] in Houh), the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036] in Houh), the selected point in the audio recording corresponding to the selected point in the digital

content (see selecting specific timed segments to render on page 9 section [0090] in Houh).

35. As per claim 24, Houh discloses a method of rendering digital content comprising:

36. providing a media player (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11) having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9 section [0089]), the at least one server having stored thereon a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089]), the descriptor file including time information for each digital data file, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]);

37. determining a first digital data file from the plurality of digital files having digital content to be rendered with the media player (see search engine 1320 select timed segment corresponding to the requested tag on page 9 section [0090]).

38. downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player (downloading audio data on page 2 section [0027]); and

39. rendering the selected digital content using the media player (see media player 1345 jump to the timed segment on page 9 section [0090] and see jumping to user generated snippet with start and end offset on page 5 section [0054]),
40. wherein the plurality of digital data files includes at least one electronic text file and at least one digital audio file (see timed word segments 225 for text of an individual words 225b on page 3 section [0035]).
41. Houh do not disclose expressly: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (Houh teaches generating snippet segment with start and end offset on page 5 section [0054]), the predetermined time offset external to the descriptor file, and determined relative to the timeline of the audio recording.
42. Houh do not disclose expressly: rendering the selected digital content using the media player at an arbitrary point determined using the predetermined time offset.
43. Houh do not disclose expressly: wherein rendering the digital content using the media player comprises providing automatic page turn for text derived from the at least one electronic text file, the automated page turn determined in dependence upon a progression time offset relative to the rendering of the at least one digital audio file.
44. Reed teaches: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]), the predetermined time offset external to the descriptor file (see dynamic book mark creation on page 16 section [0238]), and determined relative to the

timeline of the audio recording (see user designated position to play in the audio recording on page 16 section [0242]).

45. Reed teaches: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset (see user designated position to play in the audio recording on page 16 section [0242]).

46. Reed teaches: wherein rendering the digital content using the media player comprises providing automatic page turn for text derived from the at least one electronic text file (see movement between pages on page 2 section [0020] and see page guides to show specific page progress in the audio book on page 15 section [0222-0223]), the automated page turn determined in dependence upon a progression time offset relative to the rendering of the at least one digital audio file (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]).

47. Houh and Reed are analogous art because they are from the same field of endeavor, audio file with advanced metadata description and controls. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a predetermined time offset such as a bookmark to allow user to render the specific predetermined time position in an audio file and show the user the progression of the audio track based on the page breaks. The motivation for doing so would have been to allow user to go to a specific bookmarked position and use page guides to progress the audiobook. Therefore, it would have been obvious to combine Houh and Reed for the

benefit of using a predetermined time offset external to the descriptor file and page guides to render audio content as specified in claim 24.

48. As per claims 27 Houh discloses a non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

49. render digital content (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11), the computer having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9 section [0089]), the at least one server having stored thereon digital data corresponding to an originating work and a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089]), the descriptor file including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]), the digital data including the digital content;

50. Houh do not disclose expressly: determine a current time offset while rendering the digital content; and

51. create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

52. Reed teaches: determine a current time offset while rendering the digital content (see user designated position to play in the audio recording on page 16 section [0242]); and

53. create a bookmark for a selected point in the rendered digital content (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]), the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording (see user designated position to play in the audio recording on page 16 section [0242]), the selected point in the audio recording corresponding to the selected point in the digital content (see dynamic book mark creation on page 16 section [0238]).

54. Houh and Reed are analogous art because they are from the same field of endeavor, audio file with advanced metadata description and controls. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a predetermined time offset such as a bookmark to allow user to render the specific predetermined time position in an audio file. The motivation for doing so would have

been to allow user to go to a specific bookmarked position. Therefore, it would have been obvious to combine Houh and Reed for the benefit of creating a bookmark to render audio content as specified in claim 27.

55. Claims 28, 29 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Houh et al. 2007/0112837 A1 (hereinafter Houh), further in view of Reed, JR et al. U.S. Patent Application Publication Number 2005/0276570 A1 (hereinafter Reed), further in view of Collins et al. U.S. Patent Application Publication Number 2007/0083354 A1 (hereinafter Collins).

56. As per claims 28, 29, Houh does not teach expressly e-mailing or transfer the bookmarks from one client to another.

57. Collins teaches the need to backup application files such as bookmarks and ebook files to a data backup system (see page 3 section [0031]) to be retrieved later.

58. Houh and Collins are analogous art because they are from the same field of endeavor, electronic content delivery system. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to transfer the bookmarks. The motivation for doing so would have been able to share or transfer metadata to another client. Therefore, it would have been obvious to combine Houh and Reed and Collins for the benefit of transfer bookmark to obtain the invention as specified in claims 28, 29.

Response to Arguments

59. The terminal disclaimer filed on July 29, 2014 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent Number 8,285,809 has been reviewed and is accepted. The terminal disclaimer has been recorded.

60. Applicant's arguments, see Remarks on page 11, filed July 29, 2014, with respect to 35 U.S.C. 101 have been fully considered and are persuasive. The 101 rejections of claims 26-29 has been withdrawn.

61. Applicant's arguments, see Remarks on page 12, filed July 29, 2014, with respect to the rejection(s) of claim(s) 1, 25-27 under 35 U.S.C 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Reed, JR et al. U.S. Patent Application Publication Number 2005/0276570 A1 (hereinafter Reed).

62. Houh do not disclose expressly: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (Houh teaches

generating snippet segment with start and end offset on page 5 section [0054]), the predetermined time offset external to the descriptor file, and determined relative to the timeline of the audio recording.

63. Houh do not disclose expressly: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset.

64. Reed teaches: the first digital data file determined using the time information in the descriptor file and a predetermined time offset (see dynamic book mark creation on page 16 section [0238] and see user select a new time location in the audio file on page 16 section [0242]), the predetermined time offset external to the descriptor file (see dynamic book mark creation on page 16 section [0238]), and determined relative to the timeline of the audio recording (see user designated position to play in the audio recording on page 16 section [0242]).

65. Reed teaches: rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset (see user designated position to play in the audio recording on page 16 section [0242]).

66. Houh and Reed are analogous art because they are from the same field of endeavor, audio file with advanced metadata description and controls. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a predetermined time offset such as a bookmark to allow user to render the specific predetermined time position in an audio file. The motivation for doing so would have been to allow user to go to a specific bookmarked position. Therefore, it would have

been obvious to combine Houh and Reed for the benefit of using a predetermined time offset external to the descriptor file to render audio content as specified in the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN S. CHOU whose telephone number is (571)272-5779. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher L. Parry can be reached on (571)272-8328. 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.

ALAN S CHOU
Examiner
Art Unit 2451

/ALAN S CHOU/
Examiner, Art Unit 2451

/CHRIS PARRY/
Supervisory Patent Examiner, Art Unit 2451

Notice of References Cited	Application/Control No. 13/313,393		Applicant(s)/Patent Under Reexamination MCCUE ET AL.	
	Examiner ALAN S. CHOU		Art Unit 2451	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2007/0083354	04-2007	Collins et al.	703/023
*	B	US-2005/0276570	12-2005	Reed et al.	386/046
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	32728	(H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L2	28	((John) near2 (McQue)).INV.	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L3	1	"20050245243"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L4	1	"7984147".pn.	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L5	2	"20020069218"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L6	1	"20030167262"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L7	1	"20070124331"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L8	2	"20070083911"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L9	6504	(709/231.ccls.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L10	84	(audio SAME descriptor) AND (709/231.ccls.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L11	32344	(H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L12	4	(audio SAME descriptor SAME timing) AND (H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L13	163	(audio SAME descriptor) AND (H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L14	68	(audio SAME descriptor SAME timing) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L15	2	"20020068558"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58

L16	1	"20040267388"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L17	1168	(audio SAME segment\$4 SAME timing) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L18	833	(audio SAME segment\$4 SAME timing) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L19	334	(audio SAME segment\$4 SAME timing) AND (tim\$4 SAME offset) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L20	618	(audio SAME segment\$4 SAME timing) AND (timing SAME (start\$4 end\$4 duration)) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L21	63	(descriptor SAME audio) AND (audio SAME segment\$4 SAME timing) AND (timing SAME (start\$4 end\$4 duration)) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L22	1	"20120084455"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L23	1	"20090222442"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L24	83	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (ebook audiobook) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L25	0	(bookmark NEAR9 (email mail e-mail (electronic NEAR2 mail))) NEAR9 (ebook audiobook) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L26	7	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (electronic NEAR2 reader) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L27	1	(bookmark NEAR9 (email mail e-mail (electronic NEAR2 mail))) SAME (electronic NEAR2 reader) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L28	2	"20070112837"	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L29	1	"8285809".pn.	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L30	36	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (ebook audiobook) AND (@AD<"20051213" @RLAD<"20051213")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L31	25	(time NEAR5 offset) AND (ebook audiobook) AND (@AD<"20051213" @RLAD<"20051213")	US-PGPUB; USPAT	OR	OFF	2014/11/21 17:58
L32	1	"20050276570"	US-PGPUB;	OR	OFF	2014/11/21 17:58

			USPAT			
L33	37	((book NEAR3 mark) bookmark) SAME (email e-mail (electronic NEAR2 mail))) AND (ebook audiobook) AND (@AD<"20051213"@RLAD<"20051213")	US-PGPUB; USPAT	OR	OFF	2014/11/21 18:36

EAST Search History (Interference)

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11/ 21/ 2014 6:54:57 PM
H:\ Workspaces\ 13313393.wsp

<p align="center"><i>Index of Claims</i></p> 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

✓	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	04/17/2014	11/21/2014						
	1	✓	✓						
	2	✓	✓						
	3	✓	✓						
	4	✓	✓						
	5	✓	✓						
	6	✓	✓						
	7	✓	✓						
	8	✓	✓						
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	26	✓	✓						
	27	✓	✓						
	28	✓	✓						
	29	✓	✓						

Search Notes 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

CPC- SEARCHED		
Symbol	Date	Examiner
H04L 29/06027, H04L 29/06462, H04L 29/06	4/16/2014	AC

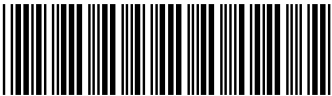
CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
709	231	4/16/2014	AC

SEARCH NOTES		
Search Notes	Date	Examiner
PLUS Search	4/16/2014	AC
EAST Search	4/16/2014	AC
EAST Search	11/21/2014	AC

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

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Application Number 	Application/Control No. 13/313,393	Applicant(s)/Patent under Reexamination MCCUE ET AL.	
Document Code - DISQ		Internal Document – DO NOT MAIL	

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : 7/29/14	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Janice Ford

U.S. Patent and Trademark Office

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: **McCue et al**

Atty Docket No.: **141-1 US CIP**

Serial No.: **13/313,393**

Art Unit: **2451**

Filing Date: **December 7, 2011**

Examiner: **Chou, Alan S**

Confirmation No.: **2438**

For: **TRANSMISSION OF DIGITAL AUDIO DATA**

July 29, 2014

E-filed

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action dated April 30, 2014, please consider the following remarks and amend the above-identified application as follows:

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

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 11 of this paper.

Amendments to the Specification

Please replace paragraph [125], with the following amended paragraph [125]:

[0125] Fig. 24b shows one embodiment of event driven time offset management. In this embodiment, discrete events initiated by the user include pushing a rewind (RW), fast-forward (FF), or play button, end-of stream events, drop events, paste events, and double click events. In addition, the discrete events include page turn events and text hit events. In one embodiment the text hit event starts the process of creating a bookmark. In another embodiment, the text hit event starts the process of creating user generated ancillary content. In all cases, an event, either timed or discrete, triggers the execution of certain programming that interacts with various time based data structures to produce a time offset (e.g., through direct lookup or calculation). This result is verified and then forwarded to the presentation manager as the new current time offset.

Amendments to the Claims

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

1. (Currently amended) A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for ~~defining~~ each digital data file, the time information determined relative to a timeline of an audio recording of the originating work;

determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, selecting the digital content to be rendered the first digital data file determined from the plurality of digital data files using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file, the time offset and determined relative to the timeline of the audio recording;

downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player; and

rendering the ~~selected~~ digital content using the media player at an arbitrary point determined using the predetermined time offset.

2. (Original) A method of rendering digital content according to claim 1, wherein the plurality of digital data files includes a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language.

3. (Original) A method of rendering digital content according to claim 2, wherein the time information includes at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files, the start and end times of each digital audio file determined relative to the beginning of the audio recording.

4. (Currently amended) A method of rendering digital content according to claim 3, wherein ~~selecting the digital content to be rendered comprises using~~ determining the first digital data file ~~comprises comparing the predetermined time offset to the~~ at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files to find a first digital audio file ~~in the plurality of digital audio files~~ that includes digital audio data from a point in the audio recording at a time corresponding to the predetermined time offset ~~external to the descriptor file~~.

5. (Currently amended) A method of rendering digital content according to claim 4, wherein ~~rendering the digital content using the media player~~ downloading the digital content ~~comprises transmitting~~ downloading the first digital audio file from the server ~~to the media player~~, and wherein the method further comprises rendering the first digital audio file using the media player while simultaneously ~~transmitting~~ downloading subsequent digital audio files ~~to the media player from the server~~.

6. (Original) A method of rendering digital content according to claim 4, wherein the digital data includes a plurality of electronic text files, and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.

7. (Currently amended) A method of rendering digital content according to claim 6, wherein ~~selecting the digital content to be rendered~~ determining the first digital data file ~~comprises comparing the predetermined time offset to the~~ at least one of a start time, an end time, and a duration of each electronic text file ~~with the time offset external to the descriptor file to~~ determine a first electronic text file in the plurality of digital ~~audio data~~ data files having a point therein corresponding to the predetermined time offset.

8. (Currently amended) A method of rendering digital content according to claim 7, wherein rendering the digital content using the media player comprises rendering the first electronic text file from a position calculated to correspond to the predetermined time offset while simultaneously rendering the first digital audio file.

9. (Original) A method of rendering digital content according to claim 1, wherein the digital data includes a plurality of electronic text files, wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.

10. (Currently amended) A method of rendering digital content according to claim 1 ~~9~~, wherein ~~the digital data includes at least one electronic text file, and wherein selecting the digital content to be rendered~~ determining the first digital data file comprises comparing ~~the~~ at least one of a start time, an end time, and a duration of ~~each~~ the at least one electronic text file with the predetermined time offset ~~external to the descriptor file~~ to determine a first electronic text file ~~in the plurality of digital audio files~~ having a point therein corresponding to the predetermined time offset.

11. (Currently amended) A method of rendering digital content according to claim 10, wherein ~~rendering digital content using the media player~~ downloading the digital content comprises ~~transmitting~~ downloading the first electronic text file from the server ~~to the media player~~, loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure.

12. (Original) A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises determining at least one of a start time and an end time of a plurality of paragraphs in the loaded first electronic text file using the plurality of hard time tags, the start and end times of each paragraph determined relative to one of the beginning of the audio recording and a beginning of the first electronic text file.

13. (Original) A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises extrapolating time values for a plurality of characters in the loaded first electronic text file, the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of hard time tags.

14. (Original) A method of rendering digital content according to claim 10, wherein rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event.

15. (Currently amended) A method of rendering digital content according to claim 14, wherein rendering digital content using the media player further comprises simultaneously rendering a digital audio file from a point corresponding to the predetermined time offset ~~external to the descriptor file~~.

16. (Original) A method of rendering digital content according to claim 15, wherein rendering the digital content using the media player comprises providing automated page turns within the loaded first electronic text file using the current time offset.

17. (Original) A method of rendering digital content according to claim 1, wherein the digital data includes a plurality of ancillary files, and wherein the time information includes at least one of a start time, an end time, and a duration of each ancillary file in the plurality of ancillary files, the start and end times of each ancillary file determined relative to the beginning of the audio recording, the plurality of ancillary files including at least one of a plurality of graphic files, a plurality of advertizing files, and a plurality of user generated ancillary files.

18. (Currently amended) A method of rendering digital content according to claim 1, wherein the predetermined time offset ~~external to the descriptor file~~ is provided by one of a bookmark, a search result, a table of contents, an index, a list of tables, a list of figures, footnotes, quotations, a list of illustrations, a fast-forward request, and a rewind request.

19. (Currently amended) A method of rendering digital content according to claim 1, wherein the predetermined time offset ~~external to the descriptor file~~ is provided by a bookmark, the bookmark including information to identify the descriptor file.

20. (Original) A method of rendering digital content according to claim 10, wherein the descriptor file includes at least one of a start time, an end time, and a duration of a plurality of digital audio files representing the audio recording, and at least one of a start time, an end time, and a duration of a plurality of illustration files from the originating work.

21. (Currently amended) A method of rendering digital content according to claim 10, wherein the predetermined time offset external to the descriptor file is provided from a text search result.

22. (Original) A method of rendering digital content according to claim 14, comprising creating a bookmark for a selected point in the digital content, the bookmark including the current time offset, the current time offset determined relative to the timeline of the audio recording.

23. (Original) A method of rendering digital content according to claim 1, comprising the steps of:

determining a current time offset while rendering the digital content; and

creating a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

24. (Currently amended) A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for ~~defining~~ each digital data file, the time information determined relative to a timeline of an audio recording of the originating work;

determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, selecting the digital content to be rendered the first digital data file determined from the plurality of digital data files using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file, the time offset and determined relative to the timeline of the audio recording; and

downloading the digital content from the at least one server in dependence upon whether the first digital data file is resident with the media player; and

rendering the ~~selected~~ digital content using the media player at an arbitrary point determined using the predetermined time offset,

wherein the plurality of digital data files includes at least one electronic text file and at least one digital audio file, and wherein rendering the ~~selected~~ digital content using the media player comprises providing automated page turns for text derived from the at least one electronic text file, the automated page turns determined in dependence upon a progressing time offset relative to the rendering of the at least one digital audio file.

25. (Currently amended) A system for rendering digital content comprising:

a server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file including time information for ~~defining~~ the digital data, the time information determined relative to a timeline of an audio recording of the originating work;

a client for rendering the digital data corresponding to the originating work; and

a network for connecting the server and the client and facilitating transmission of the digital data from the server to the client,

wherein the client includes computer readable code for rendering ~~renders~~ the digital content using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file, ~~the time offset and~~ determined relative to the timeline of the audio recording, the digital content rendered at an arbitrary point determined using the predetermined time offset.

26. (Currently amended) A non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

download digital content from at least one server, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating

work, the descriptor file including time information for ~~defining~~ each digital data file, the time information determined relative to a timeline of an audio recording of the originating work, the computer having access to the at least one server via a network;

select an arbitrary point within the digital content from which to begin rendering, the arbitrary point selected using the time information in the descriptor file and a predetermined time offset external to the descriptor file, the predetermined time offset determined relative to the timeline of the audio recording; and

begin rendering the digital content from the ~~selected~~ arbitrary point.

27. (Currently amended) A non-transitory computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

render digital content, the computer having access to at least one server via a network, the at least one server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work, the digital data including the digital content;

determine a current time offset while rendering the digital content; and

create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

28. (Currently amended) A non-transitory computer readable storage medium according to claim 27, which when executed by a computer, causes said computer to e-mail the bookmark from one client to another client.

29. (Currently amended) A non-transitory computer readable storage medium according to claim 27, which when executed by a computer, causes said computer to transfer ~~perform a drag-and-~~

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~~drop operation whereby~~ one of the bookmark and a shortcut to the bookmark is transferred to one of a desktop, a window other than the window used for rendering the digital content, and an application other than the application used for rendering the digital content.

REMARKS

Claims 1-29 are pending.

Claims 1-29 have been rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1-18 of US Pat. No. 8,285,809 B2. A timely filed terminal disclaimer in compliance with 37 CFR 1.321 is submitted herewith. Accordingly, claims 1-29 are believed to be patentable.

Claims 26-29 have been rejected under 35 USC 101 because the claimed invention is stated to be directed to nonstatutory subject matter. Claims 26-29 have been amended to specify that the computer readable storage medium is a *non-transitory* computer readable storage medium. Some examples of support for this amendment can be found in paragraphs [81] and [82]. No new matter has been added.

Claims 1-26 have been rejected under 35 USC 102(b) as being anticipated by Houh et al. 2007/0112837. These rejections are respectfully traversed.

With regard to independent claims 1, 25, and 26, it is respectfully submitted that Houh et al. is not proper cited art under 35 USC 102(b). In particular, Houh et al. has a priority date of November 9, 2005 and was published on May 17, 2007, whereas claims 1, 25, and 26 have a priority date of December 13, 2005. As such, Houh et al. does not qualify as prior art under 35 USC 102(b) because it does not disclose anything that was patented or described in a printed publication more than one year prior to the date of application for patent in the United States. Accordingly, Applicant respectfully submits that Houh et al. is not proper cited art, and requests that this rejection be withdrawn.

Nevertheless, claims 1, 25, and 26 have been amended to remove the term “defining” and to clarify that the digital content is rendered from an arbitrary point determined using a predetermined time offset that is external to the descriptor file. More specifically, claim 1 has

been amended to specify that the method includes: determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording; downloading the first digital data file from the at least one server in dependence upon whether the first digital data file is resident with the media player; and rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset. Claim 25 has been amended to clarify that the client includes computer readable code for rendering the digital content using the time information in the descriptor file and a predetermined time offset, the predetermined time offset external to the descriptor file and determined relative to the timeline of the audio recording, the digital content rendered at an arbitrary point determined using the predetermined time offset. Claim 26 has been amended to include the term non-transitory and to specify that the computer selects an arbitrary point within the digital content from which to begin rendering, the arbitrary point selected using the time information in the descriptor file and a predetermined time offset external to the descriptor file, the predetermined time offset determined relative to the timeline of the audio recording. Some examples of support for these amendments can be found in paragraphs [13], [79], [97], [98], and [114]. No new matter has been added.

It is respectfully submitted that Houh et al. do not teach the invention as defined in amended claims 1, 25, and 26, and in particular, do not teach that the digital content is rendered from an arbitrary point determined using a predetermined time offset that is external to the descriptor file.

Houh et al. teach that digital data having digital content to be rendered is determined using tags and/or timed tag indexes. Referring to paragraphs [0089]- [0090], each timed tag index 1250, 1255, 1335 maps one or more tags to timed segments of one or more media files. For example, referring to Figs. 10A and 10B, it is clear that the timed tag index includes a tag (e.g., tag="steroids") that is mapped to a timed segment (e.g., AV1, which has a certain start and end time and location). Referring also to paragraph [0081], although each timed tag index 1250,

1255, 1335 is created using the enhanced metadata (e.g., timed segment index 200), it is respectfully submitted that is not used with the enhanced metadata and/or with anything that would be interpreted to be a predetermined offset. Rather, when determining the digital content to be rendered, a search engine accesses a timed tag index 1335 to identify each of the timed segments that correspond to a requested tag and generates instructions to present one or more of the timed segments. In other words, the digital content to be rendered is determined solely using the timed tags. Referring also to paragraphs [0085]-[0090], the segments have set boundaries and are presented from the start of the fixed timing/segment boundaries.

Since Houh et al. use a timed tag index to determine which segment is rendered, it is respectfully submitted that Houh et al. do not teach that the digital content to be rendered is determined using time information in a descriptor file and a predetermined time offset that is external to the descriptor file, and do not teach rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset, as defined in amended claims 1, 25, and 26. For example, as discussed above, since Houh et al. teach that the segments have fixed boundaries and must be rendered from the start of each segment, the segments cannot be rendered at an arbitrary point determined using the predetermined time offset.

As discussed in paragraphs [13] and [79] of the instant application, using a predetermined time offset (e.g., in a bookmark) allows positioning or repositioning of an audio stream at will, and more specifically provides the ability to position an audio stream at some arbitrary point without the need for that media to be resident, thus providing increased flexibility. For example, using a predetermined time offset to determine an arbitrary point from which the digital content is rendered, allows the process to be independent of physical structure of the audio stream, thus allowing changes in media and format. In addition, referring to paragraph [120] of the instant application, a user having a predetermined time offset (e.g., from a bookmark, text search, table of contents, etc) can select any media rendering option available (i.e., the Originating Work can be rendered as an audio book, as an eText book, a read-along book, an audio picture book, an illustrated eText book, or a read-along illustrated eText book). In contrast, Houh et al. teach that

the content to be rendered is linked, and thus limited, to the tagged media (e.g., having a predetermined start time, end time, duration, and format), and thus, is not as versatile.

In view of the above-described amendments and arguments, it is respectfully submitted that amended claims 1, 25, and 26, and claims 2-23, which depend from amended claim 1, are patentable.

Claim 24 has been amended to remove the term defining, to provide proper antecedence, and to specify that the method includes determining a first digital data file from the plurality of digital data files having digital content to be rendered with the media player, the first digital data file determined using the time information in the descriptor file and a predetermined time offset external to the descriptor file, downloading the first digital data file from the at least one server in dependence upon whether the first digital data file is resident with the media player, and rendering the digital content using the media player at an arbitrary point determined using the predetermined time offset. Some examples of support for these amendments can be found in paragraphs [13], [79], [97], [98], and [114]. No new matter has been added.

Since Houh et al. use a timed tag index to determine which segment is rendered, it is respectfully submitted that Houh et al. do not teach that the digital content is rendered at an arbitrary point determined using the predetermined time offset, as defined in amended claim 24. For example, as discussed above, since Houh et al. teach that the segments have fixed boundaries and must be rendered from the start of each segment, the segments cannot be rendered at an arbitrary point determined using the predetermined time offset. In addition, it is respectfully submitted that Houh et al. do not teach automated page turns as defined in original claim 24, as stated on page 15 of the Office Action. In particular, it is respectfully submitted that one of ordinary skill in the art would never interpret a timed video segment to correspond to automated page turns. For example, since a timed video segment would not include anything that could be interpreted as a page, it would not be interpreted to provide automated page turns.

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Claims 28 and 29 have been rejected under pre-AIA USC 103(a) as being unpatentable over Houh et al. in view of Hunt et al. These rejections are respectfully traversed.

In particular, it is respectfully submitted that although page 1 of the Office Action states that claims 1-29 are rejected, pages 2-17 of the Office Action are silent with respect to claim 27. Since the Office Action fails to specifically address claim 27 and/or fails to explain the basis for the rejection of claim 27, it is respectfully submitted that Applicant is unable to rebut the novelty/obvious of claims 27, 28, and 29 with respect to cited references, and thus requests that any subsequent Office Action not be made final.

In addition, it is respectfully submitted that Hunt et al. is not proper cited art under 35 USC 103(a). For example, Hunt et al. was filed on July 9, 2008, whereas the instant application has a priority date of December 13, 2005. As such, Hunt et al. does not qualify as prior art under 35 USC 103(a) because it was not available before the effective filing date of the claimed invention (i.e., including claims 27 and 28) to a person having ordinary skill in the art to which the claimed invention pertains. Accordingly, Applicant respectfully submits that Hunt et al. is not proper cited art, and requests that this rejection is withdrawn.

As discussed above, claims 27, 28, and 29 have been amended to include the term “non-transitory”, and thus are believed to be patentable. No new matter has been added.

In addition, claims 4, 5, 7, 8, 10, 11, 15, 18, 19, 21, 26, and 29 have been amended for clarity and/or to provide proper antecedence. The specification has been amended to correct a typographical error (i.e., to replace the term “past” with the term “paste”) . No new matter has been added.

In view of the foregoing amendments and remarks early and favorable reconsideration of this application is respectfully requested.

In re Patent Application of: McCue et al
Serial No.: 13/313,393
Filed: 12/07/2011

Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No: 50-2810.

Please associate this application with Customer No: 24949.

Respectfully submitted,



Neil Teitelbaum
Regn No. 38,793

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Canada
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Fax: (613) 523-6799

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

141-1 US CIP

In re Application of: McCue et al.

Application No.: 13/313,393

Filed: December 7, 2011

For: TRANSMISSION OF DIGITAL AUDIO DATA

The owner*, Audio Pod, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 8,285,809 as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

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

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 38,793

/Neil Teitelbaum/
Signature

July 29, 2014
Date

Neil Teitelbaum
Typed or printed name

613-523-3784
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. 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.**

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

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:		13313393		
Filing Date:		07-Dec-2011		
Title of Invention:		SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS		
First Named Inventor/Applicant Name:		John McCue		
Filer:		Neil Teitelbaum/Melanie Budarick		
Attorney Docket Number:		141-1 US CIP		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Statutory or Terminal Disclaimer	1814	1	160	160
Total in USD (\$)				160

Electronic Acknowledgement Receipt

EFS ID:	19710980
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
Customer Number:	24949
Filer:	Neil Teitelbaum/Melanie Budarick
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	29-JUL-2014
Filing Date:	07-DEC-2011
Time Stamp:	11:55:34
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 160
RAM confirmation Number	13089
Deposit Account	502810
Authorized User	BUDARICK, MELANIE

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		141-1USCIPOAResponse.pdf	148168 6bb0e9d30ded2ff4d5d1708f09f877f0ed6dae8	yes	16
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Specification		2	2	
	Claims		3	10	
	Applicant Arguments/Remarks Made in an Amendment		11	16	
Warnings:					
Information:					
2	Terminal Disclaimer Filed	sb0026.pdf	374248 5d894ef6db01760c3eff2d4d0468e022e3c117d4	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30357 93eb707696a06545e0688ab723b3fa6ce0d9b2d2	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			552773		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/313,393	Filing Date 12/07/2011	☐ To be Mailed
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ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	(Column 1)	(Column 2)	(Column 3)	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
	07/29/2014	CLAIMS REMAINING AFTER AMENDMENT					
	Total (37 CFR 1.16(i))	* 29	Minus	** 29	= 0	x \$40 =	0
	Independent (37 CFR 1.16(h))	* 5	Minus	***5	= 0	x \$210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

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

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

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

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

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

LIE
/DONNA 1. SMALLS LOGAN/

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,393	12/07/2011	John McCue	141-1 US CIP	2438
24949	7590	04/30/2014	EXAMINER	
TEITELBAUM & MACLEAN 280 SUNNYSIDE AVENUE OTTAWA, ON K1S 0R8 CANADA			CHOU, ALAN S	
			ART UNIT	PAPER NUMBER
			2451	
			NOTIFICATION DATE	DELIVERY MODE
			04/30/2014	ELECTRONIC

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

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

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

ANNETTE@PATENTS.ORG

Office Action Summary	Application No. 13/313,393	Applicant(s) MCCUE ET AL.	
	Examiner ALAN S. CHOU	Art Unit 2451	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 12/7/2011.
☐ 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) 1-29 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) 1-29 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

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

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

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date 3/2/2012
- 3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 4) ☐ Other: ____.

DETAILED ACTION

Claims 1-29 are presented for examination.

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory double patenting rejection is appropriate where the claims at issue are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).
2. Timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the reference application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

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

4. Claims 1-29 are rejected on the ground of nonstatutory double patenting as being unpatentable over claim 1-18 of U.S. Patent No. 8,285,809 B2. Although the claims at issue are not identical, they are not patentably distinct from each other because both independent claims have the similar steps such as: a) providing a media player with a descriptor file (see claims 1 in U.S. Patent 8,285,809 B2). b) selecting the digital content to be rendered (see claim 4 in U.S. Patent 8,285,809 B2). c) creating a bookmark for rendered digital content (see claims 1 in U.S. Patent 8,285,809 B2). The current independent claims 1, 24-27 have similar limitation as the parent claim in the U.S. Patent 8,285,809 B2.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 26-29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to nonstatutory subject matter. The claim is drawn to a "computer readable storage medium". The specification is silent regarding the meaning of this term. Thus, applying the broadest reasonable interpretation in light of the specification and taking into account the meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art (MPEP §2111), the claim as a whole covers both transitory and non-transitory media. A transitory medium does not fall into any of the 4 categories of invention (process, machine, manufacture, or composition of matter).

Claim Rejections - 35 USC § 102

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

A person shall be entitled to a patent unless –

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

8. Claims 1-26 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Houh et al. 2007/0112837 A1 (hereinafter Houh).

9. As per claims 1, 25-26, Houh discloses a method of rendering digital content comprising:

10. providing a media player (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11) having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9 section [0089]), the at least one server having stored thereon a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089]), the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]);

11. selecting the digital content to be rendered from the plurality of digital data files using the time information in the descriptor file and a time offset external to the descriptor file (see search engine 1320 select timed segment corresponding to the requested tag on page 9 section [0090]), the time offset determined relative to the timeline of the audio recording (see search engine present one or more timed tagged segment on page 9 section [0090]);

12. rendering the selected digital content using the media player (see media player 1345 jump to the timed segment on page 9 section [0090]).

13. As per claim 2, Houh discloses a method of rendering digital content according to claim 1, wherein the plurality of digital data files includes a plurality of digital audio files (see audio stream on page 2 section [0026]), the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps (see natural language processor 100b on page 3 section [0032]) so that when the plurality of digital audio files are rendered sequentially an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files (see rendered timed segments on page 3 section [0032]).

14. As per claim 3, Houh discloses a method of rendering digital content according to claim 2, wherein the time information includes at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files, the start and end times of each digital audio file determined relative to the beginning of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036]).

15. As per claim 4, Houh discloses a method of rendering digital content according to claim 3, wherein selecting the digital content to be rendered comprises using the at least one of a start time, an end time, and a duration of each digital audio file to find a first digital audio file in the plurality of digital audio files that includes digital audio data from a point in the audio recording at a time corresponding to the time offset external to the descriptor file (see identify selected timed segments that correspond to the

requested tag and instructions to play timed tagged segments on page 9 section [0090]).

16. As per claim 5, Houh discloses a method of rendering digital content according to claim 4, wherein rendering the digital content using the media player comprises transmitting the first digital audio file from the server to the media player, and wherein the method further comprises rendering the first digital audio file using the media player while simultaneously transmitting subsequent digital audio files to the media player (see media file and audio streaming on page 1 section [0005]).

17. As per claim 6, Houh discloses a method of rendering digital content according to claim 4, wherein the digital data includes a plurality of electronic text files (see timed word segments 225 for text of an individual words 225b on page 3 section [0035]), and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035]).

18. As per claim 7, Houh discloses a method of rendering digital content according to claim 6, wherein selecting the digital content to be rendered (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and

duration 235e on page 3 section [0036]) comprises comparing the at least one of a start time, an end time, and a duration of each electronic text file with the time offset (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035]) external to the descriptor file to determine a first electronic text file (see timed word segments 225 for text of an individual words 225b on page 3 section [0035]) in the plurality of digital audio files having a point therein corresponding to the time offset.

19. As per claim 8, Houh discloses a method of rendering digital content according to claim 7, wherein rendering the digital content using the media player comprises rendering the first electronic text file from a position calculated to correspond to the time offset (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035]) while simultaneously rendering the first digital audio file (see media file and audio streaming on page 1 section [0005]).

20. As per claim 9, Houh discloses a method of rendering digital content according to claim 1, wherein the digital data includes a plurality of electronic text files (see timed word segments 225 for text of an individual words 225b on page 3 section [0035]), wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio

recording (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035]).

21. As per claim 10, Houh discloses a method of rendering digital content according to claim 9, wherein selecting the digital content to be rendered (see selecting the timed segments that corresponds to the requested tag on page 9 section [0090]) comprises comparing the at least one of a start time, an end time, and a duration of each electronic text file with the time offset external to the descriptor file to determine a first electronic text file in the plurality of digital audio files having a point therein corresponding to the time offset (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035]).

22. As per claim 11, Houh discloses a method of rendering digital content according to claim 10, wherein rendering digital content using the media player comprises transmitting the first electronic text file from the server to the media player (see transmitting timed tagged segments to the media player 1345), loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure (see rendering video using timed tagged segments on page 9 section [0090]).

23. As per claim 12, Houh discloses a method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises

determining at least one of a start time and an end time of a plurality of paragraphs (see segments corresponding to a paragraph on page 1 section [0007] and page 3 section [0036]) in the loaded first electronic text file using the plurality of hard time tags, the start and end times of each paragraph determined relative to one of the beginning of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036]) and a beginning of the first electronic text file (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035]).

24. As per claim 13, Houh discloses a method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises extrapolating time values for a plurality of characters in the loaded first electronic text file (see timed word segments 225 for text of an individual words 225b on page 3 section [0035]), the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of hard time tags (see word segments 225b with start offset 225c, end offset 225d, and duration 225e on page 3 section [0035]).

25. As per claim 14, Houh discloses a method of rendering digital content according to claim 10, wherein rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event (see

media player 1345 rendering segments by presenting identified timed tagged segments on page 9 section [0090]).

26. As per claim 15, Houh discloses a method of rendering digital content according to claim 14, wherein rendering digital content using the media player further comprises simultaneously rendering a digital audio file from a point corresponding to the time offset (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036]) external to the descriptor file (see media file and audio streaming on page 1 section [0005]).

27. As per claim 16, Houh discloses a method of rendering digital content according to claim 15, wherein rendering the digital content using the media player comprises providing automated page turns within the loaded first electronic text file using the current time offset (see automatic rendering of the selected segments on page 9 section [0090] and see rendering of segments from markers such as chapters on page 4 section [0039]).

28. As per claim 17, Houh discloses a method of rendering digital content according to claim 1, wherein the digital data includes a plurality of ancillary files, and wherein the time information includes at least one of a start time, an end time, and a duration of each ancillary file in the plurality of ancillary files (see video segments 245 on page 3 section [0037]), the start and end times of each ancillary file determined relative to the

beginning of the audio recording, the plurality of ancillary files including at least one of a plurality of graphic files, a plurality of advertising files, and a plurality of user generated ancillary files (see video segments 245 with segment type 245b, timing start offset 245c, end offset 245d, duration 245e on page 3 section [0037]).

29. As per claim 18, Houh discloses a method of rendering digital content according to claim 1, wherein the offset external to the descriptor file is provided by one of a bookmark, a search result (see search result on page 4 section [0041]), a table of contents (see chapter markers on page 4 section [0039]), an index, a list of tables, a list of figures, footnotes, quotations, a list of illustrations, a fast-forward request, and a rewind request (see forward and back request on page 6 section [0068-0069]).

30. As per claim 19, Houh discloses a method of rendering digital content according to claim 1, wherein the offset external to the descriptor file is provided by a bookmark, the bookmark including information to identify the descriptor file (see markers on page 4 section [0039]).

31. As per claim 20, Houh discloses a method of rendering digital content according to claim 10, wherein the descriptor file includes at least one of a start time, an end time, and a duration of a plurality of digital audio files representing the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036]), and at least one of a start time, an

end time, and a duration of a plurality of illustration files from the originating work (see video segments 245 with segment type 245b, timing start offset 245c, end offset 245d, duration 245e on page 3 section [0037]).

32. As per claim 21, Houh discloses a method of rendering digital content according to claim 10, wherein the offset external to the descriptor file is provided from a text search result (see search result on page 4 section [0041]).

33. As per claim 22, Houh discloses a method of rendering digital content according to claim 14, comprising creating a bookmark for a selected point in the digital content (see markers on page 4 section [0039]), the bookmark including the current time offset, the current time offset determined relative to the timeline of the audio recording (see audio speech segments 235 with content segment timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036]).

34. As per claim 23, Houh discloses a method of rendering digital content according to claim 1, comprising the steps of: determining a current time offset while rendering the digital content; and creating a bookmark for a selected point in the rendered digital content (see markers on page 4 section [0039]), the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording (see audio speech segments 235 with content segment

timing start offset 235c, end offset 235d, and duration 235e on page 3 section [0036]), the selected point in the audio recording corresponding to the selected point in the digital content (see selecting specific timed segments to render on page 9 section [0090]).

35. As per claim 24, Houh discloses a method of rendering digital content comprising:

36. providing a media player (see client requestor 1310 using media player 1345 on page 9 section [0090] and Figure 11) having access to at least one server via a network (see search engine 1320 or other server capable of accessing database 1335 on page 9 section [0089]), the at least one server having stored thereon a descriptor file (see rendered metadata on page 2 section [0028] that is embedded within the media file on page 3 section [0033]) and a plurality of digital data files derived from an originating work (see database 1335 include timed tag indexes 1335 on page 9 section [0089]), the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work (see generated metadata from audio on page 2 section [0026] and see generated meta data on page 2 section [0028] and see audio timing information on page 3 section [0036]);

37. selecting the digital content to be rendered from the plurality of digital data files using the time information in the descriptor file and a time offset external to the descriptor file (see search engine 1320 select timed segment corresponding to the

requested tag on page 9 section [0090]), the time offset determined relative to the timeline of the audio recording (see search engine present one or more timed tagged segment on page 9 section [0090]);

38. rendering the selected digital content using the media player (see media player 1345 jump to the timed segment on page 9 section [0090]), wherein the digital data includes at least one electronic text file and at least one digital audio file (see timed word segments 225 on page 3 section [0035] and audio speech segments 235 on page 3 section [0036]).

39. wherein rendering the selected digital content using the media player comprises providing automated page turns for text derived from the at least one electronic text file (see automatic page turn as a timed video segments 245 with timing information on page 3 section [0035]), the automated page turns determined in dependence upon a progressing time offset (see timed offset such as a marker or chapter on page 4 section [0039]) relative to the rendering of the at least one digital audio file (see audio speech segments 235 with timing offset on page 3 section [0036]).

Claim Rejections - 35 USC § 103

40. Claims 28, 29 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Houh et al. 2007/0112837 A1 (hereinafter Houh), further in view of

Hunt et al. U.S. Patent Application Publication Number 2009/0177996 A1 (hereinafter Hunt).

41. As per claims 28, 29, Houh does not teach expressly e-mailing or drag-and-drop the bookmarks from one client to another.

42. Hunt teaches displaying bookmarks and option to send electronic mail on a same display of an electronic reader (see page 3 section [0031]).

43. Houh and Hunt are analogous art because they are from the same field of endeavor, electronic content delivery system. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to email or move the bookmark on the same page of the display on the electronic reader. The motivation for doing so would have been able to share or transfer metadata to another client. Therefore, it would have been obvious to combine Houh and Hunt for the benefit of e-mail the bookmarks or drag-and-drop operation to transfer bookmark to obtain the invention as specified in claims 28, 29.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN S. CHOU whose telephone number is (571)272-5779. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571)272-3964. 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.

ALAN S CHOU
Examiner
Art Unit 2451

/ALAN S CHOU/
Examiner, Art Unit 2451

/BACKHEAN TIV/

Primary Examiner, Art Unit 2451

Notice of References Cited	Application/Control No. 13/313,393		Applicant(s)/Patent Under Reexamination MCCUE ET AL.	
	Examiner ALAN S. CHOU		Art Unit 2451	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2007/0112837	05-2007	Houh et al.	707/102
*	B	US-2009/0177996	07-2009	Hunt et al.	715/788
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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



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BIB DATA SHEET

CONFIRMATION NO. 2438

SERIAL NUMBER 13/313,393	FILING or 371(c) DATE 12/07/2011	CLASS 709	GROUP ART UNIT 2451	ATTORNEY DOCKET NO. 141-1 US CIP	
APPLICANTS INVENTORS John McCue, Ottawa, CANADA; Robert McCue, Ottawa, CANADA; Gregory Shostakovsky, Kanata, CANADA; Glenn McCue, Ottawa, CANADA; ** CONTINUING DATA ***** This appln claims benefit of 61/420,352 12/07/2010 and is a CIP of 12/096,933 06/11/2008 PAT 8285809 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 12/20/2011					
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and Acknowledged <u>/ALAN S CHOU/</u> Examiner's Signature	☐ Met after Allowance AC Initials	STATE OR COUNTRY CANADA	SHEETS DRAWINGS 28	TOTAL CLAIMS 29	INDEPENDENT CLAIMS 5
ADDRESS TEITELBAUM & MACLEAN 280 SUNNYSIDE AVENUE OTTAWA, ON K1S 0R8 CANADA					
TITLE SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS					
FILING FEE RECEIVED 1050	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit		

Search Notes 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

CPC- SEARCHED		
Symbol	Date	Examiner
H04L 29/06027, H04L 29/06462, H04L 29/06	4/16/2014	AC

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
709	231	4/16/2014	AC

SEARCH NOTES		
Search Notes	Date	Examiner
PLUS Search	4/16/2014	AC
EAST Search	4/16/2014	AC

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

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	31967	(H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L2	25	((John) near2 (McQue)).INV.	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L3	1	"20050245243"	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L4	1	"7984147".pn.	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L5	2	"20020069218"	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L6	1	"20030167262"	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L7	1	"20070124331"	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L8	1	"20070083911"	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L9	6179	(709/231.ccls.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L10	82	(audio SAME descriptor) AND (709/231.ccls.) AND (@AD<"20101207" @RLAD<"20101207")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:00
L11	31674	(H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:01
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L13	150	(audio SAME descriptor) AND (H04I29/06027.cpc. H04I06462.cpc. H04I29/06.cpc.) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:07
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L15	2	"20020068558"	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:20

L16	1	"20040267388"	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:21
L17	1134	(audio SAME segment\$4 SAME timing) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:35
L18	807	(audio SAME segment\$4 SAME timing) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:35
L19	322	(audio SAME segment\$4 SAME timing) AND (tim\$4 SAME offset) AND (stream\$4) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 14:36
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L22	1	"20120084455"	US-PGPUB; USPAT	OR	OFF	2014/04/17 15:44
L23	1	"20090222442"	US-PGPUB; USPAT	OR	OFF	2014/04/17 16:37
L24	79	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (ebook audiobook) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 18:16
L25	0	(bookmark NEAR9 (email mail e-mail (electronic NEAR2 mail))) NEAR9 (ebook audiobook) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 18:19
L26	7	(bookmark SAME (email mail e-mail (electronic NEAR2 mail))) AND (electronic NEAR2 reader) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 18:23
L27	1	(bookmark NEAR9 (email mail e-mail (electronic NEAR2 mail))) SAME (electronic NEAR2 reader) AND (@AD<"20080611" @RLAD<"20080611")	US-PGPUB; USPAT	OR	OFF	2014/04/17 18:29

EAST Search History (Interference)

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4/ 17/ 2014 6:41:52 PM**H:\ Workspaces\ 13313393.wsp**

<p align="center"><i>Index of Claims</i></p> 	Application/Control No. 13313393	Applicant(s)/Patent Under Reexamination MCCUE ET AL.
	Examiner ALAN S CHOU	Art Unit 2451

✓	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	04/17/2014									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
	5	✓									
	6	✓									
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: McCue et al. OUR FILE NO: 141-1 US CIP
SERIAL NUMBER: 13/313,393 GROUP: 2447
FILED: December 7, 2011 EXAMINER: Unassigned
TITLE: SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME
 OFFSETS
CONF. NO.: 2438

Information Disclosure Statement

March 2, 2012

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

Dear Sir:

Transmitted herewith is an Information Disclosure Statement (Form PTO-1449A) in the above-captioned application with references. In accordance with current USPTO procedures published 05 AUG 2003, in 1276 OG 55, copies of the U.S. patent documents cited in the form 1449 are not attached.

Certification

X _____ This Information Disclosure Statement is submitted within three months of:

- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) the date of entry into the U.S. National Stage of the above-identified International Application, or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies.

_____ This Information Disclosure Statement is submitted prior to the mailing date of the first Office Action on the merits received by Applicant in the above-identified application.

_____ This Information Disclosure Statement is submitted after three months from

- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) after three months from entry into the U.S. National Stage of the above-identified International Application; or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies; and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of the earlier of any Final Action or Notice of Allowance sent in such application. The certification under 37 C.F.R. § 1.97(e) is submitted separately or below, or the fee required under 37 C.F.R. § 1.97(c) and § 1.17(p) is submitted herewith.

_____ This Information Disclosure Statement is submitted after the earlier of the mailing date of a final rejection or Notice of Allowance sent in this application but before payment of the Issue Fee. The certification required under 37 C.F.R. § 1.97(e) is submitted separately or below. A petition to the Commissioner and the appropriate fee pursuant to § 1.17(i) (1) are submitted herewith.

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

_____ A certification under 37 C.F.R. §1.97 is submitted herewith separately from this paper.

_____ It is hereby certified that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

_____ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this statement.

The Commissioner is hereby authorized to charge any fees which may be required to our VISA Account.

The Commissioner is hereby authorized to charge any further fees which may be required, or credit any overpayment to Deposit Account No: 50-2810.

Please associate this application with Customer No: 24949

Yours very truly,



Neil Teitelbaum
Regn No: 38,793

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

Form PTO 1449A U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	ATTY. DOCKET NUMBER: 141-1 US CIP	SERIAL NUMBER: 13/313,393
	APPLICANT: McCue et al.	
	FILING DATE: December 7, 2011	GROUP: Unassigned

U.S. Patent Documents

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED APP
		5,586,264	Dec 17, 1996	Belknap et al	725	115	
		6,621,980	Sep 16, 2003	Gould et al	386	290	
		6,850,982	Feb 1, 2005	Siegel	709	227	
		7,242,809	Jul 10, 2001	Hunter et al	382	224	
		20020184189	Dec 5, 2002	Hay et al	707	1	
		20030091338	May 15, 2003	Snow et al	386	96	
		20030172346	Sep 11, 2003	Gould et al	715	202	
		20030221194	Nov 27, 2003	Thiagarajan et al	725	55	
		20050061873	Mar 24, 2005	Pirillo	235	380	
		20050091062	Apr 28, 2005	Burges et al	704	273	
		20050111824	May 26, 2005	Hunter et al	386	240	
		20050245243	Nov 3, 2005	Zuniga	455	414.3	
		20050250439	Nov 10, 2005	Leslie	455	11.1	
		20060140162	Jun 29, 2006	Vasa	370	338	
		20060236219	Oct 19, 2006	Grigorovitch et al	715	203	
		20060242550	Oct 26, 2006	Rahman et al	715	203	
		20060271989	Nov 30, 2006	Glaser et al	725	111	
		20070041356	Feb 22, 2007	Fontijn	370	352	
		20070067267	Mar 22, 2007	Ives	1	1	
		20070083911	Apr 12, 2007	Madden et al	725	135	
		20090171750	Jul 2, 2009	Zhou et al	705	14.53	
		20100281509	Nov 4, 2010	Yu et al.	725	100	
		20110118858	May 19, 2011	Rottler et al.	700	94	

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

Foreign Patent Documents

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

		Arons, B., "SpeechSkimmer: A system for Interactively Skimming Recorded Speech", ACM, ACM Transactions on Computer-Human Interaction (TOCHI), Volume 4, Issue 1, Pages 3-38, March 1997.
		EPUB Media Overlays 3.0", International Digital Publishing Forum, (http://idpf.org/epub/30/spec/epub30-mediaoverlays-20110516.html), 16 May 2011
EXAMINER		/Alan Chou/
		DATE CONSIDERED 04/17/2014
<i>EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant</i>		

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

IN RE PATENT APPLICATION OF: McCue et al.		OUR FILE NO:	141-1 US CIP
SERIAL NUMBER:	13/313,393	GROUP:	2447
FILED:	December 7, 2011	EXAMINER:	Unassigned
TITLE:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS		
CONF. NO.: 2438			

Transmitted herewith is an Information Disclosure Statement (Form PTO-1449A) in the above-captioned application with references. In accordance with current USPTO procedures published 05 AUG 2003, in 1276 OG 55, copies of the U.S. patent documents cited in the form 1449 are not attached.

- _____ This Information Disclosure Statement is submitted within three months of:
- (i) the filing date of the above-identified U.S. National Patent application, or
 - (ii) the date of entry into the U.S. National Stage of the above-identified International Application, or
 - (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies.
- X_____ This Information Disclosure Statement is submitted prior to the mailing date of the first Office Action on the merits received by Applicant in the above-identified application.
- _____ This Information Disclosure Statement is submitted after three months from
- (i) the filing date of the above-identified U.S. National Patent application, or
 - (ii) after three months from entry into the U.S. National Stage of the above-identified International Application; or
 - (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies; and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of the earlier of any Final Action or Notice of Allowance sent in such application. The certification under 37 C.F.R. § 1.97(e) is submitted separately or below, or the fee required under 37 C.F.R. § 1.97(c) and § 1.17(p) is submitted herewith.
- _____ This Information Disclosure Statement is submitted after the earlier of the mailing date of a final rejection or Notice of Allowance sent in this application but before payment of the Issue Fee. The certification required under 37 C.F.R. § 1.97(e) is submitted separately or below. A petition to the Commissioner and the appropriate fee pursuant to § 1.17(i) (1) are submitted herewith.

_____ A certification under 37 C.F.R. §1.97 is submitted herewith separately from this paper.

_____ It is hereby certified that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

_____ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this statement.

The Commissioner is hereby authorized to charge any fees which may be required to our VISA Account.

The Commissioner is hereby authorized to charge any further fees which may be required, or credit any overpayment to Deposit Account No: 50-2810.

Please associate this application with Customer No: 24949

Yours very truly,



Neil Teitelbaum
Regn No: 38,793

Teitelbaum & MacLean
Registered Patent Agents Limited
280 Sunnyside Avenue
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Canada
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Tel: (613) 523 3784
Fax: (613) 523 6799
Email: nt@patents.org
Website: www.patents.org

/lmf

Form PTO 1449A U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	ATTY. DOCKET NUMBER: 141-1 US CIP	SERIAL NUMBER: 13/313,393
	APPLICANT: McCue et al.	
	FILING DATE: December 7, 2011	GROUP: 2447

U.S. Patent Documents

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED APP
		7,984,147	Jul 19, 2011	Daoud et al	709	226	
		20020069218	Jun 6, 2002	Sull et al	715	202	
		20030167262	Sep 4, 2003	Iida et al	1	1	
		20070124331	May 31, 2017	Griffin	1	1	

Foreign Patent Documents

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

EXAMINER		DATE CONSIDERED
<i>EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant</i>		

Electronic Acknowledgement Receipt

EFS ID:	18775501
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
Customer Number:	24949
Filer:	Neil Teitelbaum/Lisa Fader
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	16-APR-2014
Filing Date:	07-DEC-2011
Time Stamp:	11:09:08
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	IDS2.pdf	118770 <small>36527729953dcf40187c8a4efb84b805197ce3f7</small>	no	3

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.

PLUS Search Results for S/N 13313393, Searched Tue Mar 18 15:26:39 EDT 2014
The Patent Linguistics Utility System (PLUS) is a USPTO automated search system for U.S. Patents from 1971 to the present PLUS is a query-by-example search system which produces a list of patents that are most closely related linguistically to the application searched. This search was prepared by the staff of the Scientific and Technical Information Center, SIRA.

5701384 99	7448064 98
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7254837 98	
7287163 98	
7430016 98	



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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/313,393	12/07/2011	John McCue	141-1 US CIP

CONFIRMATION NO. 2438

PUBLICATION NOTICE



OC000000053560265

24949
TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA

Title:SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

Publication No.US-2012-0084455-A1

Publication Date:04/05/2012

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: McCue et al. OUR FILE NO: 141-1 US CIP
SERIAL NUMBER: 13/313,393 GROUP: 2447
FILED: December 7, 2011 EXAMINER: Unassigned
TITLE: SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME
 OFFSETS
CONF. NO.: 2438

Information Disclosure Statement

March 2, 2012

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

Dear Sir:

Transmitted herewith is an Information Disclosure Statement (Form PTO-1449A) in the above-captioned application with references. In accordance with current USPTO procedures published 05 AUG 2003, in 1276 OG 55, copies of the U.S. patent documents cited in the form 1449 are not attached.

Certification

X _____ This Information Disclosure Statement is submitted within three months of:

- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) the date of entry into the U.S. National Stage of the above-identified International Application, or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies.

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- (i) the filing date of the above-identified U.S. National Patent application, or
- (ii) after three months from entry into the U.S. National Stage of the above-identified International Application; or
- (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies; and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of the earlier of any Final Action or Notice of Allowance sent in such application. The certification under 37 C.F.R. § 1.97(e) is submitted separately or below, or the fee required under 37 C.F.R. § 1.97(c) and § 1.17(p) is submitted herewith.

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_____ It is hereby certified that each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

_____ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this statement.

The Commissioner is hereby authorized to charge any fees which may be required to our VISA Account.

The Commissioner is hereby authorized to charge any further fees which may be required, or credit any overpayment to Deposit Account No: 50-2810.

Please associate this application with Customer No: 24949

Yours very truly,



Neil Teitelbaum
Regn No: 38,793

Teitelbaum & MacLean
Registered Patent Agents Limited
280 Sunnyside Avenue
Ottawa, Ontario
Canada
K1S 0R8

Tel: (613) 523 3784
Fax: (613) 523 6799
Email: nt@patents.org
Website: www.patents.org

/lmf

Form PTO 1449A U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	ATTY. DOCKET NUMBER: 141-1 US CIP	SERIAL NUMBER: 13/313,393
	APPLICANT: McCue et al.	
	FILING DATE: December 7, 2011	GROUP: Unassigned

U.S. Patent Documents

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED APP
		5,586,264	Dec 17, 1996	Belknap et al	725	115	
		6,621,980	Sep 16, 2003	Gould et al	386	290	
		6,850,982	Feb 1, 2005	Siegel	709	227	
		7,242,809	Jul 10, 2001	Hunter et al	382	224	
		20020184189	Dec 5, 2002	Hay et al	707	1	
		20030091338	May 15, 2003	Snow et al	386	96	
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		20050061873	Mar 24, 2005	Pirillo	235	380	
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		20050111824	May 26, 2005	Hunter et al	386	240	
		20050245243	Nov 3, 2005	Zuniga	455	414.3	
		20050250439	Nov 10, 2005	Leslie	455	11.1	
		20060140162	Jun 29, 2006	Vasa	370	338	
		20060236219	Oct 19, 2006	Grigorovitch et al	715	203	
		20060242550	Oct 26, 2006	Rahman et al	715	203	
		20060271989	Nov 30, 2006	Glaser et al	725	111	
		20070041356	Feb 22, 2007	Fontijn	370	352	
		20070067267	Mar 22, 2007	Ives	1	1	
		20070083911	Apr 12, 2007	Madden et al	725	135	
		20090171750	Jul 2, 2009	Zhou et al	705	14.53	
		20100281509	Nov 4, 2010	Yu et al.	725	100	
		20110118858	May 19, 2011	Rottler et al.	700	94	

Foreign Patent Documents

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

		Arons, B., "SpeechSkimmer: A system for Interactively Skimming Recorded Speech", ACM, ACM Transactions on Computer-Human Interaction (TOCHI), Volume 4, Issue 1, Pages 3-38, March 1997.
		EPUB Media Overlays 3.0", International Digital Publishing Forum, (http://idpf.org/epub/30/spec/epub30-mediaoverlays-20110516.html), 16 May 2011
EXAMINER		DATE CONSIDERED
<i>EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant</i>		

Electronic Acknowledgement Receipt

EFS ID:	12210441
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
Customer Number:	24949
Filer:	Neil Teitelbaum/Lisa Fader
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	02-MAR-2012
Filing Date:	07-DEC-2011
Time Stamp:	12:20:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	IDS_Cover_Letter.pdf	87620 be045658e9fb0345ae09459ff9328138aefe63ad	no	4

Warnings:

Information:

2	Non Patent Literature	Arons_Speech_Skimmer.pdf	2329871 e2e075c1438606efd84227c6b5f7642793617c3	no	36
Warnings:					
Information:					
3	Non Patent Literature	EPUB_Media_Overlays.pdf	584080 4252b10eb45e0400d4bc5de6d6facfa77f8162d1	no	35
Warnings:					
Information:					
Total Files Size (in bytes):			3001571		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/313,393	12/07/2011	2447	1050	141-1 US CIP	29	5

CONFIRMATION NO. 2438

24949

TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA

FILING RECEIPT



OC000000051578787

Date Mailed: 12/29/2011

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)

John McCue, Ottawa, CANADA;
Robert McCue, Ottawa, CANADA;
Gregory Shostakovsky, Kanata, CANADA;
Glenn McCue, Ottawa, CANADA;

Power of Attorney: The patent practitioners associated with Customer Number 24949

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/420,352 12/07/2010
and is a CIP of 12/096,933 06/11/2008

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: 12/20/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/313,393**

Projected Publication Date: 04/05/2012

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

Preliminary Class

709

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).

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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).

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/313,393			
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	95		N/A			
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	310		N/A			
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A			
TOTAL CLAIMS (37 CFR 1.16(j))	29	minus 20 = *	9	x 30 =	270				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	5	minus 3 = *	2	x 125 =	250				
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				0.00				
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					0.00				
			TOTAL	1050		TOTAL			
* If the difference in column 1 is less than zero, enter "0" in column 2.									
APPLICATION AS AMENDED - PART II									
AMENDMENT A	(Column 1)	(Column 2)	(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)
	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))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
					TOTAL ADD'L FEE		TOTAL ADD'L FEE		
AMENDMENT B	(Column 1)	(Column 2)	(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY		
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)	RATE(\$)	ADDITIONAL FEE(\$)
	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))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))								
					TOTAL ADD'L FEE		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.									

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 13/313,393		
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	95		N/A		
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	310		N/A		
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	125		N/A		
TOTAL CLAIMS (37 CFR 1.16(j))	29	minus 20 = *	9	x 30 =	270			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	5	minus 3 = *	2	x 125 =	250			
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MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					0.00			
			TOTAL	1050		TOTAL		
* If the difference in column 1 is less than zero, enter "0" in column 2.								
APPLICATION AS AMENDED - PART II								
AMENDMENT A	(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	OR OTHER THAN SMALL ENTITY
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	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		TOTAL ADD'L FEE	
AMENDMENT B	(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	OR OTHER THAN SMALL ENTITY
		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	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		TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.								



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
13/313,393	12/07/2011	2447	1050	141-1 US CIP	29	5

CONFIRMATION NO. 2438

24949

TEITELBAUM & MACLEAN
280 SUNNYSIDE AVENUE
OTTAWA, ON K1S 0R8
CANADA

FILING RECEIPT



OC000000051578787

Date Mailed: 12/23/2011

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)

John McCue, Ottawa, CANADA;
Robert McCue, Ottawa, CANADA;
Gregory Shostakovsky, Kanata, CANADA;
Glenn McCue, Ottawa, CANADA;

Power of Attorney: The patent practitioners associated with Customer Number 24949

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/420,352 12/07/2010
and is a CIP of 12/096,933 06/11/2008

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: 12/20/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/313,393**

Projected Publication Date: Perfected

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

Preliminary Class

709

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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.

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page 2 of 3

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Teitelbaum & MacLean

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December 7, 2011

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

Sir:

Re: New United States Continuation in Part Patent Application
Inventor(s): McCue et al.
Title: SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT
USING TIME OFFSETS
Our File: 141-1 US CIP

This is a Request for filing of a new CIP patent application of U.S. Serial No: 12/096,933 filed June 11, 2008 in the United States, which is incorporated by reference in the present application. Enclosed are

1. Declaration signed by the Inventor(s);
2. 68 pages of specification, including:
29 claims, 5 being independent; Abstract of the Disclosure;
3. Formal drawings including figures 1 to 32 (28 pages of figures).

Please publish Fig. 24a

Small Entity Assertion: Applicant claims entitlement to small entity status in this application

Convention priority is claimed under 35 USC 119 with respect to U.S. Patent Appln. No: 61/420,352 filed December 7, 2010; and U.S. Provisional Appl. No. 60/749,632 filed December 13, 2005

The following fees are payable:

- | | | |
|-------------------------------|--------------------------------------|-----------------------|
| • Online Filing fee - \$95.00 | Examination fee - \$125.00 | Search fee - \$310.00 |
| Excess Claims fee - \$270.00 | Excess independent claims - \$250.00 | |

The Commissioner is hereby authorized to charge any fees which may be required to our VISA Account.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No: 50-2810.

Please associate this application with Customer No: 24949.

Respectfully submitted,



Regn No: 38,793

/lmf

DECLARATION FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship is as stated below next to our names, **John McCUE; Robert McCUE; Gregory SHOSTAKOVSKY; and Glenn McCUE.**

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

the specification of which is attached hereto.

We hereby authorize our attorney to insert here in parentheses (Application Number _____, filed _____), the filing date and application number of said application, when known.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application as defined in Title 37, Code of the Federal Regulations, §1.56.

We hereby state that this application in part discloses and claims subject matter disclosed in our earlier filed application Serial No: **12/096,933, filed June 8, 2008 and U.S. provisional application Serial Nos. 60/749,632 filed December 13, 2005; and 61/420,352 filed December 7, 2010.**

We hereby claim the benefit of Title 35, U.S.C. 119(e) and U.S.C. 120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this

application is now disclosed in the prior **United States provisional and United States** patent applications.

(Number)	(Filing Date)	(Status) patented, pending, abandoned)
61/420,352	December 7, 2010	pending (141-2 US PROV)
12/096,933	June 8, 2008	pending (141-1 US/PCT)
60/749,632	December 13, 2005	abandoned (141-1 US PROV)

We hereby appoint the following agent to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Neil Teitelbaum
Douglas MacLean

Regn. No: 38,793 Tel No: (613) 523-3784 ext. 100
Regn. No: 48,096 Tel No: (613) 523-3784 ext. 200

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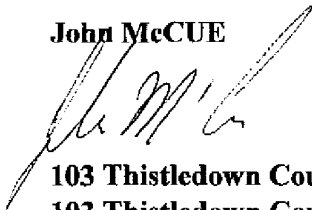
Please associate this application with Customer No: 24949.

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

Full name of first inventor:

John McCUE

Inventor's signature:



Date: *Dec 6 2011*

Residence:

103 Thistledown Court, Ottawa, Ontario, Canada K2J 1J5

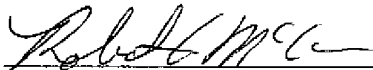
Post office address:

103 Thistledown Court, Ottawa, Ontario, Canada K2J 1J5

Citizenship:

Canadian

Full name of second inventor: **Robert McCUE**

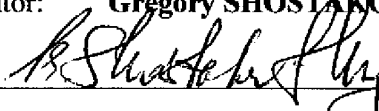
Inventor's signature:  Date: DEC 6/2011

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Inventor's signature:  Date: Dec 06/2011

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Citizenship: **Canadian**

Full name of fourth inventor: **Glenn McCUE**

Inventor's signature:  Date: 2011-12-06

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Citizenship: **Canadian**

SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application claims the benefit of priority of U.S. Provisional Appl. No. 61/420,352 filed December 7, 2010, which is hereby incorporated by reference. In addition, this application is a continuation-in-part of U.S. Pat. Appl. Ser. No. 12/096,933 filed June 11, 2008, which claimed priority from U.S. Provisional Appl. No. 60/749,632 filed December 13, 2005, both of which are also hereby incorporated by reference.

TECHNICAL FIELD

[0002] The present application relates generally to the rendering of digital content, and in particular, to a system, method, and computer-readable code for rendering digital content using time offsets.

BACKGROUND OF THE INVENTION

[0003] Traditionally, there have been two different approaches for delivering digital audio data. In the first approach, the digital audio data is mass downloaded. More specifically, and as shown schematically in Fig. 1, one or more files corresponding to an entire audio stream 10 is transmitted one frame 12 at a time from the server to the client. Once the entire audio stream 10 has been received and reassembled to form a continuous, contiguous audio stream, it is stored in storage 14 prior to being transmitted to a media player 16.

[0004] In the second approach, streaming technology is used to deliver the digital audio data 'just-in-time'. More specifically, and as shown schematically in Fig. 2, an entire audio stream 20 is transmitted one frame 22 at a time from the server to the client, where it is received and reassembled, in part, to provide a continuous, contiguous audio stream (i.e., a small portion of audio stream continuity is preserved). Once each frame is played by the media player 26, it is then discarded from the buffer.

[0005] Small audio streams, or audio-video streams, which for example correspond to individual songs, very short movies, and music videos, are typically transmitted using the first approach. In terms of the delivery of these smaller streams of media, the delays experienced by the users are generally tolerated because they are relatively short in nature. Typically, time delays are measured as one or two minutes, and although possible, tend not to exceed this.

[0006] The delivery of larger audio streams, which for example include books and radio shows, presents a problem for the user community. Whereas a single song that plays for 4 minutes may take 1 minute to download, an audio book that plays for 12 hours may take 3 to 4 hours to download. Although the general performance is relatively the same in terms of throughput rate, users of this media complain about the hours of waiting to receive and use the media selected.

[0007] While streaming technology obviates the waiting associated with mass download, any degradation experienced in the delivery of the content in real time introduces interruptions in the audio stream, causing breaks and interruptions in the users experience of that audio stream. Moreover, since the digital audio data is not stored, repositioning within the audio stream (e.g., using rewind or fast forward functions) interrupts the just-in-time nature of content delivery, and thus, may introduce significant delays and/or be inefficient. For example, in the case of rewinding a streamed audio stream, the content associated with the new position selected in the audio stream will need to be downloaded a second time and the future content temporarily stored in the buffer will be discarded.

[0008] In both of these existing technologies, great effort is made to reassemble the audio stream into a continuous, contiguous audio stream prior to being presented to the media player. In the case of the mass download approach, the entire audio stream is downloaded and reassembled prior to use. In streaming technologies, a very small portion of the audio stream is downloaded and reassembled prior to use with additional content delivered and already played content discarded continuously, to maintain a very small portion of continuity in the audio stream. Notably, this reconstruction of the audio stream complicates the digital audio data delivery and increases delivery time.

[0009] In addition, in both of the existing technologies, the user has limited tracking options. For example, 'The Godfather' is an audio book that, as commercially released, contains 24 MP3 files that require 80 megabytes of storage and plays at normal speed for a total of almost 9 hours. In order to use these files with existing mass download technology, the user must manually keep track of which file is currently being listened to and where one is in that particular file.

[0010] Tracking problems also develop if the users audio player automatically changes files, if the user is listening to multiple audio streams and/or if the user listens to audio streams on more than one client device (e.g. if a user is listening to the audio stream at work and wants to resume play at home). It can be particularly difficult and time consuming for the user to resume listening to an audio stream at a specific position.

[0011] In addition, tracking problems will develop during cross-media switching (e.g. between audio and text). For example, if a user is listening to an e-book in the car and later wants to start reading the e-book at home, tracking problems will develop because the granularity provided by the prior art methods is insufficient to tie the audio stream to the corresponding eText at a letter or word level. Further complications are expected when the cross media switching is not on a single platform (e.g., a single computer), but rather is on multiple platforms (e.g., between a computer and a cell phone or e-Reader).

SUMMARY OF THE INVENTION

[0012] According to one embodiment of the instant invention, some of the above-described disadvantages are obviated by segmenting an audio stream into a plurality of small digital audio files using gaps in the natural language of the audio stream. These small digital audio files are transmitted, loaded, and played, in a specific order, such that from the user's perspective, the audio stream is reproduced in an apparently seamless manner. Advantageously, this is done without reassembling the audio stream, either in whole or in part. Further advantageously, since the small digital audio files are created using natural language gaps, they can be sufficiently small to ensure that a first small digital audio file is downloaded and played without significant delay, while successive small digital audio files are downloaded to be played in the future. Accordingly, the user receives the audio-on-demand in a timely manner.

[0013] According to another embodiment of the instant invention, some of the above-described disadvantages are obviated by providing a virtual audio stream descriptor, which includes a record of the position of each small digital audio file in the audio stream, to increase tracking options. More specifically, the virtual audio stream descriptor and one or more predetermined time offsets into the audio stream are used to position or reposition the audio stream at will. The predetermined time offsets are typically provided via internal media marks, external media marks, and/or rewind/fast-forward functions.

[0014] According to another embodiment of the instant invention, some of the above-described disadvantages are obviated by using a virtual media descriptor, which defines a plurality of digital media files in terms of time relative to a timeline of a complete audio recording, to tie the narrated text to the corresponding eText. Advantageously, using the continuous timeline of the complete audio recording allows cross media switching in a seamless manner.

[0015] In accordance with one aspect of the instant invention there is provided a method of rendering digital content comprising: providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work; selecting the digital content to be rendered from the plurality of digital data files using the time information in the descriptor file and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording; rendering the selected digital content using the media player.

[0016] In accordance with one aspect of the instant invention there is provided a method of rendering digital content comprising: providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work; selecting the digital content to be rendered from the plurality of digital data files using the time information in the descriptor file

and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording; and rendering the selected digital content using the media player, wherein the digital data includes at least one electronic text file and at least one digital audio file, and wherein rendering the selected digital content using the media player comprises providing automated page turns for text derived from the at least one electronic text file, the automated page turns determined in dependence upon a progressing time offset relative to the rendering of the at least one digital audio file.

[0017] In accordance with another aspect of the instant invention there is provided a system for rendering digital content comprising: a server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work; a client for rendering the digital data corresponding to the originating work; and a network for connecting the server and the client and facilitating transmission of the digital data from the server to the client, wherein the client renders the digital content using the time information in the descriptor file and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording.

[0018] In accordance with another aspect of the instant invention there is provided a computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to: download digital content from at least one server, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work, the computer having access to the at least one server via a network; select a point within the digital content from which to begin rendering, the point selected using the time information in the descriptor file and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording; and begin rendering the digital content from the selected point.

[0019] In accordance with another aspect of the instant invention there is provided a computer readable storage medium including computer readable code, which when executed by a

computer, causes said computer to: render digital content, the computer having access to at least one server via a network, the at least one server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work, the digital data including the digital content; determine a current time offset while rendering the digital content; and create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

BRIEF DESCRIPTION OF THE DRAWINGS

[0020] Further features and advantages of the present invention will become apparent from the following detailed description, taken in combination with the appended drawings, in which:

[0021] FIG. 1 is a schematic diagram showing the prior art mass download of an audio stream;

[0022] FIG. 2 is a schematic diagram showing prior art streaming of an audio stream;

[0023] FIG. 3 is a schematic diagram illustrating the transmission of an audio stream in accordance with one embodiment of the instant invention;

[0024] FIG. 4 is a schematic diagram of one embodiment of a network based library;

[0025] FIG. 5a shows an embodiment of an actual audio stream structure;

[0026] FIG. 5b shows an embodiment of a small digital audio file structure;

[0027] FIG. 5c shows an embodiment of a virtual audio stream descriptor structure;

[0028] FIG. 5d shows an embodiment of an illustration structure;

[0029] FIG. 5e shows an embodiment of an advertising structure;

- [0030]** FIG. 5f shows an embodiment of a catalog index structure;
- [0031]** FIG. 5g shows an embodiment of a server list structure;
- [0032]** FIG. 6 is a schematic diagram showing card catalog index structure relationships;
- [0033]** FIG. 7 is a schematic diagram illustrating one embodiment of a library creation process;
- [0034]** FIG. 8 is a schematic diagram illustrating one embodiment of an audio stream splitter process;
- [0035]** FIG. 9 shows an embodiment of a bookmark structure;
- [0036]** FIG. 10 is a schematic diagram showing virtual audio stream structure relationships;
- [0037]** FIG. 11 is a schematic diagram illustrating one embodiment of a performance management process;
- [0038]** FIG. 12 is a schematic diagram illustrating information transfer and client memory status;
- [0039]** FIG. 13 is a schematic diagram illustrating one embodiment of a bookmarked audio stream purge process;
- [0040]** FIG. 14 is a schematic diagram illustrating one embodiment of an active audio stream purging process;
- [0041]** FIG. 15 is a schematic diagram illustrating one embodiment of a memory manager process;
- [0042]** FIG. 16 is a schematic diagram illustrating one embodiment of a download manager process;
- [0043]** FIG. 17 is a flow diagram illustrating one embodiment of a process for using the software product;

[0044] FIG. 18 is a flow diagram illustrating one embodiment of the player control process;

[0045] FIG. 19 is a flow diagram illustrating one embodiment of the general functional process;

[0046] FIG. 20 is a schematic diagram illustrating how the Virtual Media Descriptor 224 links the various media streams;

[0047] FIG. 21 is a schematic diagram illustrating how each Derivative Work is derived from the same Originating Work;

[0048] FIG. 22 is a schematic diagram illustrating the structure of one embodiment of a Virtual Media Descriptor;

[0049] FIG. 23 is a schematic diagram illustrating how common points corresponding to a specific point in an Originating Work will have different time values in different audio recordings;

[0050] FIG. 24a is a schematic diagram illustrating a system in accordance with one embodiment of the instant invention;

[0051] FIG. 24b is a flow diagram illustrating a process of providing a time offset using the time offset manager;

[0052] FIG. 25 is a schematic diagram illustrating the segmentation of an eText according to one embodiment of the instant invention;

[0053] FIG. 26 is a schematic diagram showing a plurality of eText segments, which when accessed in their logical order, form a discontinuous media stream defined by the Virtual eText Stream;

[0054] FIG. 27a shows an embodiment of an eBook structure;

[0055] FIG. 27b shows an embodiment of an eBook chapter structure;

[0056] FIG. 27c shows an embodiment of an eBook paragraph structure;

[0057] FIG. 28 is a schematic diagram showing the loading and processing of eText segments in a formatted memory structure;

[0058] FIG. 29 shows an embodiment of a time tag;

[0059] FIG. 30 is a schematic diagram illustrating the insertion of hard time tags into formatted memory structures;

[0060] FIG. 31 shows an embodiment of a Virtual Page structure; and

[0061] FIG. 32 is a schematic diagram illustrating the correlation between an eText Stream and two Derivative Works.

[0062] It will be noted that throughout the appended drawings, like features are identified by like reference numerals.

DETAILED DESCRIPTION OF PREFERRED EMBODIMENTS

[0063] Referring to Fig. 3, there is shown a system for transmitting digital audio data in accordance with one embodiment of the instant invention. The system includes a server 100, a client 150, and a network (not shown) for connecting the server 100 and the client 150.

[0064] On the server side 100, an audio stream analyzer 115 is provided for analyzing large digital audio files 110 frame by frame 112, and for segmenting the large digital audio files 110 into a plurality of small audio files 122. More specifically, the audio stream analyzer 115 locates areas of silence or low decibel levels, hereafter referred to as gaps, within the audio stream. When these natural language gaps are found, and after more than a specific amount of content has been processed, that content is written to a small audio file. This parsing process is repeated until the entire audio stream 110 has been split, or segmented, into the plurality of small audio files 122. In general, the size of each small audio file is selected such that it can be transferred from the server 100 to the client 150 in a period of time that does not cause appreciable consternation on behalf of the user. For example, as a benchmark for success, this time frame is similar to that used in the telephone industry when a subscriber lifts a receiver and waits for a dial tone. Accordingly, a two second wait is considered to be close to the maximum tolerable

delay, with the optimal target being in the sub-second range. The actual size range of the small audio files 122 will be dependent on the network throughput rates. As a result, as network speed increases, the upper limit on the size of the segments will also increase.

[0065] The audio stream analyzer 115 also analyzes each small digital audio file to determine the start time, end time, and/or play time of the small digital audio file within the audio stream 110. This information is recorded in an index file 124 (e.g., an XML document). The index file 124, which is a virtual description of the actual audio stream, provides the information needed by a media player to reproduce the experience of a contiguous audio stream for the user without reconstructing the audio stream 110. The term 'actual audio stream' as used herein, refers to the plurality of small digital audio files that comprise the entire audio stream, and that when played sequentially, provide an apparently seamless audio experience. According to one embodiment, each of the small digital audio files is named using a number (e.g., eight-digit decimal number) that indicates its logical order in the actual audio stream.

[0066] In addition to providing actual stream details (i.e., the information for locating and managing the plurality of small digital audio files), the virtual audio stream descriptor 124 also typically includes descriptive details used to describe the content of the audio stream 110, such as the title and/or ISBN. Optionally, the virtual audio stream descriptor 124 also includes internal media marks, illustrations related to the audio stream, and/or internal advertising. Internal media marks are used to identify a specific point in time in the audio stream 110 that is offset from the beginning of the audio stream 110. More specifically, they generally point to a time offset associated with some user readable tag such as a table of contents, an index, a list of tables, a list of figures, footnotes, quotations, a list of illustrations, etc. Illustrations related to the audio stream and/or internal advertising may include graphics, static images, moving images, and/or other audio-visual content that is displayed for a fixed duration.

[0067] In general, the virtual audio stream descriptor 124 and the actual audio stream 122 will be stored together in a same location 120 on the server 100. For example, according to one embodiment the plurality of small audio files 122 and the virtual audio stream descriptor 124 are stored in a same directory of a library residing on one or more servers on the Internet. According to the embodiment illustrated in Fig. 4, the plurality of small audio files 122 and the virtual audio

stream descriptor 124 are stored in the same library, but in different areas. More specifically, the virtual audio stream descriptors 124 are stored in an area for administrative files 144, whereas the plurality of small audio files 122 is stored in an area for actual audio streams 140. The area for actual audio streams 140 includes n directories for storing n audio streams, each with a corresponding cover art image. The cover art image, which is a graphic file, is intended to provide a user with a familiar look and feel of a book cover and/or to provide easy recognition. Optionally, one or more of the n directories is located at a remote URL.

[0068] The administrative files, which include the virtual audio stream descriptors 124, typically use the electronic equivalent of a card catalog to provide a simple, easy to use method of navigation and access of the actual audio streams. In general, these card catalog index files (e.g., XML documents) will include a hierarchical structure of cascading indexes that relate in various ways. For example, according to one embodiment the card catalogue will include indices based on keywords such as historical, detective, suspense, action, etc. The references contained in each index point to other index structures or to a specific virtual stream descriptor. Each index structure contains a reference to its parent index structure, thus allowing navigation in both directions (i.e., up and down the branch of hierarchy). Each media entry may appear within the structure of the entire index multiple times, to allow reference and/or navigation from many points. The structure of the index is such that endless navigation loops caused by circular definitions are not possible.

[0069] The administrative files also optionally include announcements, updates, and a server list (not shown). Announcements, which for example may be in an XML file, are typically informative or instructive in nature. The updates, which may include programs, data files, instruction files, setup files, and/or other text, typically contain information for providing a maintenance update. The server list (not shown), which may also be an XML document, typically contains a list of servers that are available on the network and that can provide general library and content information. In general, each server listed will be a mirror of the primary server (also included in the list).

[0070] Figs. 5a-g show examples of data structures of: a) an actual audio stream, b) a small digital audio file, c) a virtual stream descriptor, d) illustrations, e) advertising, f) a card catalog,

and g) a server list, respectively. Fig. 6, which shows the structure relationships, demonstrates that the actual audio stream, illustration, advertisement, and cover art image structure (not shown) are each referenced as a target structure from the virtual audio stream descriptor. Each of the actual audio stream, illustration, and cover art image structures also contain a reference identifier back to its parent structure. In contrast, the announcement structure (not shown) is functionally independent of other information bearing structures.

[0071] An embodiment of a process used to create an audio book library is shown in Fig. 7. The audio stream, in raw form, is acquired from either a publisher or is imported from an audio media or conversion routine. The raw files are analyzed using natural language gaps and are segmented into the plurality of small digital audio files (i.e., segment files) that form the actual audio stream. Book cover art is imported and formatted, if required. The plurality of small digital audio files and cover art image are placed in a unique directory, which is local or at some remote URL. Audio stream information that describes the audio stream is manually entered using the library administrator utility to create a virtual audio stream descriptor for each audio stream. Information that describes the location and structure of the actual audio stream is provided using the audio stream profiler. The administrator utility is also used to build a series of integrated index files that make up the card catalog for the library, and to provide tools to maintain updates, server lists and announcements. Preferably, this master library is replicated on a number of mirror sites that are also made available on the network. Following updates to the master library, an automated verification utility ensures that network accessible copies of the library (i.e., the one or more mirror sites) are also updated to ensure the integrity of the system.

[0072] Referring to Fig. 8, the segmentation of the raw files is discussed in further detail. In a first step, 200, the list of original raw audio files is built in logical order. These files are processed one at a time. More specifically, after confirming the existence of a raw file 202, the raw file is opened 204, a segment file is opened 206, and a frame is obtained from the raw file 208. Assuming the frame does not correspond to the end of the raw file 210, and that the segment file has not reached an arbitrary minimum size 214 (e.g., 100 kilobytes), the frame is written to the segment file 216. After this limit is reached, audio frames are analyzed looking for a period of silence or low decibel levels 218. If this period of silence is found, or if the upper size limit (e.g., 250 kilobytes) of the segment file is exceeded, the current segment file is closed

220 and a new output small audio file is opened 222. In the event that the unprocessed raw file content is less than a slack limit 212 (e.g., 25 kilobytes), the testing for silence and the upper limit testing is not performed and the remaining audio frames are written to the then current segment file. According to one embodiment, this method is used to find periods of silence between chapters, paragraphs, sentences, phrases, words, and/or at punctuation marks. Optionally, the audio stream splitter/analyzer 115 searches for long periods of silence, which are subsequently truncated. For example, periods of silence that exceed 2 seconds in length have been found to make users assume that a problem exists in the delivery or replay of the audio stream. In order to eliminate these user concerns, periods of silence that exceed 2 seconds in length can be truncated, and the audio content that has been truncated, discarded.

[0073] Referring again to Fig. 3, the client side includes a memory manager 152, a download manager (not shown), a media coordinator 154, and a media player 156. The memory manager 152 is a complex memory manager used to maintain the integrity of the actual audio stream, which is transferred from the server 100 to the client 150 using a standard transfer utility (e.g., FTP). The function of the memory manager 152 is to ensure that there is sufficient memory available to receive large numbers of small digital audio files, to ensure that sufficient audio content is available when needed, and to ensure that a quantity of already heard audio content is maintained (e.g., so a user can rewind the audio stream to review recently heard content without repeated downloads). The download manager is responsible for obtaining the small audio files that make up the audio stream. The media coordinator 154 delivers the plurality of small digital audio files in the appropriate order to the media player 156. The memory manager 152, download manager (not shown), and media coordinator 154, are all part of an integrated, network-based software product used to control the media player 156.

[0074] According to one embodiment, the software product is a user-friendly interface that allows the user to select an audio stream, to download a small digital audio file representing a selected part of the selected audio stream, to play the small digital audio file relatively quickly (e.g., within 2 to 5 seconds), and to download and play the logically next small digital audio file such that the transition between successive small audio files is apparently seamless.

[0075] According to one embodiment, the software product includes computer-readable code that allows the user to use a plurality of navigation buttons to access a network-based library card catalog, bookmarks, cover art images, and/or announcements/updates. As discussed above, a network-based library card catalog, which may index audio streams in a hierarchical fashion such that there are many possible paths to reach a single audio stream, is typically stored on a network-based library for the navigation thereof. According to one embodiment, once the navigation button for the card catalogue is selected the user is able browse through a series of keywords describing a plurality of audio streams, to select an audio stream from the network based card catalogue, to load a profile of the selected audio stream, and/or to download the selected audio stream. According to one embodiment, the profile includes information obtained from the descriptive details entered into the virtual audio stream descriptor.

[0076] Bookmarks are external media marks (i.e., external to the virtual audio stream descriptor) that allow the user to identify and/or access an audio stream at any point within that audio stream. Similar to internal media marks, each bookmark provides a time offset from the beginning of the audio stream. In other words, if an audio stream starts at time zero and continues for some elapsed time to a maximum duration, the bookmark identifies a specific point in time in the audio stream that is offset from the beginning of that audio stream. The bookmark also identifies and/or points to the virtual audio stream descriptor of the target audio stream (e.g., in a local directory or at some network address). Using the time offset and the information in the virtual audio stream descriptor, the software product is able to select the appropriate small audio file to be played. Moreover, the exact position within the small audio file can also be calculated as a local offset to ensure correct positioning within that small audio file.

[0077] Bookmarks are typically, but not always, created by the client software. For example, if the media player is stopped in the middle of an audio stream, a bookmark is created and stored. Alternatively, the user creates a bookmark using a 'make bookmark' command. More than one bookmark may be created for each audio stream. The bookmark identifies the bookmarked audio stream and the time offset of the bookmarked position. Optionally, to assist the user of the audio stream in 'picking up where you left off', a predetermined time (e.g., 30 seconds) is subtracted from the time offset of the bookmarked position and stored as the new time offset

[0078] Optionally, the predetermined time is listener selectable. Fig. 9 shows an example of a data structure for an external bookmark, whereas Fig. 10 illustrates the structure relationships. Notably, the virtual audio stream descriptor may be addressed from either the integrated card catalog or the bookmark. Optionally, the virtual audio stream descriptor is addressed in another manner.

[0079] Since the bookmark only contains references to the audio stream, and does not contain any part of the audio stream itself, the bookmark can be transferred from client to client or from server to client without violating the copyright of the work product contained within the audio stream. For example, a user can bookmark an audio stream at an interesting point and e-mail that bookmark to friends without violating copyright. Clearly, the ability to position an audio stream at some arbitrary point without the need for that media to be resident provides great flexibility. Moreover, the nature of the bookmark makes it independent of the physical structure of the audio stream. This allows changes in media and format without corrupting the integrity of the mark or the audio stream. Examples of such changes include changing bit and scan rates in MP3 files, changing from MP3 to .wav format, changes to the actual audio stream, small audio file structure, and/or reformatting of the audio stream itself. According to one embodiment, the bookmark is an XML document.

[0080] The bookmark navigation button allows the user to view a list of bookmarks corresponding to open audio streams (e.g., a book that has been accessed and partially read), to select a bookmark, and to play the audio stream at the bookmarked position. For example, the software product may list the bookmarked audio streams in the descending order of the date and time that the audio stream was last read.

[0081] According to one embodiment, the software product includes computer-readable code that allows the user to use a plurality of standard player control buttons to begin playing the audio stream, stop playing the audio stream, and/or fast forward within the audio stream. Notably, the rewind and fast-forward control buttons do not actually act on the audio stream. Rather, these two functions are used to advance or retard the time offset that indicates the then current position in the audio stream. For example, rewind will cause this offset to decrease to a minimum of zero (e.g., seconds), whereas fast forward will increase the time offset to a

maximum of the upper limit of the audio stream duration. Accordingly, the user is able to fast forward and rewind through the audio stream, even if the audio content is not resident. In particular, after the time offset has been adjusted to where the user desires, if the relevant small audio file is not resident, it is obtained from the library, again in the 2 to 5 second range. The small audio file is then loaded, positioned and played.

[0082] According to one embodiment, the software product includes computer-readable code that provides a number of different displays, including for example, a basic display, an introduction display, a bookmark display, a library card catalog display, a book details display, a book player display, and a book cover display. These displays provide appeal and/or familiarity to the user. For example, the basic display may provide a decorative skin or frame to standardize the appearance of the software product when played on different platforms (e.g., desktop, laptop, personal data assistant, cell phone, dedicated device, etc), whereas the introduction display may appear during the start up of the program. Other displays, such as the bookmark display, library card catalog display, and/or book details displays may provide the navigation buttons. The book player display may show the book that is currently loaded into the player, the book title, author, copyright, and/or book length. The book player display may also provide the standard player control buttons discussed above. Optionally, the book player provides a content level indicator, which is a measure of the amount of continuous content that is resident beyond the current position in the book, and/or a positive feedback feature, which is used to inform the user that the player is active. According to one embodiment, the navigation and/or control buttons are selected using standard data entry techniques, which for example, may use a mouse, keyboard, touch pad, and/or touch sensitive screen. If the latter is provided, a virtual keyboard is typically provided.

[0083] According to one embodiment, the software product also provides a number of other displays including a set-up display, a notes display, a quotations display, and/or a contact list display. The set-up display allows the user to enter/change user account name, password, default server information, DNS name of server, communication ports of the server, and/or secure sockets. The notes display allows the user to enter or select personal notes, which may be edited and/or e-mailed to other clients. In general, the note file may include a unique numerical identification of the audio stream, a tag to the audio stream, a user defined title, comments, the

author of the comments, and/or the date and time the note was created. The quotation display allows the user to enter or select various quotations, which may also be edited and/or e-mailed to other clients. In general, the quotation file may include a unique numerical identification of the audio stream, the start and end point of the quotation in the audio stream, a user defined title, and user defined comments. The contact list display allows the user to maintain a list of names and e-mail address used by the software product.

[0084] According to one embodiment, the software product includes computer-readable code that provides client-based performance management. The performance level of the digital audio data delivery is an important factor in ensuring the integrity of the audio stream available to the user. The purpose of client-based performance management is to ensure that the client software receives service at or above minimum levels. According to one embodiment, this service is automated and is provided transparently to the user utilizing any then current available network resource to do so. In other words, the user is not aware of the source of the service or the mechanics of accessing that service.

[0085] For performance management purposes, the client software views the network and library server as a single entity. To ensure performance levels, the client software maintains statistics for service level for each library server. These server statistics are used when attempting to find the historically fastest server. This file is created and maintained in the client only. If service levels fall below a minimum acceptable level, the client software goes through the list of servers described above to determine which server has the best historical record of service. The client software selects this new server as the primary provider. Notably, using performance management may result in the user receiving small digital audio files from more than one server for the same audio stream.

[0086] The performance management logic is built into lower level functions that perform various network and library based functions. These include 1) Logging in to a server; 2) Obtaining a file from the server; 3) Obtaining file size and creation dates. Referring to Fig. 11, the initial steps taken by the client software are to load the list of servers 360 available for use and the historical transfer statistics 362. The fastest server from the list is then selected 364 as the primary server. If the server is not available or fails to respond, the next fastest server is

selected. The process continues until a server is reached. If no servers are available, the default server entered is used. Servers that are found to be slow or are continually in error will have their transfer rate increased based on one of two values 366. The value is either the total elapsed time of the transaction with the server or an error value equal to a predetermined transaction delay (e.g., one minute). As time goes on, these operational statistics are aged 368 to reduce the effect of errors or network delays. Servers are slowly aged until such time as their statistics are not less than the average for all servers. The result of the aging process means that, assuming no additional delays or errors, the operational average will decrease to some baseline average that will be greater than the fastest servers but still make the aged servers available in the future. With the then current fastest server established, that server is used as the target of all library operations. A connection must be established to the network in order to communicate. Each operation including, but not limited to login, get file and get file size are timed to see how long each transaction takes. This testing is built right into the lower level logic of the client software. In the event that a server is failed out as a result of error or degradation, a new server is selected to take its place. This server replacement occurs in the same manner that is customarily used for a non-fatal error. That is, the transaction is retried following the server replacement process without the upper levels of client software logic or the user becoming aware that it has occurred. In this way, the client software is able to balance network and server loads on the basis of performance without intervention from any other level.

[0087] According to one embodiment, the software product uses a universal ISBN server, which is designed to provide a simplified means to locate network-based library services from one or more suppliers on a network. The ISBN server may be located on the Internet for global access or on various intranets for use by various public or private organizations. The purpose of the ISBN server is to receive a request from a client device and return a list of one or more servers. The request from the client device will include a unique ISBN number or other unique identifier. The ISBN server will look up the unique identifier in a preloaded database and assemble or extract a list of servers capable of supporting library services for that identifier. This list is then returned to the client device. Upon receipt of the list of library servers, a selection is made from that list as the preferred provider of library service (e.g., as discussed with regards to client based performance management). The selected server is then accessed to acquire the

virtual audio stream descriptor that goes with the unique identifier originally provided by the client.

[0088] Preferably, the software product, including the computer-readable code, is stored on a computer readable storage medium on the client side 150 of the system. The computer readable code is then used to access information structures and files that reside on one or more servers on the server side 100 of the system (e.g., within a server farm). Information transfer from client to server is accomplished using industry standard server software, tools and utilities. A summary of various types of information, structures or files is provided in Table 1.

Information Type	Content
Administrative	Contains information, structures and files that are used to facilitate access to media contained within the library and maintain the operational environment status of the client software.
Announcements	Contains announcements that could be used in a number of ways, typically to inform users and keep them up to date on current or upcoming events or news.
Server List	Contains the primary server site and a list of library mirror sites capable of maintaining audio stream continuity for the consumer in the event of degraded or interrupted service.
Performance History	Contains a list of historical throughput performance and failure rate metrics for the library primary and mirror sites. Present only on the client platform.
Updates	Contains the actual files and information needed to perform network-based updates while online using automated routines provided.
Catalog Index	Contains the cross-reference information needed to access subordinate catalog indexes and to access virtual audio stream descriptors.
Virtual Reference	Contains information, structures and files used to provide access to and delivery of specific audio streams.
Bookmark	Contains the information needed to restart a specific audio stream at a specific point.
Virtual Audio Stream Descriptor	Contains the information that describes all aspects of an audio stream and the information needed to access and use the actual audio stream.
Cover Art Image	Contains a graphic or image that is used to represent the entire audio stream to the user in their own mind similar to the task accomplished by the cover art graphics on a printed book.
Actual audio	Contains the actual media content and supportive graphics and/or audio/video content

Actual audio Stream	Contains one or more small audio files that comprise the entire audio stream and that when played in order form a seamless audio experience.
Illustrations	If present, contains one or more graphic, image, video or audio/video portions of multimedia content intended for use with and in support of the actual audio stream.
Ancillary	Contains other information, structures and files used in the delivery of content not considered actual content within audio streams.
Advertisements	If present, contains one or more graphic, image, video or audio/video portions of multimedia content intended to be used before, during and after presentation of any audio stream subject to the requirements described in the virtual audio stream descriptor.

Table 1. Various types of information, structures, and files

[0089] Fig. 12 shows the information, structures and files contained on the server side generally grouped by function. The same information, structures and files are grouped differently on the client side and, in particular, are grouped by their requirement for retention. More specifically, this schematic diagram illustrates that as information is transferred from the server to the client, it is typically organized based on the priorities defined for the memory manager. The structures used are considered more or less expendable subject to their content. Static structures contain information needed to establish and maintain connections with the servers on the network. The term static indicates that the structures, once defined, remain in place although the content thereof may change. The memory manager will preserve these structures at all costs. The volatile structures include those whose existence is short lived. The memory manager will balance the need for space with the need to retain content surrounding active bookmarks. As the demands for space increase, the content surrounding bookmarks becomes less and less. The structures that are considered dynamic are semi-permanent structures that typically exist for the duration that an audio stream remains open and bookmarked. The memory manager will make every effort to ensure that these structures are preserved, but may remove them as a final option to obtain space. Typically, the last structures to be purged are the oldest bookmark structures.

[0090] According to one embodiment, the static files are contained in a root directory, while the volatile files are contained in a spooler directory. A list of possible static and/or volatile files that may be used by the software product is provided in Table 2.

Filename(s)	Contents
Static Files	
Audio Pod Directory	The directory that contains all files that are static in their existence
Spooler Directory	The directory that contains all files that are volatile in their existence
AudioPod.exe	The Audio Pod executable image
AudioPod.xml	The Audio Pod startup initialization file; in XML format
UpdateManager.exe	The Audio Pod Update Manager executable image
ServerList.xml	The list of libraries, mirrors and servers that are available on the network as targets for the Audio Pod Performance/Load manager; in XML format
ServerStats.xml	The historical rate of response statistics for all library servers; in XML format
BookMarks.xml	The list of active bookmarks; in XML format
TheEnd.mp3	The audio stream to be played on completion of an audio stream (book)
ErrorAlert.mp3	The audio stream to play when the Audio Pod must attract the attention of the user while listening to another audio stream (book)
Volatile Files	
Small Audio Files	Audio files that make up the various open audio streams (book); in MP3 format
Cover Art Graphic Files	Graphic files that contain images of book covers; in jpg graphic format
Card Catalog Index Files	Files containing Card Catalog indexes; in XML format
Book Profiles	Files containing Book Profiles; in XML format
Announcement File	File containing a notice or announcement; in XML format
Update File	File containing components needed to perform an update to the Audio Pod and/or any of its components

Table 2. List of Possible Static and Volatile Files

[0091] As discussed above, a memory purge process is used to remove volatile files to ensure that a requested level of free memory is made available. This process works directly on the contents of the spooler directory. The purging process takes different approaches when dealing

with the active audio stream, bookmarked audio streams, and ancillary or support files. A demand for a significant quantity of memory is made at the opening of a new audio stream, or reopening a bookmarked audio stream. The size of the demand is subject to the ultimate size of memory available, the size of the audio stream being accessed and the volume of content from the subject audio stream that may already be resident. In the event that sufficient memory is not available, memory is purged in the following order.

1. Ancillary or support files that are considered volatile are removed from memory.
2. Virtual audio streams, supporting files and related audio content for any audio stream for which there is no bookmark are deleted.
3. Bookmarked audio streams are purged with increasing levels of severity until the memory demands are met.
4. The content of dynamic memory including virtual audio stream descriptors, and supporting files are deleted, starting with the oldest.

[0092] When purging bookmarked audio streams, the purging process attempts to retain as much resident content as is possible. The purge process focuses on the bookmark position within the audio stream. Some resident content is retained within the audio stream preceding the bookmarked position. This is to allow the user the ability to rewind the audio stream in an attempt to pick up where they left off. However, this quantity of content is not large and generally will not exceed 5 minutes. The main effort is to preserve as much resident content of the audio stream that follows the position. In order to satisfy the demand for memory, most, if not all, bookmarked audio streams will have some future content purged. In the event that sufficient memory cannot be obtained with an initial purge of content, the level of severity of the purge will be increased and the purge process repeated. The volume of resident content in the bookmarked audio streams is reduced. This reduction is most severe in content preceding bookmarked positions. As the levels of severity increase further, the quantity of content preceding the bookmarked positions prevents further gains through purging, and content that follows the bookmarked positions is aggressively purged. The purging process continues, reducing the quantity of content surrounding bookmarked positions until, at the ultimate extreme, no content remains. Under normal circumstances, the demand for memory will be met and this situation is expected never to arise. This process is shown in Fig. 13.

[0093] When the demand for memory is met, the selected audio stream becomes the focus of the purging process. The effort becomes one of ensuring that sufficient content is maintained around the current player position to ensure a continuous replay of the audio stream. As the player position approaches the end of available resident content, the current audio stream is purged to make room for additional content. Every attempt is made to preserve some content preceding the current player position to allow the user to rewind a few minutes to pick up the story in the event of interruption. Referring to Fig. 14, A shows the normally expected state of memory with already heard content purged and future content loaded as the player position approaches the end of resident content, whereas B-D shows the state of memory that may result when internal media marks, external bookmarks, rewind, or fast forward functions are used. In these situations, the media player position may be outside of resident content or may result in a discontinuity of resident content. In each situation, the content that precedes the current player position typically is purged prior to purging any content that follows the current player position.

[0094] According to one embodiment of the instant invention, a method of using the software product to transmit digital audio data is described as follows. A user selects an audio stream. Examples of audio streams include audio books, magazines, newscasts, radio shows, lectures, museum tours, etc, or parts thereof. The audio stream typically is selected from a card catalog, a bookmark, or other means. In general, the actual audio format of the sound information is not important.

[0095] Once an audio stream has been selected, a demand is raised to the memory manager for enough space to work with the virtual audio stream descriptor (e.g., about 250K bytes). In normal operation, this quantity of memory is routinely expected to be available resulting in no action taken by the memory manager.

[0096] The software product ensures that the virtual audio stream descriptor has been downloaded. More specifically, the volatile memory is checked for the existence of this structure and, if it is not resident, it is downloaded. A demand is then raised to the memory manager for the lesser of two quantities of memory. The first value is 75 percent of available memory. The second is the ultimate size of the actual audio stream minus the amount of any memory currently consumed by any small audio files that may already be resident.

[0097] The desired position within the actual audio stream is then ascertained. The default position is assumed to correspond to a time offset of zero. If the method of selection was a bookmark, or an internal media mark, then the offset position is obtained from that structure. The offset is validated to be in the range from zero to the maximum duration of the audio stream, a value obtained from the virtual audio stream descriptor. The time offset is compared against the list of small audio file metrics stored in the virtual audio stream descriptor. When the time offset falls between the start and end times of a specific small audio file, that small audio file is identified as the target small audio file. A local time offset is calculated by subtracting the start time of that small audio file from the time offset that was the subject of the search. This local offset is retained for use when positioning the target small audio file.

[0098] If the target small audio file is not resident, then it is downloaded. The small audio file is loaded into the media player and the media player is positioned to the calculated local time offset. When the media player is started, the download manager is signalled to commence operations. The download manager purges the current audio stream and then examines the virtual audio stream and the content of volatile memory. Small audio files are downloaded sequentially. When the end of the audio stream is reached, downloading stops. If memory is exhausted and the download manager indicates that enough continuous audio content is resident, downloading stops. Otherwise, a demand for additional memory is raised with the memory manager, and the process is repeated.

[0099] As the media player advances through the audio stream, the small audio files are successively loaded and played until the end of the audio stream is reached. The current position in the actual audio stream is tracked. If the current position in the actual audio stream approaches the end of resident audio content and the entire audio stream is not downloaded, then the current audio stream is purged to make memory available for new content, and the download manager is started. New content is downloaded until the end of the audio stream is reached or memory is exhausted. This process is repeated as often as is necessary. In this manner, the software product can process complete audio streams that exceed the size of memory available.

[0100] The small audio files are contained within a common spooling area. As the spooling area fills with small audio files, the quantity of unheard audio increases. This quantity is displayed to the user. As a result, the user can continue to play resident unheard small audio files even during periods when out of network contact with the library. The memory manager will detect when network service is restored and continue processing as normal.

[0101] If the media player is stopped, a bookmark is created and stored. The bookmark identifies the audio stream and the time offset of the bookmarked position. The offset value stored is the current position in the audio stream less an arbitrary time. This allows the listener to 'pick up the story' when the listener resumes the current audio stream. If the listener changes the time offset into the audio stream using the rewind and fast forward buttons, or any of the media marks that may be available, the new offset position is used to position the audio stream as described above.

[0102] When the end of the audio stream is reached, any bookmarks are removed from dynamic memory. Without a bookmark, the memory manager will purge the audio stream and all references at the next signal to commence operations.

[0103] This approach allows many audio streams to be opened and bookmarked at one time. Given the actual size of these large audio streams, it will be necessary to have a memory manager capable of ensuring sufficient space is available for the most active audio streams while preserving as much physical content surrounding active bookmarks as is possible. The need to preserve actual audio content around bookmarks becomes clear when considering levels of degradation associated with the acquisition of content across the network. The ultimate goal is to have as near zero delay as is possible when resuming rendering of an audio stream. Retaining sufficient media allows audio streams to start virtually instantly, and then acquire media content as needed.

[0104] Fig. 15 provides an overview of the memory manager process in greater detail. When activated, the memory manager first checks to see if there is sufficient audio content already

resident (e.g., enough for about 5 minutes play time). If there is enough content, the remainder of the audio stream is resident or the download manager is running, then no action is taken. Otherwise, the memory manager purges the content of the audio spooler directory with the goal of freeing a specific amount of memory. With memory available, the memory manager signals the download manager to commence operations.

[0105] Fig. 16 provides an overview of an embodiment of a download manager process. The contents of the spooler directory are compared with the virtual audio stream descriptor and the user's current position in the audio stream. In particular, the spooler content is examined for the first small audio file that is needed to make the audio stream continuous beyond the then current position in the audio stream. If this file is missing, its size and the amount of available memory is obtained. This small audio file is then downloaded and the integrity of the file verified for size. The download manager continues to run until either memory is exhausted, or the end of the audio stream is reached. If the player is stopped while the download manager is running, the process stopping the player will stop the download manager.

[0106] Referring to Figs. 17, 18, and 19, process flow overviews for using the software product are provided. More specifically, Fig. 17 shows an embodiment of a general process for using the software product, from start-up through various navigation steps and associated logic. A series of navigation buttons shown at the bottom of the diagram provide the user with the ability to navigate to various displays. Fig. 18 shows an embodiment of a process for using the standard control buttons. Fig. 19 shows an embodiment of a general process for loading the actual audio stream.

[0107] In summary, the software product provides the means to deliver large volume audio streams from a central library to the end user, to maintain bookmarks for each audio stream opened and being read regardless of the number of audio streams opened, to switch audio streams anywhere and anytime, to receive library based announcements and updates, to play spooled audio segments even when network service is unavailable, and to provide active management of network resources that balances load between the main library and all mirror sites on the network, and thus ensures fast, reliable service.

[0108] Advantageously, the above-described system for transmitting digital audio data uses a time-based virtual audio stream descriptor 124. More specifically, since the virtual audio stream descriptor 124 describes the plurality of small digital audio files 122 using time, the system provides efficient tracking/navigation for the user, even when the user changes files, when the user is listening to multiple audio streams, and/or when the user listens to audio streams on more than one client device (e.g., if a user is listening to the audio stream at work and wants to resume play at home). Since an audio stream is a form of media, the virtual audio stream descriptor 124 is also termed a Virtual Media Descriptor.

[0109] In accordance with another embodiment of the instant invention, a Virtual Media Descriptor is provided that includes time information for describing various digital media including digital media other than audio streams (e.g., digital media such as eText, illustrations, graphics, video, advertising), and thus is useful for providing efficient transmission, tracking, and/ or navigation of various media.

[0110] Referring to Fig. 20, there is shown a schematic diagram of an embodiment of the instant invention wherein a Virtual Media Descriptor 224, which for example is accessed via a card catalogue or bookmark, is used to navigate between different media streams 226.

[0111] In general, the Virtual Media Descriptor 224 and the plurality of media streams 226 are derived from a specific Originating Work and/or a corresponding Derivative Work. An Originating Work is the complete text of a printed document, such as an article, speech, book, or other written work (i.e., including printed documents only printed electronically). Optionally, the Originating Work includes graphics, illustrations or other ancillary content within the printed document. For example, one example of an Originating Work is the book Moby Dick. A Derivative Work is a complete audio recording made from the corresponding Originating Work. For example, one example of a Derivate Work is an audio recording of Moby Dick read by David Jones. Referring to Fig. 21, an Originating Work may have one or more Derivative Works, but a Derivative Work will have only one Originating Work. For example, there may be multiple audio editions of a single book read by different narrators (e.g., Moby Dick as read by David Jones and Moby Dick read by Frank Smith).

[0112] The plurality of media streams 226 includes digital media corresponding to the Originating Work such as audio streams, eText, illustrations, graphics, video, figures, tables, and user generated content. Optionally, the digital media includes advertising. Each media stream will be either continuous or discontinuous. An example of a continuous media stream is an e-Book downloaded as a single file, whereas an example of a discontinuous media stream is an e-Book downloaded as a plurality of files. Another example of a discontinuous media stream is a series of independent images that represent illustrations of the e-Book, which are often separated by one or more pages in the e-Book. In general, audio streams and eText streams will be typically provided as discontinuous streams in order to reduce file size. In this case, each media stream will include a collection of media segments which, when considered as a collective cohesive group, represents a logical media experience for a user. The phrase “media segment” refers to a distinct portion of a media stream that contains content. For example, a segment may be an eText file that contains the formatted text of a chapter of a book, a file containing a graphic that represents an illustration in a book, or a file containing a sequence of audio frames that represent a word, phrase, sentence, paragraph, chapter or book or any part thereof of an audio recording. In general, the media segments will have various sizes/lengths, and may for example, be relatively short (e.g., a text file including a quotation from Winston Churchill). For example in one embodiment, one of the media streams is an actual audio stream 122 formed from a plurality of discontinuous small digital audio files, which when played successively provide the user with a continuous audio experience (i.e., when rendered, the transition between successive files is unascertainable to the user even though present).

[0113] The Virtual Media Descriptor 224 is an electronic file that contains information required to describe one or more of the media streams 226 in terms of time. This collection of time information is typically measured relative to a timeline of a specific Derivative Work. The Virtual Media Descriptor 224 provides the information needed to recreate a continuous media experience for the user from the discontinuous media streams in the plurality of media streams 226. In particular, the Virtual Media Descriptor 224 typically includes or references a plurality of Virtual Media Streams 228 used to navigate the corresponding media streams. For example, referring to Fig. 22, in one embodiment the Virtual Media Descriptor 224 includes a Virtual Audio Stream for navigation of an audio stream, a Virtual eText Stream for navigation of an

eText stream, a Virtual Illustration stream for navigation of an illustration stream, and a Virtual Advertising stream for navigation of an advertising stream. Optionally, the Virtual Media Descriptor 224 also includes additional virtual media structures 229 used primarily, but not exclusively, to aid navigation of one of the media streams 226. For example, some examples of additional virtual media structures include, but are not limited to, Table of Contents, List of Figures, List of Illustrations, Index, etc. Further optionally, the Virtual Media Descriptor includes a Virtual User Generated Content Stream.

[0114] Each Virtual Media Stream includes a collection of time information that describes the start time, end time and/or duration of each segment in the corresponding discontinuous Media Stream, wherein the time information is defined relative to a specific Derivative Work. This time information provides the logical ordering of segments such that a rendering of the discontinuous media stream appears continuous to a user. More specifically, the Virtual Media Streams allow the experience of the corresponding continuous media stream to be recreated using the discontinuous media stream without recreating or reconstructing the original media stream. In addition, the collection of time information allows time calculations to be used to identify and access specific segments or any point therein in a random manner (i.e., access is not necessarily sequential). For example, in one embodiment of the instant invention a Virtual Media Stream and one or more predetermined time offsets are used to position or reposition a user within the corresponding media stream at will, thus allowing navigation of content that is not necessarily resident on the user device. For example, this ability to fast forward/rewind through content that is not yet delivered, and ultimately may never be, provides virtually instant access to specific media (e.g., the third word, in the fifth paragraph of chapter one hundred thirty four of Moby Dick, as either text, human read audio, or the simultaneous rendering of eText and narrated text).

[0115] Each media stream in the plurality of media streams 226 (e.g., including but not limited to eText, audio, graphics, illustrations, video, tables, and advertising), exists independent of the others as completed works. As discussed above, these completed works may be continuous or discontinuous (e.g., segmented, as for example, according to natural language gaps or chapters). No links, addresses or other references are imbedded or inserted in any media stream that make references or represents logical links to any other media stream, either in whole or in

part, including to other parts of itself. For example, an audio segment contains no links or references to associated illustrations or eText, nor any reference to other segments within the audio stream. Optionally, links for the support of third party products and standards are provided within the various media streams. Such links, if present, can be useful when assembling the Virtual Media Stream, but are not required.

[0116] Advantageously, this media stream independence allows the various Virtual Media Streams to be used independently of each another. For example, a consumer may elect to enjoy only a text rendering of a book, while another consumer may choose to enjoy only an audio rendering of that same book. Options for book rendering may include, but are not limited to text book, audio book, audio picture book, text picture book, and various read along versions of rendered books where audio accompanies text or text picture books with accuracy to character level granularity. In addition, this media stream independence allows navigation through more than one Derivative Work.

[0117] For example, while the media streams are independent from each other, common points or corresponding points do exist within each media stream. These common points provide a correlation between media streams. For example, when an Originating Work is read by multiple narrators, multiple Derivative Works (i.e., different audio recordings) are produced. Although the Derivative Works will be markedly different, there will be common points between them (i.e., such as the beginning of a chapter, paragraph or sentence). For example, referring to Fig. 23, each of the Originating Work, a first Derivative Work (i.e., audio stream read by narrator 1), and a second Derivative Work (i.e. audio stream read by narrator 2), will have a common point corresponding to the start of Chapter 10 (illustrated as dashed lines). Notably, the start of chapter 10 in the two different Derivative Works has a different time offset associated therewith.

[0118] The connection between Derivative Works, or in fact between any of the media streams corresponding to a particular Originating Work, is time. Time is generally measured as time offsets, typically relative to time zero, the logical start of a media experience. However, in some cases, a local time offset may be used for other specific purposes. Time offsets are defined in terms of the duration of a specific Derivative Work. The phrase "time offset" refers to the

period of time, or difference in time, between two points in time in a Derivative Work. In general, since the first point in time serves as the reference point, it is often set as zero so that the time offset defines the period of time from the beginning of the Derivative Work and a selected point in time within the Derivative Work. Since the beginning of the Derivative Work is the point in time at which the complete audio recording is begun, the time offset represents the difference in time between the beginning point in time and the selected point in time (i.e., such that the beginning of the Derivative Work has a time offset value of zero). In other words, the time offset typically represents the time required to play the audio recording from the beginning of the Derivative Work to the selected point (i.e., if the Derivative Work is played without modification (e.g., without fast-forwarding, compression, etc)). Accordingly, the time offset also represents the duration or elapsed time for the unmodified Derivative Work to be played from the beginning to the selected point in time. In some instances, time offset may represent a difference in time between two known points of time within the Derivative Work (i.e., where neither point in time corresponds to the beginning of the Derivative Work). Since this time offset is relative to a predetermined start time, it can be thought of as a local time offset to that point. Local time offsets will have positive or negative time values. Negative time offsets allow random access to media streams corresponding to time points that precede a known start time. For example, negative time offsets can be used for, but are not limited to, rewinding through an audio stream whether the content is resident or not, flipping backwards by pages or chapters through an eText book whether content is resident or not, and automatic rendering of a media stream at a bookmarked position whether content is resident or not.

[0119] More specifically, the connection between media streams is established by creating one or more virtual representations of each logically connected media stream, where each virtual representation is determined with respect to the timeline of a specific Derivative Work. For example, some examples of these virtual representations are the Virtual Media Streams 228 contained in a Virtual Media Descriptor 224. Notably, while some of the Virtual Media Streams will be contained in the Virtual Media Descriptor 224, some Virtual Media Streams (e.g., pagination and page rendering streams) are created dynamically and are not stored. Computer software is used to establish and manage the links using logical methods of manipulating the Virtual Media Streams using time and time offsets as a common variable.

[0120] Referring to Fig. 24a, there is shown a schematic diagram illustrating the relationship between the Virtual Media Streams and the rendered digital data. In this embodiment, the digital data files corresponding to a specific Derivative work are stored on a network accessible library 240. More specifically, the digital data includes a plurality of digital audio files 241, a plurality of digital text segment files 242, and a plurality of illustration files 243. Each of these groups of files 241, 242, 243 is a discontinuous media stream that is downloaded using the download and memory managers, one segment at a time, and rendered on a media player via a presentation manager. Navigation of the discontinuous media streams is provided via the Virtual Media Streams, which include the Virtual Audio Stream, the Virtual eText Stream, the Virtual Illustration Stream, and/or the dynamically created Virtual Page Stream. Each of these Virtual Media Streams is linked via a common timeline (i.e., the timeline of a specific Derivative Work illustrated as increasing time offset (ΔT)). Accordingly, any of the Virtual Media Streams can be used to control the rendering process via the presentation manager, so that the user having a predetermined time offset (e.g., from a bookmark, text search, table of contents, etc) can select any media rendering option available (i.e., the Originating Work can be rendered as an audio book, as an eText book, a read-along book, an audio picture book, an illustrated eText book, or a read-along illustrated eText book).

[0121] Advantageously, since each discontinuous media stream 241, 242, 243 exists independent of the others as completed works, only the segmented media required to support the selected rendering option is actually downloaded for use. More specifically, since the media streams 241, 242, 243 are discontinuous, only the segments having start and/or end times close in time to the predetermined offset need to be downloaded.

[0122] Notably, the system illustrated in Fig. 24a uses a Time Offset Manager 247. The Time Offset Manager 247 is a collection of oversight and control routines designed to maintain the accuracy of the current time offset and to provide the current time offset to the Presentation Manager. The Presentation Manager utilizes the current time offset to maintain the continuity of the presentation of various media streams based on the users rendering preference. Any change to the current time offset requires an event to occur. In general, these events will be timed events or discrete events. Notably, the current time offset cannot be changed without an event.

[0123] A timed event is an event that occurs at some set time. In one embodiment, the timed event occurs at regular time intervals (i.e., is repeated more than once). An example of a timed event occurring at intervals is an Audio Player Oversight Timer, which fires at some interval (e.g., 20 milliseconds) and is initiated by the operating system through the interaction of the system clock of the then current platform. In one embodiment, the timed event occurs only once. An example of a timed event that occurs only once is a 'sleep time' event. Notably, timed events normally occur only when a user has selected a rendering option that includes audio or video.

[0124] A discrete event is an event that occurs typically, but not always, through some user interaction. For example, some examples of user interactions that initiate discrete events include, but are not limited to, the user pushing a button, tapping a mouse button or touch sensitive screen, performing a drag-and-drop operation, and performing a cut & paste operation. Notably, a discrete event occurs without user interaction when the audio player reaches the end of the then current audio file.

[0125] Fig. 24b shows one embodiment of event driven time offset management. In this embodiment, discrete events initiated by the user include pushing a rewind (RW), fast-forward (FF), or play button, end-of stream events, drop events, past events, and double click events. In addition, the discrete events include page turn events and text hit events. In one embodiment the text hit event starts the process of creating a bookmark. In another embodiment, the text hit event starts the process of creating user generated ancillary content. In all cases, an event, either timed or discrete, triggers the execution of certain programming that interacts with various time based data structures to produce a time offset (e.g., through direct lookup or calculation). This result is verified and then forwarded to the presentation manager as the new current time offset.

[0126] In one embodiment of the instant invention, this new current time offset is used to create a bookmark. For example, in one embodiment, the user identifies the desired position of the bookmark by finger tapping a touch screen or by clicking a mouse button (e.g., on a specific word or illustration). This user generated bookmark includes the then current time offset, which represents the position of the user within the discontinuous media stream(s). In general, time and time offsets within the discontinuous media streams may be thought of as a continuous timeline

with its origin at a zero point, and progressing to an ultimate end point of time representing the duration of the Virtual Media Streams. However, discrete events including but not limited to drag-and-drop, stop playback, pause playback, fast forward, rewind, page turns and chapter turns may interrupt the continuity of the timeline. In addition, the user may elect to compress time or elongate time thereby affecting the timeline in real time. Time compression/elongation is generally, but not exclusively, related with audio playback. Accordingly, the current time offset provided to the presentation manager will be calculated using the software as time offsets with respect to a predetermined point in time in the timeline of the Derivative Work. In general, this predetermined point will be the beginning of the audio recording of the derivative work, however, in some embodiments it will correspond to another time such as the beginning time of a text or audio segment.

[0127] Using a continuous timeline of time to represent the logical progression through various media streams has the added advantage of allowing cross media switching in a seamless manner. For example, since the bookmark includes the time offset, which is determined relative to the common timeline used in the Virtual Media Stream, this bookmark can be used for rendering options other than the rendering option used when the bookmark was created. In fact, in one embodiment, when a user is playing a first media stream with the media player, a switch media request calculates a time offset of the current position using the time offset manager 247, which is then used to begin playing a second other media stream with the media player. In this embodiment, the software product providing the download, memory, and presentation managers also provides a number of different displays, including for example, a basic display, an introduction display, a bookmark display, a library card catalog display, a book details display, a book player display, and a book cover display. The book player display includes the standard player control buttons such as a play button, a rewind button, a fast-forward button, and the switch media button.

[0128] In fact, cross media switching is advantageously achieved whether the time offset is provided via an external media mark such as a bookmark, search result, or switch media request, or an internal media mark such as a Table of Contents, a List of Figures, a List of Illustrations, or an Index. For example, any time offset within an audio stream can be used to access a specific

corresponding point in a text stream allowing a user to stop an audio recording at a specific point and start using a text rendering at that same point providing a contiguous literary experience. Such cross media switching is localized on a single platform (e.g., on a single computer) or on multiple platforms (e.g., going from text on a computer to audio on a cell phone). In each case, the literary experience for the consumer is contiguous during the cross media switching. Advantageously, cross media switching provides greater flexibility to the user. For example, in one embodiment the user switches the rendering option from a read-along eText book to an audio book, in order to conserve batteries of a portable eReader.

[0129] Notably, it is quite unconventional to talk about text and/or addressing text in terms of time. Text is, after all, a series of characters linked together in sequence. In fact, in computer circles, characters are typically addressed using byte addresses, character pointers, counters or some combination thereof to produce a specific, exact address.

[0130] In one embodiment of the instant invention, a text (e.g., an Originating Work) is read and recorded. Depending on the size and complexity of the text stream, one or more recording sessions is provided. Optionally, a process of editing the recorded audio is used to produce a finished audio stream (e.g., which in one embodiment is provided as a plurality of files corresponding to the different recording sessions). The finished audio stream (i.e., the Derivative Work), is analyzed to determine the time to playback the entire recording, that is, to determine its duration. The timeline of the finished audio stream and the text corresponding to the Originating Work are used to determine the time or time offsets for selected text points within the Originating Work. In one embodiment, time offsets for the selected text points (e.g., start of each chapter, start of each paragraph, or start of each sentence) are determined manually using a timer and subsequently entered into the Virtual eText Stream. In one embodiment, time offsets for the selected points (e.g., start of each chapter, start of each paragraph, or start of each sentence) are extrapolated using the known duration and the electronic text corresponding to the Originating Work. The extrapolated time offsets are stored in the Virtual eText Stream and/or are used when generated (e.g., as part of a dynamically created media stream or in a formatted memory structure).

[0131] The accuracy and usefulness of the extrapolation calculations is affected by many variables. Some of these variables include, but are not limited to, the actual duration of the finished audio stream, the narrator changing the pace and style of reading over time or with content, the narrator simulating other voices and styles of speech to instill in the listener an identity for various characters, the editor varying in the consistency of the editing process, the replay device (e.g., computer) varying in 'clock speed' or workload effecting the playback process, and the user electing to play the recording faster or slower than normal speed. The cumulative effect of these variables and other unknowns, introduce significant error in any calculation giving an unusable result.

[0132] Notably, in terms of measuring or calculating time or time offsets for the purposes of the instant application, a distinction should be made between the concepts of an 'error' versus a 'mistake' since these terms take on separate and distinct meanings in mathematics. A 'mistake' is a violation of the rules of mathematics that produces an incorrect result. For example, in the domain of all real numbers, $X + 1 = X$, is clearly a 'mistake' in that it violates the rules of addition in mathematics. In contrast, 'error' is not a "mistake". 'Error' is the difference between a measured or calculated value of a quantity and its true value. Variability is an inherent part of things being measured, of the measurement process and calculations using measured values. For example, while generally accepted value for the mathematical constant π is 3.14, this number includes some level of 'error' (i.e., when considered to eight decimal places rather than two, $\pi = 3.14159265$).

[0133] In order to successfully extrapolate useful time offsets, and to reduce as much error as possible, time offsets are typically calculated using segmented versions of the Derivative Work and/or digital data corresponding the Originating Work.

[0134] For example, in one embodiment, the Derivative Work is segmented into a plurality of small digital audio files 122 using natural language gaps as discussed with reference to Fig. 3. Subsequently, the audio stream analyzer 115 analyzes each small digital audio file to determine a collection of time information for the Virtual Stream Descriptor (i.e., the start time, end time, and/or play time of the small digital audio file relative to the timeline of the Derivate Work).

Similarly, the digital content corresponding to the Originating Work is segmented into a plurality of smaller digital files (e.g., illustration files and/or electronic text files). For example, in one embodiment eText corresponding to the Originating Work is segmented and delivered to the consumer in one or more parts. The term eText, as used herein, refers to the electronic text of any written work, which may or may not be structured or formatted to an accepted standard.

[0135] When the eText is delivered in more than one part (e.g., as a plurality of smaller electronic text files), the eText is not typically reassembled into a single text file after delivered to the user, but is left segmented, thus allowing devices with limited storage resources and processing power to perform advanced memory and content management. For example, purging the first forty chapters of Moby Dick when the user has advanced significantly farther in the book, and the space is needed for other content or if space is needed for a different book. Such content may include but is not be limited to eText, audio, illustrations, advertisements, images, and video.

[0136] Referring to Fig. 25 a schematic diagram showing the segmentation of eText corresponding to an Originating Work is shown. More specifically, the eText of an Originating Work is segmented into a plurality of eText segments (i.e., Segments 1-N). Collectively, the content of the eText segments represents the entire text of the Originating Work. Although logically dependent from one another, each segment is typically used independent of the other eText segments, thus allowing a user to start reading the content of one segment while simultaneously downloading other segments and/or other media content that is not eText (e.g., audio, images, etc.).

[0137] In one embodiment, segmentation of the eText is performed according to chapter. In other embodiments, segmentation with more or less granularity is provided. For example, in one embodiment the eText segments are further segmented into smaller units of eText as required. Such further segmentation may include, but is not limited to, chapters, paragraphs, sentences, phrases, words and pages. In general, the eText segments will be stored in a network accessible library. For example, in one embodiment the eText segments are stored in a directory in the media stream area 140 of the network accessible library illustrated in Fig. 4.

[0138] Advantageously, this segmented approach allows a user to access any point in the text of the Originating Work relatively quickly. More specifically, it allows the relevant eText segment to be delivered to a user from a network accessible library so that the user can start reading at the selected point in under 2 to 5 seconds (i.e., subject to network access and throughput), and allows the balance of the book to be delivered to the user segment by segment while the user is reading (i.e., with a process that is transparent to the user).

[0139] Referring to Fig. 26, the eText segments collectively represent eText corresponding to the text of the Originating Work, when considered or accessed in their logical order. That is, sequential rendering of the eText segments replicates the experience of the Originating Work without reassembling the eText segments. The virtual representation of the discontinuous eText stream, is stored with the Virtual Media Descriptor.

[0140] In accordance with one embodiment of the instant invention, the virtual representation of the eText stream includes time offsets for each segment, defined relative to a corresponding Derivative Work. More specifically, a start time and/or end time of each eText segment is determined using the timeline of the Derivative Work. For example, the start time is the time offset in the Derivative Work corresponding to beginning of the text in the corresponding eText segment, whereas the end time is the time offset in the Derivative Work corresponding to the point where the text in the eText segment ends. Using the start time and the end time, or the start/end times of consecutive text files, the duration is optionally calculated. The start time, end time, and/or duration are saved and added to the definition of the Virtual eText Stream stored in the Virtual Media Descriptor.

[0141] In one embodiment, the time offsets of each of the text segments are generated manually using a timer. In one embodiment, the time offsets of each of the text segments are generated using various means, including, but not limited to, direct lookup of known values, or by calculation or extrapolation from known values. For example, when eText segmentation corresponds with known time definitions, chapters for example, the start time, end time and duration of each eText segment can be determined from known values from other Virtual Media Streams including, but not limited to, the virtual audio stream and the table of contents.

[0142] In addition, in order to minimize error in extrapolated time offsets, a set of one or more time offset tags may be established for identifiable points in the eText segments. These time tags, having been specifically determined, can be thought of as hard time tags. The time offset values of these tags are typically defined in terms of the origin of the Derivative Work, but may also be defined in terms of other identifiable points, including but not limited to, the start time of an eText segment, a chapter, paragraph, sentence, phrase, word, character, or some other convenient time.

[0143] Each time tag contains addressing information needed to locate the specific point in the eText. In one embodiment, this addressing information is an explicit position definition such as a byte or character address, byte or character count, or some other explicit means. In general, each time tag may take the form of a derivable position, such as the start of a chapter, start of a paragraph, start of a sentence, or other similar position.

[0144] The positioning of the hard time tags is dependent on the perceived correlation between the content of the electronic text and the content of the Derivative Work. Where correlation is high, the number of hard time tags needed is reduced. Where correlation is low, more hard time tags are needed. For example, when a narrator reads at a consistent rate for six paragraphs, a hard time tag at the beginning of each sentence, or each paragraph is not required. Rather, in this case, defining a hard time tag that represents the start of the first paragraph, and a hard time tag that represents the end of the sixth paragraph, would be sufficient. Notably, the end of the sixth paragraph is derivable from the start of the next paragraph, start of the next chapter, the end of the book, or some other known time offset.

[0145] In order to speed processing in implementation and use, soft time tags for identifiable points in the eText for which no hard time tag has been defined, can be extrapolated. For example, in one embodiment soft time tags are calculated for positions between positions where known time offsets are found or determined. The known time offsets include, but are not limited to, hard time tags, soft time tags, chapter start and end times. For example, in one embodiment, soft time tags are calculated for specific points, paragraphs and sentences, between the hard time

tags that were defined for the first and sixth paragraphs, discussed above. Notably, the use of soft time tags is optional.

[0146] In accordance with one embodiment of the instant invention, the Virtual eText Stream, the soft time tags, and/or the hard time tags are used to render text in a specific eText segment. In particular, using the defined values of start time, end time, and/or the calculated duration in the Virtual eText Stream, an eText segment that contains a specific time offset or has a boundary time offset equal to a predetermined time offset is located and identified. More specifically, when a request for eText is made, the time offset related to the request is used to identify the eText segment required (e.g., in one embodiment the time offset is provided with a bookmark). If the eText segment is not resident on the user's device, it is downloaded from the network accessible library. The eText segment is then loaded and processed. When the eText segment is loaded, it is placed in a formatted memory structure that allows the identifiable parts of the text to be independently addressed. These are the same parts of the text used in the creation of the set of hard time tags. The hard time tags are loaded from the Virtual eText Stream contained within the Virtual Media Descriptor. Any soft time tag needed is derived from the already known time offsets. The structure that contains or addresses each identifiable part of the text has values assigned to it that represent the start time, the end time and duration of that text. For example, if a segment is loaded that contains Chapter 4 of a book, each paragraph and sentence may be independently addressable and will be associated with a start time, and end time and duration. Accordingly, the time of any word or character within each paragraph or sentence relative to the timeline of the Derivative work is readily extrapolated with minimal error (i.e., in terms of a printed document where the typical granularity is a printed word, a time calculation that contains an error equivalent to a half character or half a word is not typically relevant). Notably, increased granularity of soft and hard time offsets aids in determining the character position corresponding to the time offset.

[0147] Figs. 27a-c illustrate different embodiments of formatted memory structures that allow the identifiable parts of the text to be independently addressed. These formatted memory structures, which are created in memory as needed, include an internal identification and the corresponding metrics (i.e., the numbers that represent key values and which are either measured

or calculated). The content loaded into the Paragraph structure includes raw text (i.e., which is obtained directly from the eText segment file, and thus may include HTML tags and/or extra spaces between words) and/or cleaned text (i.e., which has been modified to remove HTML tags and/or excess spaces, and represents what the user sees on the screen).

[0148] Fig. 28 is a schematic diagram illustrating the loading and processing of an eText segment in accordance with one embodiment of the instant invention. Once the eText segment is loaded, the raw text for each paragraph is duplicated and cleaned up. The clean text is then further processed to update the time metrics. More specifically, the time tags associated with each sentence are analyzed to update the start times, end times, and other paragraph metrics. In this embodiment, the clean text is analyzed one sentence at a time, in other embodiments, the clean text is analyzed using smaller or larger segments of text. The processed text is addressable in memory or in context of the text stream.

[0149] Fig. 29 illustrates one embodiment of a time tag structure, which is used to analyze the clean text. The time tag structure includes anchor times, which do not change, and which are typically obtained from the hard time tags in the Virtual Media Descriptor or from media marks such as the Table of Contents (e.g., which is stored on the network accessible library). In contrast, the start and end times metrics will change in dependence upon various features, such as the number of characters per second. The time tag structure includes hard time tags and soft time tags.

[0150] Fig 30 is a schematic diagram illustrating a process for inserting the hard time tags into the formatted memory structures (e.g., to be used to analyze each sentence of the clean text as illustrated in Fig. 28). Prior to loading the eText, the Virtual eText Stream, which includes a number of hard tags created prior to storing the Virtual Media Descriptor on the network accessible library, is loaded. Once the number of time tags corresponding to the eText loaded in the formatted memory is determined, missing time tags are calculated.

[0151] In the event that eText rendering requires external structures to satisfy a predefined baseline, the structures containing this information, cascading style sheets, for example, are downloaded prior to rendering and are treated as ancillary content. When loaded to be used for

text rendering purposes, these external structures may be stored within the context of the Virtual Media Descriptor and thus will be globally available to all eText segments.

[0152] When rendering an eText segment the issue of pagination arises. It is generally accepted that printed pages contain text formatted to fit the page on which it is printed. When a consumer buys a book, the literary experience of the printed book is almost universally independent of page numbers. For example, when read aloud, a narrator does not interrupt in mid sentence to state 'page one hundred forty seven'. However, the consumer's experience of a printed book is that the content of a page never changes, and that a specific page, say page 147, is always the same. If, however, that same consumer buys a different edition of that same book, there is no guarantee that the content of each and every page will be identical to the one they already own. In fact, it is more probable that there will be variance in page content across multiple editions. For example, font size and page size differences are expected between paperback, hard cover, and/or large print books. In general, pagination makes little difference to the user except for the purposes of reference and navigation.

[0153] In general, eText or eText segments is/are rendered using a dynamic approach to pagination. Specifically, pages are defined on the basis of screen size, font size, font type, presentation style, included graphics, other ancillary content, writing style (sentence structure, paragraphs, chapters) and text availability. Accordingly, two users reading the same e-Book, one in which the eText is rendered using a 10 point font and the other using a 15 point font, will experience different pagination. Although the number of pages rendered and/or the content rendered on each page may differ between users, the different users will still have the same literary experience.

[0154] In the dynamic approach to pagination, each page is dynamically created at run time. More specifically, on any single page, the available space is filled with appropriately formatted text and ancillary content. Examples include, but are not limited to, chapter headings, paragraphs, sentences, words, illustrations, and videos. Pages are filled as long as both space and content are available. On any page there is a first word or part thereof, and a last word or part thereof. In some cases there may be only one word or part thereof on a page, so the first may also

be the last. The structure of the page is not read from or written to a data file, and is not defined in advance or used from other format dependent structures. Each page exists only within the context of an instance of the execution of a software program , and is termed a Virtual Page. This dynamic approach to Page Creation means that there are no fixed pages, and that the page content is independent of the format of the Originating Work, source eText, and Derivative Work(s).

[0155] In accordance with one embodiment of the instant invention, each Virtual Page has a start time, and end time, and a duration. The collection of Virtual Pages assembled in order represents the Virtual Page Stream. The Virtual Page Stream is created dynamically and is not stored. The Virtual Page Stream and the Virtual Pages contained therein are used to manage and navigate content without navigating or rendering the actual content itself (i.e., the actual eText segment is not used for navigation, but rather the virtual representation is used). Fig. 31 illustrates one embodiment of formatted memory structure for the Virtual Page Stream.

[0156] Conveniently, a time offset can be calculated for each word on each Virtual Page. However, in practice, time offsets will be calculated for only specific words/points. For example, in one embodiment, time offsets are only calculated for the first and last words on each page. The start time of the first word on the page defines the start time of the rendered page. The start time of the last word plus the duration of the last word defines the end time of the page. Given a known start time, and a known end time, the duration of the page is calculated. In other embodiments, time offsets are also calculated for one or more independently identifiable parts of the text including, but not limited to, paragraphs or sentences. Each of these will have a start time, an end time and duration. In each case, each word and character on the page can be identified in terms of a time offset and can have an individual start time, end time and duration extrapolated therefor. In yet another embodiment, the start time and/or end time of each and every line of rendered text is determined. Advantageously, providing time offsets for each line of rendered text reduces error and facilitates user interaction. In particular, extrapolating time offsets for each line provides a relatively accurate synchronization between text and audio. In some embodiments, pages will only contain ancillary content including, but not limited to illustrations and graphics. In these cases, the start time will be the start time of the first ancillary

content and the end time will be the end time associated with the last ancillary content. If there is only one piece of ancillary content on the page, the start time and end time will be that associated with that one piece of ancillary content. The start times and end times are measured relative to the beginning of the timeline of the predetermined Derivative Work. In general, the start time and end time on each Virtual Page will be affected by the presentation preferences of the user. For example, consider the case of different font sizes. The content of a page with a small font will be greater than the content on a page with a large font. As a result, when the page is created, the start time, end time and duration of the pages will be partially dependent on font size. In addition, the start time, end time and duration will be impacted by the presence of ancillary content (e.g., illustrations, video, figures, tables). This content is rendered with the relevant text based on the start time, end time, and duration associated with the ancillary content. Such content will displace some space within the rendered page, thereby reducing the amount of space available for text.

[0157] Given that each Virtual Page has a start time, an end time, and a duration associated with it, it is possible to navigate through the pages of an eBook using time and time offset. When a time offset representing a request to render eText is provided, that time offset is compared with the start time and end time of each Virtual Page until the page containing that time offset is found. Utilizing other virtual streams within the Virtual Media Descriptor that contain known time offsets, including but not limited to the Table of Contents, the search for a page containing a desired offset can be optimized, providing access at greater speeds and with greater efficiency.

[0158] Given that a time offset can be calculated for each word on each Virtual Page, it is possible to provide perfect synchronization when rendering both the Virtual Page Stream and the audio stream (i.e., which in one embodiment is rendered by playing a plurality of discontinuous audio files), thus producing a read-along effect. For example, when rendered graphically for a user, page content is accessed from memory and displayed for the user. Each rendered element will have a start time an end time and a duration associated with it. As a result, it is possible to highlight individual elements including but not limited to words, phrases, lines, sentences, paragraphs or illustrations in perfect synchronization with the time line of the Derivative Work.

[0159] In accordance with one embodiment of the instant invention, the time offsets calculated for specific text positions in the Virtual Page Stream are used to bookmark the user's place in an eBook. For example, since a text position within an Originating Work can be expressed in terms of the timeline of a Derivative Work, and since a time offset of a particular point in a Virtual Page Stream can be expressed in terms of the same timeline, a bookmark for a specific point in the Virtual Page corresponding the text position in the Originating text is easily provided. In general, the text position will be a character position, or the start of a word, phrase, sentence, paragraph, section, or chapter. In some cases, the text position will be a punctuation mark or a white space such a space character or tab characters.

[0160] In general, the bookmark will include an identifier of the Derivative Work and a time offset of the bookmarked position (e.g., the specific text position). Since each Derivative Work has only one Originating Work, identification of the Originating Work and access to the eText thereof is provided. Using the time offset from the bookmark, and the time offset information contained in one or more Virtual Media Streams, the bookmarked text position can be used to locate the bookmarked position within the Originating Work. In general, the bookmarked text position will be determined by lookup, calculation or extrapolation.

[0161] Optionally, to assist the user of the media stream in 'picking up where you left off', a predetermined time (e.g., 30 seconds) is subtracted from the time offset of the bookmarked position and stored as the new time offset. In other words, the bookmark contains two time offsets. The absolute time offset is used to position the eText, and the modified time offset is used to position the audio stream. In general, the bookmark also contains a user readable text tag.

[0162] In one embodiment, a bookmark is created from a Virtual Page using an implied position. In this embodiment, the bookmark position is assumed to be the start of the first word in the first line of the text rendered on the page. The time offset for that word is calculated and that time is used in the creation of the bookmark. In the event that ancillary content appears on the rendered page before any text appears, then the start time of the ancillary content is used.

[0163] In one embodiment, a bookmark is created from a Virtual Page using an explicit position. In this embodiment, the bookmark position is specified by the user by specifically

identifying a text position on the rendered page. This is accomplished by, for example, positioning a cursor on or near the selected text (e.g., using mouse pointer on a computer or device so equipped, or by manually touching a screen where touch sensitive technology is in use or by some other means of pointing). After the user has identified the desired position of the bookmark, some interaction occurs to indicate that a bookmark should be created for the desired position (e.g., a double finger tap or mouse click). The time offset of the desired position is calculated and that time offset is used to create a bookmark.

[0164] In one embodiment, the bookmark is used to reposition the eText stream and the Virtual Page Stream to the appropriate rendered page using the time offset therein to identify the specific page that contains the bookmarked position. Note that the time offset of a bookmark is independent of pagination and the bookmarked position may appear on different rendered pages for different users subject to the conditions of pagination (e.g., font size or page size).

[0165] Advantageously, bookmarking text using a point in time relative to a start of the beginning of an audio recording (e.g., using a time offset) allows the user to conveniently switch between modes of interacting with the media stream. Accordingly, a user having purchased a media stream that is considered both an e-book and an audio-book, can alternate between reading the e-Book and listening to the audio stream using the time based bookmark, as convenient. For example, a user having read the e-Book up to a selected point could then bookmark the text at the selected point (e.g., an implied or explicit position). Since the bookmark is time based (i.e., the bookmarked position is determined using a time value rather than using a position or location), the bookmark can then be used to start listening to the audio of the e-book from the bookmarked position (i.e., begin play of a continuous or discontinuous audio stream corresponding to the Derivative Work at the time corresponding to the time offset in the bookmark).

[0166] Further advantageously, in addition to providing the ability to switch between media streams, bookmarks containing a time offset can be used to access any media stream at will, providing virtually instant access to specific media. More specifically, the time offset associated with the bookmark is used with the Virtual Media Descriptor to position the media stream to the

selected position. This use of a bookmarked position is independent of the process used to generate it.

[0167] For example, in one embodiment of the instant invention a time-based bookmark created from an audio rendering of a work is used to position a text rendering of the same work. In another embodiment, a bookmark including a time offset created from a Virtual Page of an eText is used to begin rendering a corresponding audio stream at the bookmarked position. In both cases, the positions of either text or audio correspond directly to one another (i.e., with respect to time). In yet another embodiment, a bookmark including a time offset is used to translate the bookmarked position from one Derivative Work to another Derivative Work, where both Derivative Works are created from the same Originating Work.

[0168] Fig. 32 illustrates an embodiment wherein a bookmarked position (i.e., illustrated with a vertical line and corresponding to a predetermined point such as the start of Chapter 10) is translated between different Derivative Works. In this embodiment, a bookmark is created using a time offset relative to a First Derivative work (i.e., corresponding to the audio stream read by Narrator 1). The time offset in the bookmark is used to identify the specific text position using the information contained in the Virtual eText stream within the Virtual Media Descriptor of the first Derivative Work. This position is then used to identify the time offset of the text position in the Virtual eText stream contained within a second Virtual Media Descriptor. This process allows two people, each using the same book but read by different narrators to exchange bookmarks and preserve the correlation between points within their mutual literary experience. Note that only the virtual representation of all media streams is needed to translate the time offset from one audio stream to the time offset of another. No actual content is required.

[0169] In another embodiment of the instant invention a bookmark including a time offset created from either an audio rendering of a work or a text rendering of the same work is used to access other media streams including media such as Illustrations, Figures and Advertising, and User Generated Content. Since the bookmarks containing time offset data provide access to, or allow switching between, different media streams, they are also termed Cross Media Bookmarks.

[0170] In yet another embodiment of the instant invention, a virtual media structure including a time offset (e.g., from either an audio rendering of a work or a text rendering of the same work) is used to switch between audio and eText media streams, to access any media stream at will, to translate bookmarked position between different Derivative Works, and/or to access media streams including media such as Illustrations, Figures and Advertising, and User Generated Content. Some examples of virtual media structures having a time offset include, but are not limited to, Table of Contents, List of Figures, List of Illustrations, Index, internal media marks, illustrations related to the audio stream, and/or internal advertising.

[0171] In each of the above-described embodiments, the time or time offset in the bookmark/virtual media structure is used to manage the transmission and/or rendering of digital content. Advantageously, the use of time or time offsets provides the common thread between the different media types, thus allowing the user to switch easily between the different media streams (e.g., regardless of the format of the media streams and/or whether they are resident on the user's media player). In addition, since the use of time or time offsets provides a common thread between the different media types, the use of time or time offsets allows the different media streams to be rendered in a substantially synchronous manner. Advantageously, the synchronous rendering of the media streams is provided without modifying the media streams with identifiers, but rather is achieved using a separate file (i.e., the Virtual Media Descriptor). Furthermore, the use of time and/or time offsets allows the synergetic convergence of both continuous and discontinuous media streams (e.g., where the media includes, but is not limited to, eText, human read audio, illustrations, graphics, video, and advertising). Advantageously, this synergetic convergence of both continuous and discontinuous media streams allows the user to have virtually instant access to any point in the selected media stream(s) regardless of the size of the media stream(s). The synergetic convergence of both continuous and discontinuous media streams is also achieved using the Virtual Media Descriptor.

[0172] Referring again to Fig. 22, the Virtual Media Descriptor includes a Virtual Audio Stream and a Virtual eText Stream, and optionally includes Virtual Media Streams that represent things such as Illustrations and Advertising. Each of these Virtual Media Streams will include time offset information contained within it that is used to manage and render the relevant

content. This time offset information is derived relative to the information contained within the Virtual Audio Stream of the Virtual Media Descriptor. As a result, the timing information is used to insert or display relevant content based on the timing information associated with the then currently rendered page.

[0173] The Virtual Media Descriptor also optionally includes a Virtual User Generated Content Stream. As is common in the eText industry, a user may optionally create ancillary content within the context of an eText book. This ancillary content may include, but is not limited to, electronic versions of Post-It notes, margin notes, highlighting, graphics, videos, and links to web addresses or web based content. In accordance with one embodiment of the instant invention, User Generated Ancillary content is linked to the eText using time offsets, where the time offsets are relative to a selected Derivative Work. The time offsets for User Generated Ancillary content is determined by various methods including, but not limited to, direct look up of a known time offset, or determined by calculation or extrapolation from convenient known time offsets. For example, an electronic Post-it Note may be affixed to a specific sentence using the start time of the first word in that sentence. Advantageously, utilizing a time offset in this way allows a user to be presented with a visual representation of the User Generated Ancillary Content when utilizing only an audio version of a media stream. In addition, the user may change pagination for various reasons including, but not limited to, font selection, changes in page size forced by platform limitations or other reasons. The User Generated Ancillary Content will always appear in appropriate context relative to the content and the manner of presentation including, but not limited to, eText, audio, or human read audio. In addition, the User Generated Ancillary Content may be transmitted electronically using industry standard methods including, but not limited to email, ftp, html or other electronic means. The User Generated Ancillary Content need not be accompanied by any content or other information bearing structures. On receipt, the receiving user need only access the User Generated Ancillary Content. The Originating Work and or a Derivative or both are immediately accessed and correctly positioned based on the time and media stream information contained within the User Generated Ancillary Content. If the user has set preferences that govern Derivative Work selection, the time offset information for the User Generated Ancillary Content is translated from one Derivative Work to another.

[0174] In accordance with an embodiment of the instant invention, the time or time offset information in the Virtual Media Descriptor is used to navigate within the different media streams. For example, in one embodiment the time or time offset information is used in text navigation, whereas in other embodiments the time or time offset information is used to navigate an audio stream.

[0175] With regards to the navigation of eText, recall that each character position within an eText stream has a start time, an end time, and a duration relative to a specific Derivative Work. Accordingly, time and/or time offsets can be used to navigate to a specific character position within the eText corresponding to the Originating Work.

[0176] For example, in one embodiment a desired time or time offset is predetermined by a bookmark, and this time offset is then compared to the time information in the Virtual Media Descriptor to identify the character position that has a start time less than or equal to the predetermined time offset and an end time greater than the predetermined time offset. More specifically, the predetermined time offsets are compared to the known time offsets in the Virtual Audio Stream and the hard time tags in the Virtual eText Stream to find the desired character position. Once the character position is identified, the text stream is then positioned to the identified character position. Accordingly, it is possible to navigate through an eText stream to a desired character position even when the eText corresponding to the Originating Work and/or the audio stream corresponding to the Derivative Work are not resident the target platform. In other words, it is possible for a user to accurately navigate through content that the user has not yet downloaded or otherwise have access to. In addition, it is possible to navigate through an entire eText stream to a desired character position even when the eText stream is provided as a plurality of discontinuous eText files.

[0177] In the above-described embodiment, the predetermined offsets are compared to the known time offsets in the Virtual Audio Stream and the hard time tags in the Virtual eText Stream. Optionally, the desired character position is identified using a direct lookup of known times and character positions, a direct lookup of known times and implied character positions, or by calculation or extrapolation using a combination of the start time or the end time, and the

duration, and any of many common search algorithms. Determining the time offset for each character position in the eText using methods such as direct lookup, implied position, inferred position, calculated position, estimated position, extrapolated position, or any combination thereof, advantageously reduces the time needed to identify the desired character position with respect to the desired time offset. In each case, when navigating eText, recall that the time offsets are defined relative to a predetermined Derivative Work. Accordingly, the start time and end time and/or duration of each text position will typically change relative to the Derivative Work selected.

[0178] With regards to the navigation of Audio Streams, recall that each audio stream is typically provided as a continuous or discontinuous audio stream. For example in one embodiment, the audio stream is a plurality of audio segments, wherein each audio segment is a small digital audio file created by segmenting a continuous audio stream (i.e., Derivative Work) in dependence upon located natural language gaps, wherein the natural language gaps include areas of silence or low decibel levels corresponding to spaces between words in the same paragraph in the corresponding Originating Work. Each audio segment has a start time, an end time, and/or a duration relative to the corresponding specific Derivative Work, which is stored in the Virtual Media Stream. Accordingly, the time and/or time offsets provided by an internal media mark such as a table of contents or an external media mark such as a bookmark, can be used to navigate to a specific position in the audio stream. Advantageously, since the internal and/or external media marks are time-based and share a common timeline, the media in which the time or time offsets are used is not limited (i.e., as long as they can be connected via the Virtual Media Descriptor). For example, a bookmark created during the rendering of eText is useful for navigating to the corresponding point (i.e., book marked point) in the corresponding audio stream.

[0179] In addition to allowing a user to navigate to specific predetermined points in different media streams using cross media bookmarks, the common timeline also provides the user with the ability to navigate each media stream using data associated with a different media stream. For example, the common timeline enables the user to perform a text search of an audio stream, and/or enables the user to reposition an audio stream using text.

[0180] In accordance with one embodiment of the instant invention, the common time line between eText streams and Audio Streams is used to provide a text search of the audio stream. As discussed previously, it is possible to determine a time offset for each character position in an eText or eText segment. The time offset for each character is determined using various methods including, but not limited to, direct lookup, implied position, inferred position, calculated position, estimated position, extrapolated position, or any combination thereof. It is therefore possible to determine a time offset in an audio stream for each character in the eText. Using commonly accepted text searching techniques, it is possible to locate one or more occurrences of a search object within the eText. Such search objects include, but are not limited to characters, words, phrases, sentences, paragraphs, titles, headings, symbols, tables, graphics, quotations or references. Each occurrence of the located search object within the eText will have a time offset associated with it defined within the context of the search object. For example, a search object that is a text string may return one or more occurrence of that search object, where each occurrence will have a time offset related to the start time of the first character in the located string. Alternatively, a search object that is a graphic object may return one or more occurrence of that object, where each such occurrence will have a time offset related to the start time of each occurrence of that graphic. Such search of the entire eText of a book and assembling the results is typically completed in the sub-second range.

[0181] In one embodiment, located occurrences of a search object are assembled into a convenient results structure used to assemble and display information to a user. Some examples of convenient results structures include, but are not limited to, a list, a table, a dropdown box, a pop-out dialog box, and pop-up dialog box. Each result will have a start time, an end time, and a duration associated with it. When selected by a user, the start time of the selected result is used to either reposition the audio stream to the time offset of the selected result, and/or reposition the eText to the selected character position associated with that time offset.

[0182] Optionally, the time offset for each located occurrence of a search object is subject to additional processing or calculation to produce a more meaningful result. For example, consider the book Moby Dick. In searching the eBook Moby Dick using the text search object 'Ahab', over 500 occurrences of that search object will be found. For many users, a list having over 500

occurrences will be too large to be useful (e.g., may be considered an unusable result). In these instances, it is advantageous to expand each result to provide a context for each occurrence. Such expansion for each result may include, but is not limited to, including several words that appear before and several words that appear after the located occurrence of the search term, using the sentence that includes the search object, and/or calculating a new start time and new end time for the result by subtracting and adding an arbitrary time offset from the start time and end time of a specific result and display all words that fall within the newly calculated start and end times.

[0183] In general, the time offset references are generated using the correlated Virtual Media Stream information for both the Originating Work and the Derivative Work (e.g., in the Virtual Media Descriptor). When a result is selected, the selected Media Stream is positioned to the time offset of the selected result relative to some known time offset. For example, in one embodiment the Media Stream is positioned to the time offset of the selected result, where the time offset is with respect to the start of the media stream. In another embodiment, the Media Stream is positioned to the time offset of the selected result, where the time offset is with respect to the some other convenient known, calculated, or extrapolated time offset. Advantageously, the audio stream does need not be contiguous and/or resident on the users platform in order to be referenced (e.g., in one embodiment the audio stream is stored as a plurality of discontinuous audio files in a network based library). When the audio segment is not resident on the users platform it is obtained from the network based library (e.g. designed to typically be transmitted in under two seconds). Any ancillary content needed in support of the reference including, but not limited, to graphics, videos, or any other ancillary content is similarly obtained. When the required content is resident on the users platform, access to the selected result is typically in the sub-second range.

[0184] Accordingly, it is possible to perform a text search of an audio stream, and using the returned results, access a specific desired point in that audio stream with virtually instant access. For example, consider the case of Moby Dick, an audio stream that plays for more than 24 hours and, subject to internal format and desired audio quality, may exceed one gigabyte in size. Without any prior audio download or access or use of the audio stream, it is possible to do a text search for the famous quotation “from hell’s heart I stab at thee”, and have the resulting reference

returned in less than one second. Selecting the reference to that quotation positions the audio stream to that point so that the user is listening to the audio stream at the position of the quotation in under two seconds. No prior download or knowledge of the structure of the book is required. Access to a specific audio quotation in a 24 hour human read audio stream is virtually instantaneous.

[0185] In general, when the eText corresponding to the audio stream to be searched is resident on the users platform, it is used for searching purposes. However, the user does not need to have the eText open to perform the search. In the event that the eText is either incomplete or not otherwise available, a search request is forwarded to the network based library. The content is searched for the requested search object and a results list is returned. The result is that the user can perform a search for a search object on eText and audio that is not resident on the users platform, and still utilize the returned result in the two second design time.

[0186] Notably, the time offset references within the results listed for a specific search are determined relative to a specific Derivative Work. As discussed previously, an Originating Work may have more than one Derivative Work, and different Derivative works will likely correspond to different time offsets. Therefore, a search for a specific search object will in all probability return differing time offsets for the same search object for each different Derivative Work. As with Cross Media Bookmarks with respect to multiple narrators, search results from one Derivative Work can be used to access a different Derivative Work when both Virtual Media Descriptors are available.

[0187] Advantageously, search results may be thought of in terms of External Media Marks (e.g., an External Bookmark), which are external from the Virtual Media Descriptor and which contain time or time offsets. Accordingly, the search results are transferable between users, and can be sent electronically, by email for example, to various recipients, to be used by the recipients for accessing the reference point. For example, in one embodiment the search results for a text string corresponding to a specific quote is sent to a second user, who uses the search results to listen to an audio rendering of the quote. In fact, in one embodiment of the instant invention, the software used to render the digital content and to create the bookmark and/or

search result provides the bookmarks and/or search results as independent electronic files that are transferable between users. For example, in one embodiment, the software program offers a drag and drop function whereby one of a bookmark and a shortcut to the bookmark is electronically transferred to a desktop, to another window (e.g., a file manager), or a different application (e.g., posted to a social networking site or copied into an e-mail program as an attachment).

[0188] In accordance with another embodiment of the instant invention, the common time line between eText streams and Audio Streams is used to reposition an Audio Stream using text and time. As described previously, a text position within an Originating Work (e.g., the text stream) is readily expressed in terms of time relative to a specific Derivative Work (i.e., the audio stream), where every character position has a start time, and end time, and a duration. When a character position within an Originating Work is selected, the start time of the selected character position is therefore known. Using this then known start time, the Derivative Work is positioned to the point that corresponds to that start time. For example, in embodiment a user selects a character position that corresponds to the middle of the 3rd word of the 7th paragraph of the 135th chapter of Moby Dick, and as a result of that selection, the audio stream is positioned to the corresponding point in the audio stream such that playback begins at that specific point.

[0189] Advantageously, defining Audio Streams and Text streams in terms of time and/or time offsets relative to a specific audio stream timeline provides a system and method for the efficient navigation of digital data (e.g., such as eBooks and/or Audiobooks). More specifically, it provides the synergetic convergence of both continuous media streams (e.g., the text corresponding to the Originating Work) and discontinuous media streams (e.g., an audio stream corresponding to the Derivative Work stored as a plurality of relatively small digital audio files) using time, and provides virtually instant access to any point in the convergent media streams regardless of the size of the resulting convergent media streams. The media including, but not limited to, EText, human read audio, illustrations, graphics, video, and advertising. The convergence uses the Virtual Media Descriptor, which describes each media stream in terms of time. Time information used to describe all media streams within a specific Virtual Media Descriptor, are relative to a specific recorded audio recording (a Derivative Work) of a specific originating text (an Originating Work).

[0190] Further advantageously, the synergetic convergence of both continuous and discontinuous media streams provides users with virtually instant on-demand access to any part of any media stream from anywhere network facilities exist on or off the planet, commonly referred to as 'Cloud Based Content'.

[0191] Further advantageously, access to the media streams and/or use of the content is typically achieved such that user is free of all management of content and resources. Accordingly, the processes used to access, make, and use the content is transparent to the user so that the user is provided with a seamless media experience simply as a result of selecting a desired Work. In particular, the user does not need to wait for mass downloads to complete, the user does not transfer files, the user does not delete files, the user does not interact with files or folders in any way, and the user does not manage memory or storage resources. For example, with respect to the latter, a memory manager, such as the memory manager 152 described with reference to Fig. 3 is provided.

[0192] The function of the memory manager is to ensure that there is sufficient memory available to receive the media files (i.e., including the eText or eText segment files, the large numbers of small digital audio files, and/or ancillary files) to ensure that sufficient media content is available when needed, and to ensure that a quantity of already rendered media content is maintained (e.g., so a user can rewind the media stream). In one embodiment, the purge of media files is determined using time and time offsets. For example, as discussed above, a user's position within a text or audio stream can be determined and expressed as a time offset. This time offset information is used to free up memory or resources should the need arise. For example, the first 60 chapters of Moby Dick, both eText, audio, and ancillary content can be purged from a devices memory or storage when the user has advanced sufficiently beyond that content making it unlikely that they will use it again, or when the space used by such content is required for the content of a different book or for the content of an ancillary process (e.g., Application Update).

[0193] The memory manager, together with a download manager and a media coordinator, are part of an integrated, network-based software product used to render the media streams using

a media player (e.g., which for example, renders eText and audio). The software product includes a computer-readable code that allows the user to use a plurality of standard player control buttons to begin rendering the media stream(s), stop or pause rendering of the media stream(s), and/or fast forward/rewind within the media stream(s). Notably, the rewind and fast-forward control buttons do not actually act on the audio or eText streams, but rather use time offsets to reposition the user within the media streams. In one embodiment the fast-forward/rewind times are provided by a set time (e.g., corresponding to 30 seconds). In other embodiments, the fast-forward/rewind times are calculated based on the start times of sequential Virtual Pages (e.g., to reposition the audio stream from a point corresponding to the start of one Virtual Page to the next Virtual Page. Accordingly, the user is able to fast forward and rewind through the audio stream and/or eText stream, even if one or both of the media streams are not resident.

[0194] Advantageously, the software uses the Virtual Media Descriptor in the transmission and rendering processes to link the different media streams (e.g., the audio stream and the eText stream) to the common timeline provided by the selected Derivative Work. Accordingly, the user can listen to only the audio stream, can read only the eText, can switch between the audio stream and the eText stream, or can have both the audio stream and the eText rendered simultaneously. In fact, a particularly advantageous aspect of using the common timeline is that the process of rendering the audio stream is synchronized with the display of the eText using a separate file (e.g., the Virtual Media Descriptor), and thus does not require that synchronizing information be encoded within the data files (e.g., the eText streams and/or the audio stream). Accordingly, a simpler system is provided. Moreover, the common timeline provides automated page turns for the rendered eText (i.e., based on time offsets of the simultaneously rendered audio stream). In contrast, prior art eBook readers that provide audio and text rendering require the user to manually turn each virtual text page because the eText and audio stream are not fully synchronized.

[0195] In addition, since the software uses the time or time offsets within the Virtual Media Descriptor in the transmission and rendering processes, the navigation of the media stream(s) is substantially independent of format type. Accordingly, a user reading an eBook on a first

eReader can create a bookmark for a selected position, and e-mail the bookmark to another person who then begins reading the eBook from the bookmarked position on a second other eReader. Since it is the time offsets that determine which part of the selected eText and/or audio stream will be rendered first, it is possible for the first and second eReaders to use different formats (e.g., PDF and epub). This is particularly advantageous since eBook formats and file types continue to develop and change with time and since many platforms are available.

[0196] Notably, in addition to the correlation of audio segments with text segments using time offsets, in some embodiments of the instant invention images, video, and/or advertising, are also correlated with text using time. For example, in general, the Virtual Media Descriptor will include Virtual Media Streams that represent various forms of ancillary content including, but not limited to, illustrations, figures, images, photographs and advertising. Each of these Virtual Media Streams will have time offset information contained within it that is used to manage and render the relevant content. This time offset information is typically derived relative to the information contained within the Virtual Audio Stream of the Virtual Media Descriptor. As a result, the timing information is optionally used to insert or display relevant content based on the timing information associated with the then currently rendered page. As discussed above with respect to text content, each character position will have a start time, an end time and a duration. Therefore a sequential collection of character positions will have a start time, an end time, and a duration. A sequential collection of character positions is a literary passage and may represent, but is not limited to, a word, a phrase, a sentence, a paragraph, a chapter, a title, a footnote, or any multiples or parts thereof. Therefore, each literary passage has a start time, an end time and a duration. Each instance of ancillary content, an illustration for example, will also have a start time, an end time, and a duration. As various pages of text are rendered, any instance of ancillary content is optionally inserted in the rendered page relative to the time offset information by comparing the time offset information associated with various literary passages and ancillary content. The initial insertion of ancillary content in the rendered text is based on a comparison of the start times of the ancillary content and the start time of a literary passage. Where the start times are not identical, a time calculation is made to extrapolate the appropriate point of insertion on the rendered page. In one embodiment, the insertion will be between lines of rendered text. In other embodiments, the ancillary content is inserted such that rendered text surrounds the

ancillary content. In yet another embodiment, the ancillary content is inserted such that rendered text and the ancillary content are positioned in another relationship (e.g., side by side).

[0197] In some embodiments, a literary passage for which there is an associated element of ancillary content is rendered on more than one page. In particular, when the start time of the literary passage falls between the start time and end time of a rendered page, and the end time of the literary passage falls between the start time and end time of some subsequent page, then as each page is rendered, the element of ancillary content is rendered with the rendered literary passage on each subsequent page. For example, consider a children's picture book where, when printed on paper, a page may have an illustration in the top half of each page with the text of the story beneath it. Clearly the illustration is directly associated with the literary passage that accompanies it. The same page can be rendered electronically in the same format. However, the electronic version allows the user to change font sizes and styles. A substantial increase in font size may force the size of the page to exceed the visual rendering dimensions, forcing what was originally one page into two or more pages. Utilizing the start time and end time and duration of the literary passage and the illustration allows the illustration to be rendered on each rendered page containing any part of the literary passage.

[0198] Advantageously, the correlation of these additional media components (e.g., ancillary content) with text segments is optionally accomplished in the absence of the audio segments that were used to generate the time offsets. Further advantageously, since the correlation between the audio segments and text segments is provided with time offsets, the correlation is often provided with higher precision than methods of encoding the data files with correlations points. More specifically, since the timeline is a continuous feature the correlation between text segments and audio segments is easily calculated and/or extrapolated for any point within the timeline, and is not limited to specific correlation points or segment boundaries.

[0199] Of course, the above embodiments have been provided as examples only. It will be appreciated by those of ordinary skill in the art that various modifications, alternate configurations, and/or equivalents will be employed without departing from the spirit and scope of the invention. For example, while the above-described embodiments discuss a Virtual Media

Descriptor for navigating through digital media such as audio streams, eText, illustrations, graphics, video, figures, tables, user generated content, and/or advertising, it is noted that the selected media will be determined, at least in part, by the content of the Originating Work. For example, if the Originating Work does not include any illustrations, the Virtual Media Descriptor will not include a Virtual Illustration Stream. In addition, in the above-described embodiments, the bookmarks have been described as including a time or time offset. However, in some embodiments of the instant invention the bookmark will include two times or time offsets. For example, in one embodiment of the instant invention a user reading a selected eText segment creates a bookmark by selecting/highlight a range of text. In this embodiment, the bookmark includes a first time offset representing the time offset of the start of the selected text, and a second time offset representing the time offset of the end of the selected text. Advantageously, these bookmarks including two time offsets are used to render only the bookmarked section (e.g., text or audio). In each case, the bookmark includes a time or time offset that is external to the descriptor file, and thus is easily electronically transmitted between users (e.g., by email, ftp, or html). Accordingly, the scope of the invention is therefore intended to be limited solely by the scope of the appended claims.

CLAIMS:

1. A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work;

selecting the digital content to be rendered from the plurality of digital data files using the time information in the descriptor file and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording;

rendering the selected digital content using the media player.

2. A method of rendering digital content according to claim 1, wherein the plurality of digital data files includes a plurality of digital audio files, the plurality of digital audio files created by segmenting the audio recording in dependence upon natural language gaps so that when the plurality of digital audio files are rendered sequentially an experience of a contiguous audio stream is reproduced for a user without reassembling sequential digital audio files.

3. A method of rendering digital content according to claim 2, wherein the time information includes at least one of a start time, an end time, and a duration of each digital audio file in the plurality of digital audio files, the start and end times of each digital audio file determined relative to the beginning of the audio recording.

4. A method of rendering digital content according to claim 3, wherein selecting the digital content to be rendered comprises using the at least one of a start time, an end time, and a duration of each digital audio file to find a first digital audio file in the plurality of digital

audio files that includes digital audio data from a point in the audio recording at a time corresponding to the time offset external to the descriptor file.

5. A method of rendering digital content according to claim 4, wherein rendering the digital content using the media player comprises transmitting the first digital audio file from the server to the media player, and wherein the method further comprises rendering the first digital audio file using the media player while simultaneously transmitting subsequent digital audio files to the media player.

6. A method of rendering digital content according to claim 4, wherein the digital data includes a plurality of electronic text files, and wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.

7. A method of rendering digital content according to claim 6, wherein selecting the digital content to be rendered comprises comparing the at least one of a start time, an end time, and a duration of each electronic text file with the time offset external to the descriptor file to determine a first electronic text file in the plurality of digital audio files having a point therein corresponding to the time offset.

8. A method of rendering digital content according to claim 7, wherein rendering the digital content using the media player comprises rendering the first electronic text file from a position calculated to correspond to the time offset while simultaneously rendering the first digital audio file.

9. A method of rendering digital content according to claim 1, wherein the digital data includes a plurality of electronic text files, wherein the time information includes at least one of a start time, an end time, and a duration of each electronic text file in the plurality of electronic text files, the start and end times of each electronic text file determined relative to the beginning of the audio recording.

10. A method of rendering digital content according to claim 9, wherein selecting the digital content to be rendered comprises comparing the at least one of a start time, an end time, and a duration of each electronic text file with the time offset external to the descriptor file to determine a first electronic text file in the plurality of digital audio files having a point therein corresponding to the time offset.

11. A method of rendering digital content according to claim 10, wherein rendering digital content using the media player comprises transmitting the first electronic text file from the server to the media player, loading the first electronic text file into a formatted memory structure, and loading a plurality of hard time tags from the descriptor file into the formatted memory structure.

12. A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises determining at least one of a start time and an end time of a plurality of paragraphs in the loaded first electronic text file using the plurality of hard time tags, the start and end times of each paragraph determined relative to one of the beginning of the audio recording and a beginning of the first electronic text file.

13. A method of rendering digital content according to claim 11, wherein rendering the digital content using the media player comprises extrapolating time values for a plurality of characters in the loaded first electronic text file, the time values extrapolated from the at least one of a start time, an end time, and a duration of the first electronic text file and the plurality of hard time tags.

14. A method of rendering digital content according to claim 10, wherein rendering the digital content using the media player comprises determining a current time offset using at least one of a discrete and a timed event.

15. A method of rendering digital content according to claim 14, wherein rendering digital content using the media player further comprises simultaneously rendering a digital audio file from a point corresponding to the time offset external to the descriptor file.

16. A method of rendering digital content according to claim 15, wherein rendering the digital content using the media player comprises providing automated page turns within the loaded first electronic text file using the current time offset.

17. A method of rendering digital content according to claim 1, wherein the digital data includes a plurality of ancillary files, and wherein the time information includes at least one of a start time, an end time, and a duration of each ancillary file in the plurality of ancillary files, the start and end times of each ancillary file determined relative to the beginning of the audio recording, the plurality of ancillary files including at least one of a plurality of graphic files, a plurality of advertizing files, and a plurality of user generated ancillary files.

18. A method of rendering digital content according to claim 1, wherein the offset external to the descriptor file is provided by one of a bookmark, a search result, a table of contents, an index, a list of tables, a list of figures, footnotes, quotations, a list of illustrations, a fast-forward request, and a rewind request.

19. A method of rendering digital content according to claim 1, wherein the offset external to the descriptor file is provided by a bookmark, the bookmark including information to identify the descriptor file.

20. A method of rendering digital content according to claim 10, wherein the descriptor file includes at least one of a start time, an end time, and a duration of a plurality of digital audio files representing the audio recording, and at least one of a start time, an end time, and a duration of a plurality of illustration files from the originating work.

21. A method of rendering digital content according to claim 10, wherein the offset external to the descriptor file is provided from a text search result.

22. A method of rendering digital content according to claim 14, comprising creating a bookmark for a selected point in the digital content, the bookmark including the current time offset, the current time offset determined relative to the timeline of the audio recording.

23. A method of rendering digital content according to claim 1, comprising the steps of:

determining a current time offset while rendering the digital content; and

creating a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

24. A method of rendering digital content comprising:

providing a media player having access to at least one server via a network, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work;

selecting the digital content to be rendered from the plurality of digital data files using the time information in the descriptor file and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording; and

rendering the selected digital content using the media player,

wherein the digital data includes at least one electronic text file and at least one digital audio file, and wherein rendering the selected digital content using the media player comprises providing automated page turns for text derived from the at least one electronic text file, the automated page turns determined in dependence upon a progressing time offset relative to the rendering of the at least one digital audio file.

25. A system for rendering digital content comprising:

a server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work;

a client for rendering the digital data corresponding to the originating work; and

a network for connecting the server and the client and facilitating transmission of the digital data from the server to the client,

wherein the client renders the digital content using the time information in the descriptor file and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording.

26. A computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

download digital content from at least one server, the at least one server having stored thereon a descriptor file and a plurality of digital data files derived from an originating work, the descriptor file including time information for defining each digital data file, the time information determined relative to a timeline of an audio recording of the originating work, the computer having access to the at least one server via a network;

select a point within the digital content from which to begin rendering, the point selected using the time information in the descriptor file and a time offset external to the descriptor file, the time offset determined relative to the timeline of the audio recording; and

begin rendering the digital content from the selected point.

27. A computer readable storage medium including computer readable code, which when executed by a computer, causes said computer to:

render digital content, the computer having access to at least one server via a network, the at least one server having stored thereon digital data corresponding to an originating work and a descriptor file, the descriptor file including time information for defining the digital data, the time information determined relative to a timeline of an audio recording of the originating work, the digital data including the digital content;

determine a current time offset while rendering the digital content; and

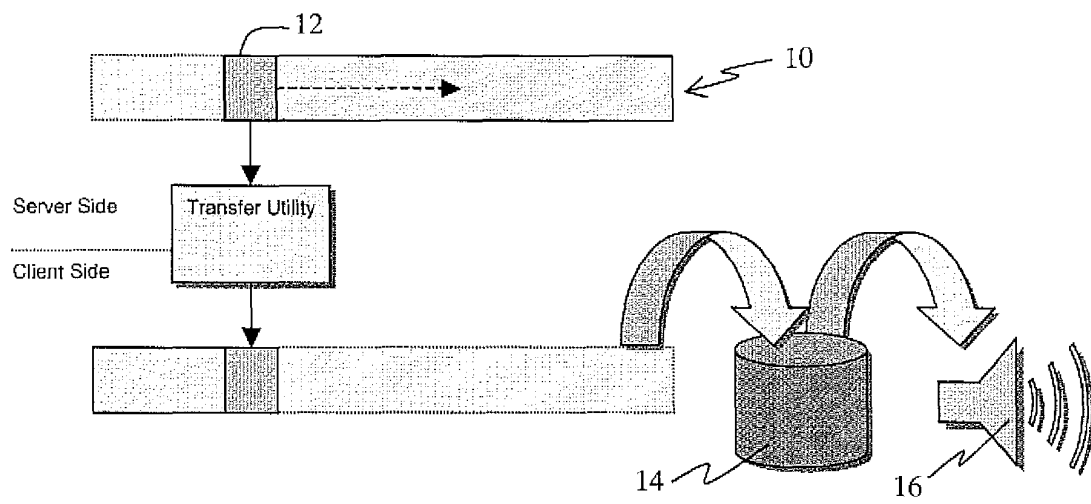
create a bookmark for a selected point in the rendered digital content, the bookmark an electronic file including the current time offset and an identification of the descriptor file, the current time offset being a time difference from a beginning of the audio recording to a selected point in the audio recording, the selected point in the audio recording corresponding to the selected point in the digital content.

28. A computer readable storage medium according to claim 27, which when executed by a computer, causes said computer to e-mail the bookmark from one client to another client.

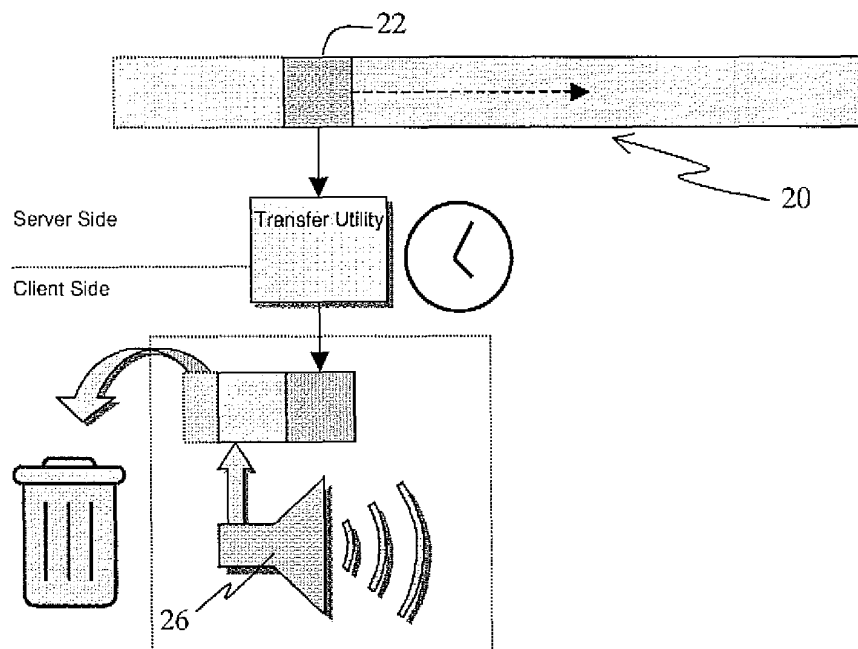
29. A computer readable storage medium according to claim 27, which when executed by a computer, causes said computer to perform a drag-and-drop operation whereby one of the bookmark and a shortcut to the bookmark is transferred to one of a desktop, a window other than the window used for rendering the digital content, and an application other than the application used for rendering the digital content.

ABSTRACT

A system and method for rendering digital content includes a media player having access to at least one server via a network. In addition to storing digital data corresponding to a printed document, such as an eBook, the one or more servers also stores a descriptor file. The descriptor file includes time information for defining the digital data, which is determined relative to a timeline of an audio recording of the text of the printed document. The digital content to be rendered is selected using the time information in the descriptor file and a time offset external to the descriptor file.



(Prior art)
Fig. 1



(Prior art)
Fig. 2

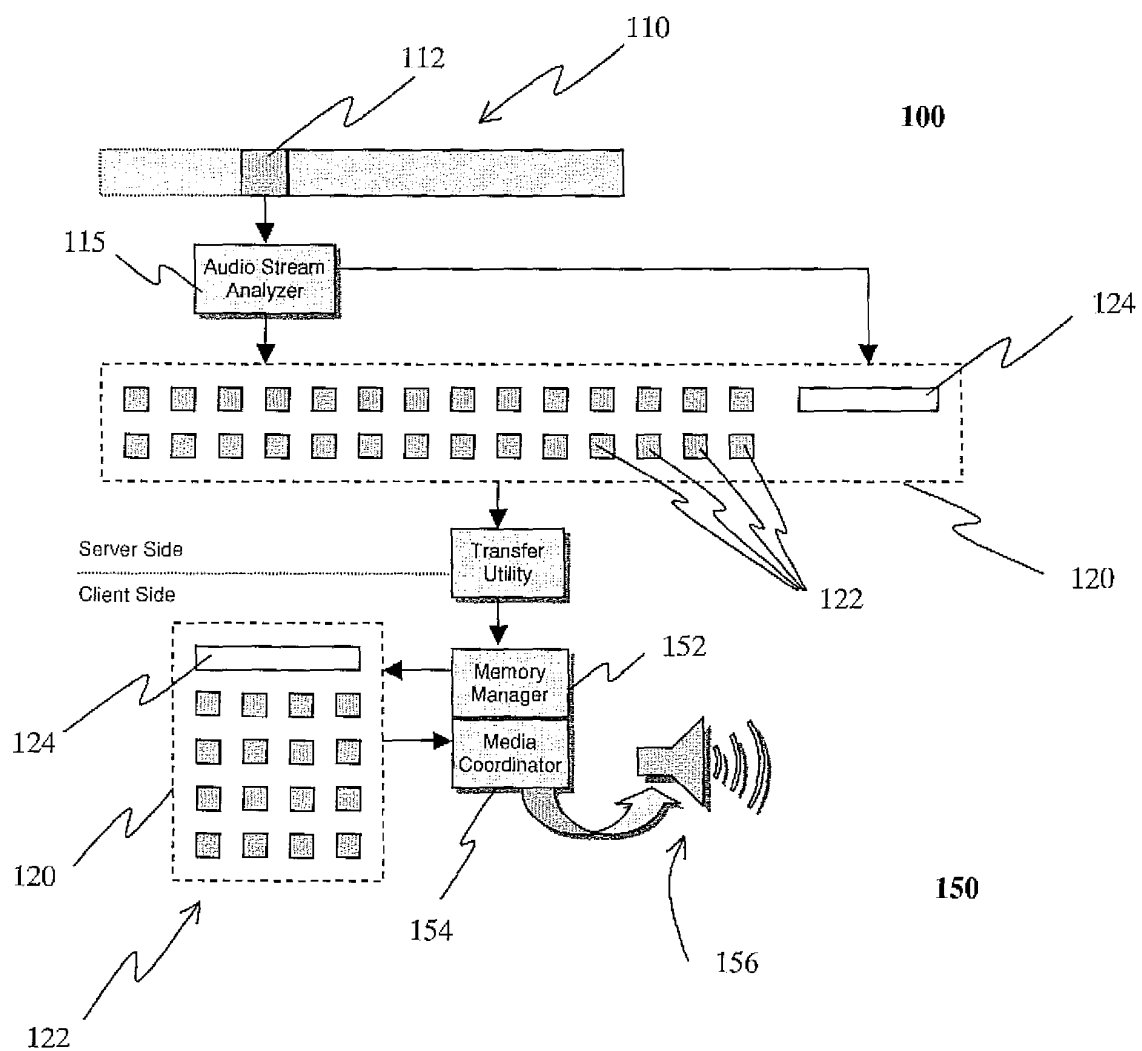


Fig. 3

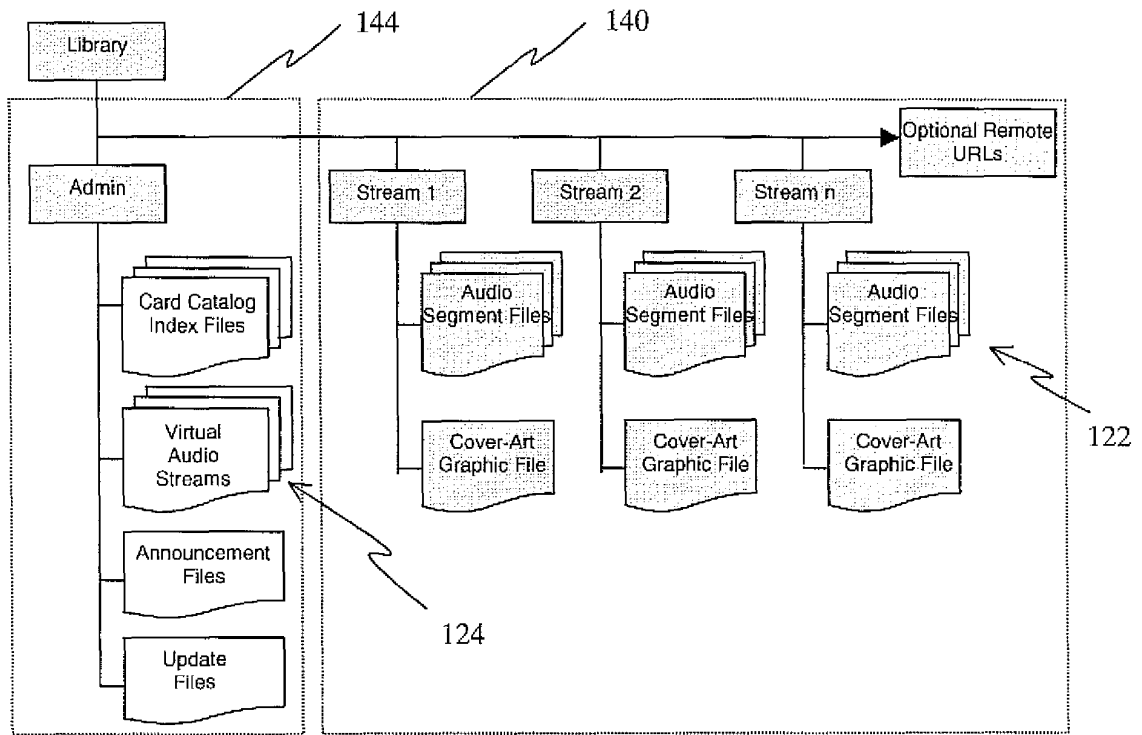


Fig. 4

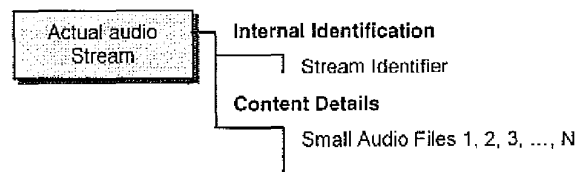


Fig. 5a

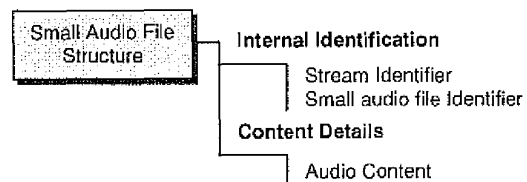


Fig. 5b

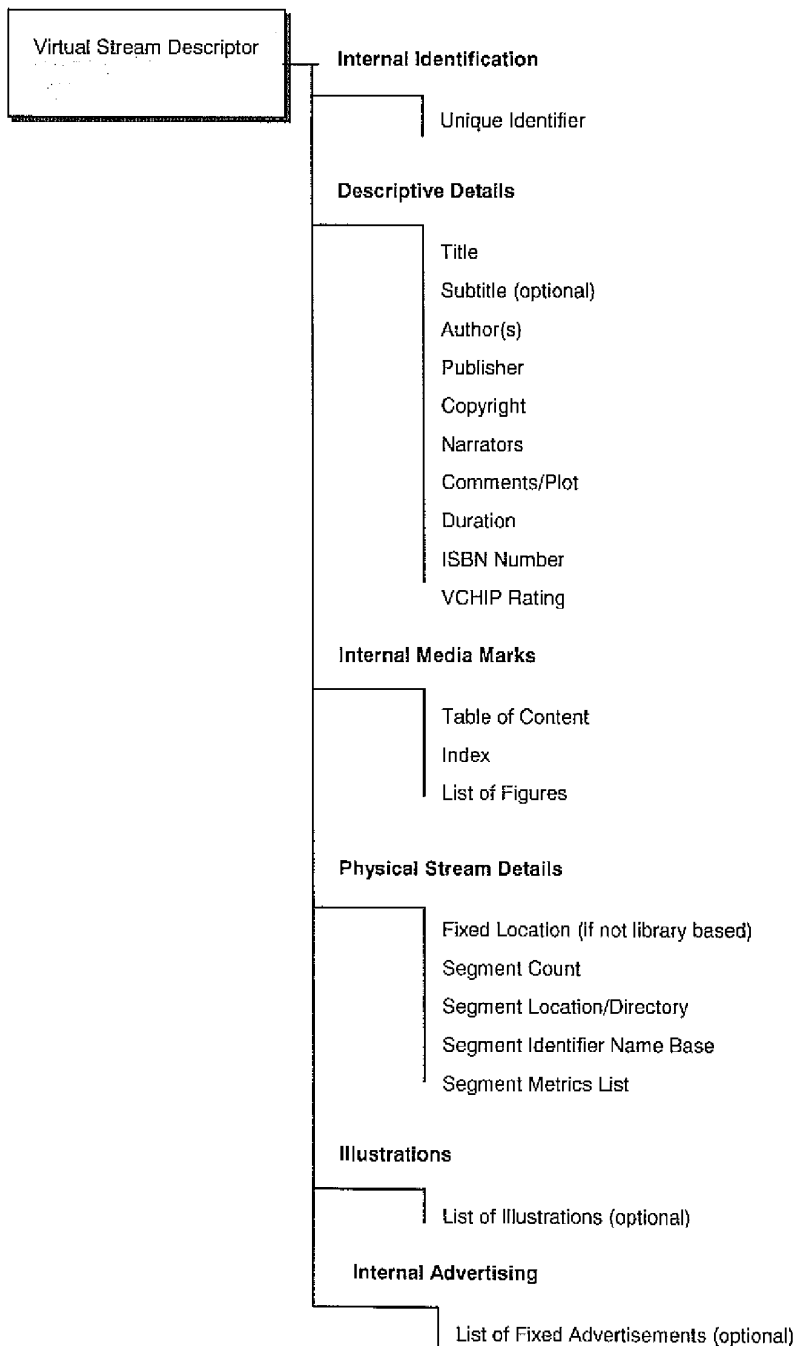


Fig. 5c

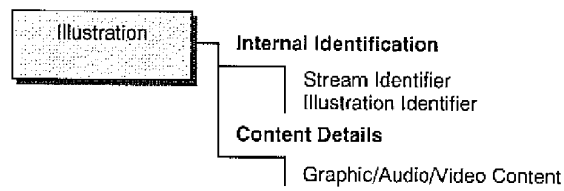


Fig. 5d

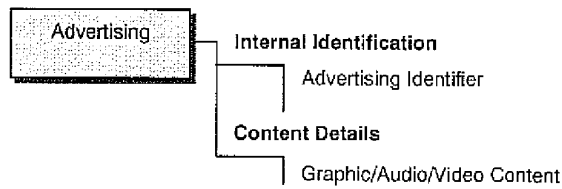


Fig. 5e

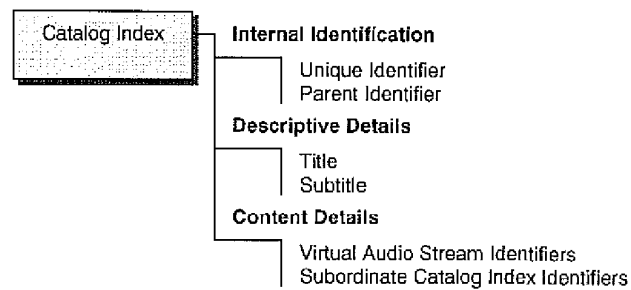


Fig. 5f

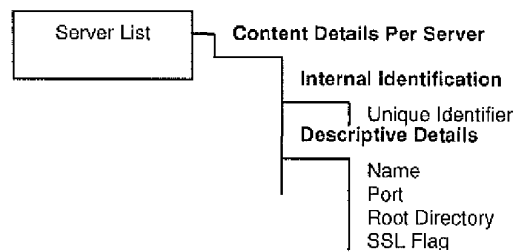


Fig. 5g

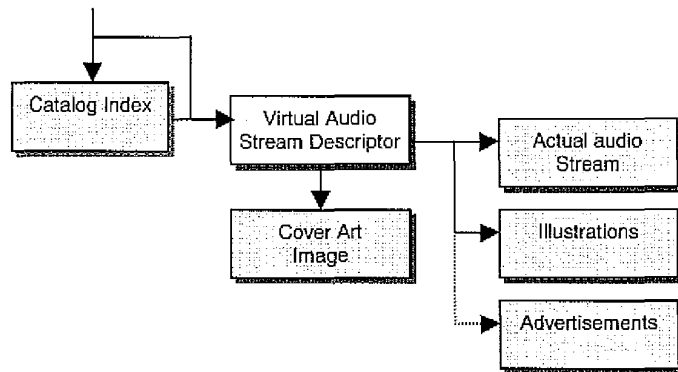


Fig. 6

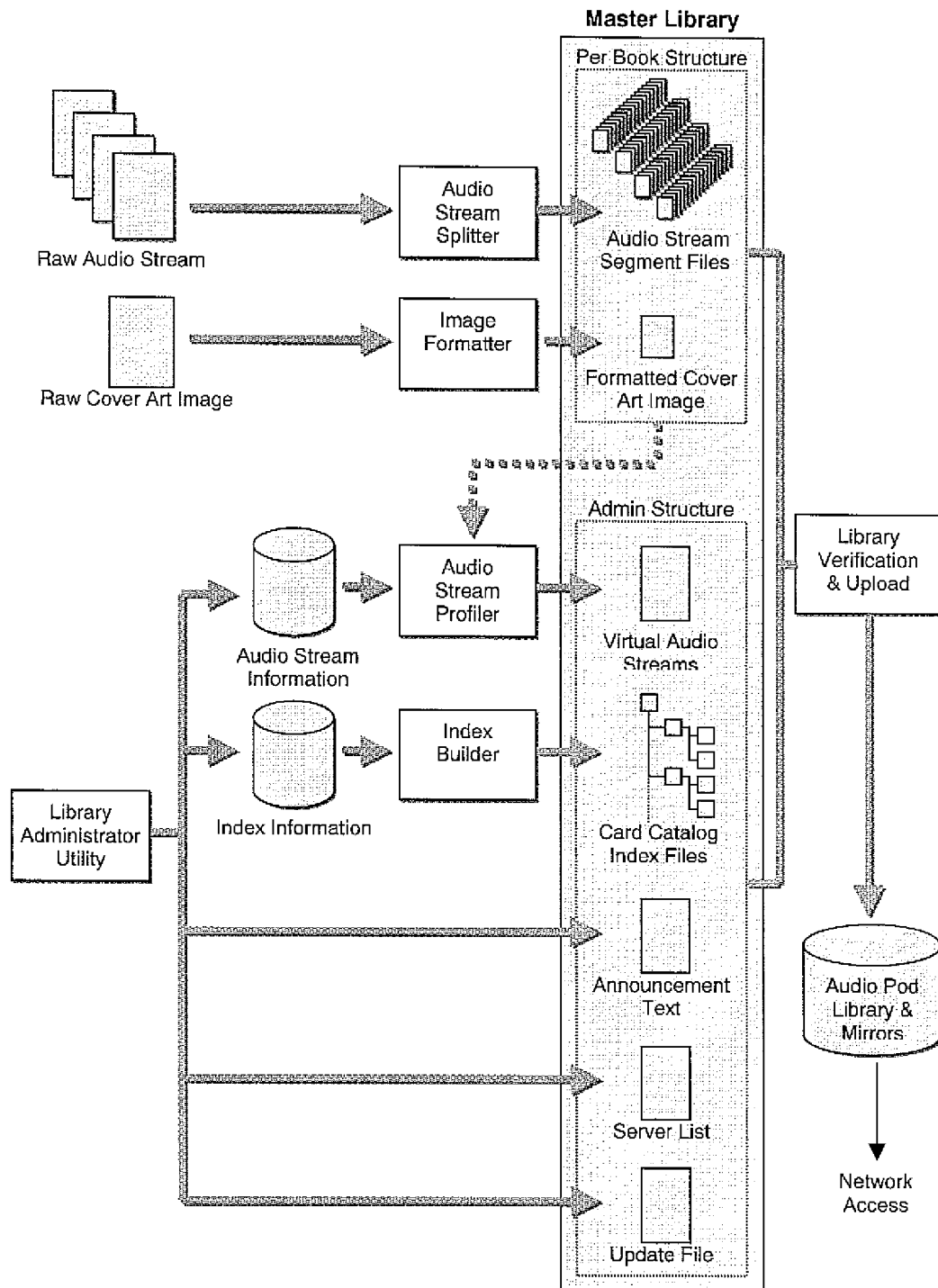


Fig. 7

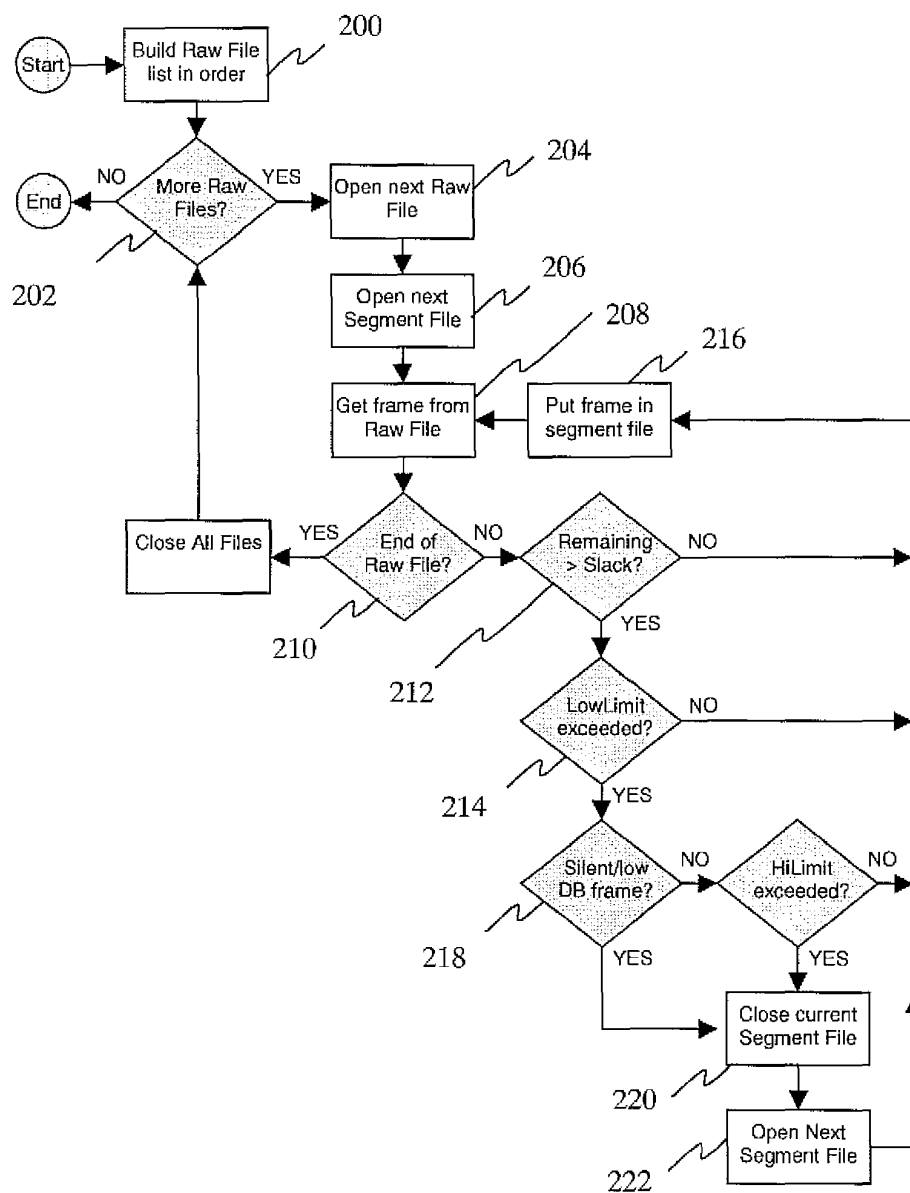


Fig. 8

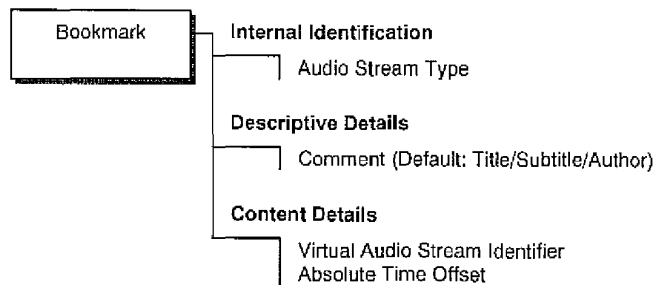


Fig. 9

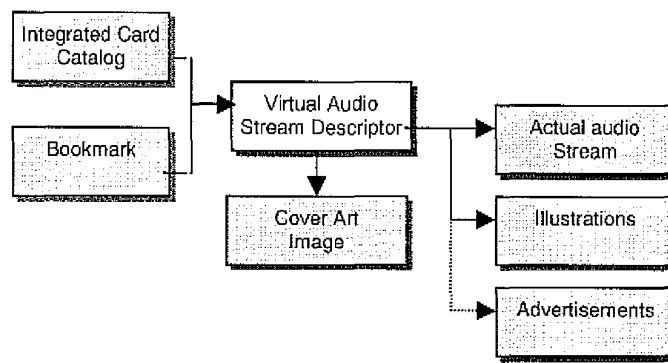


Fig. 10

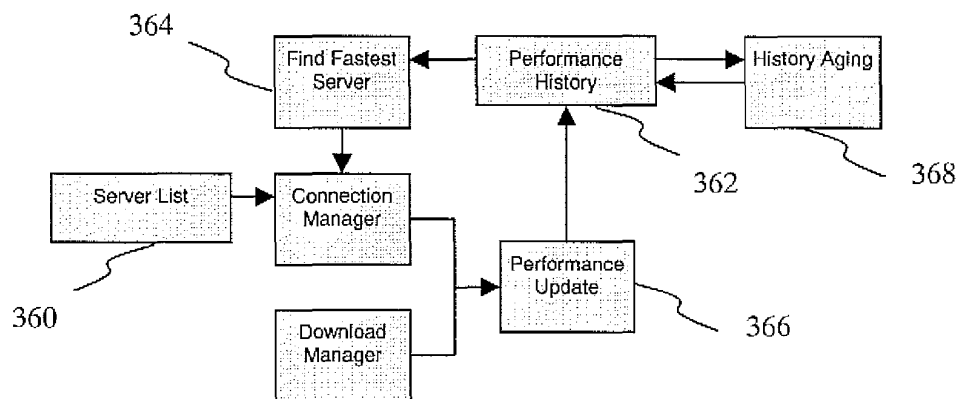


Fig. 11

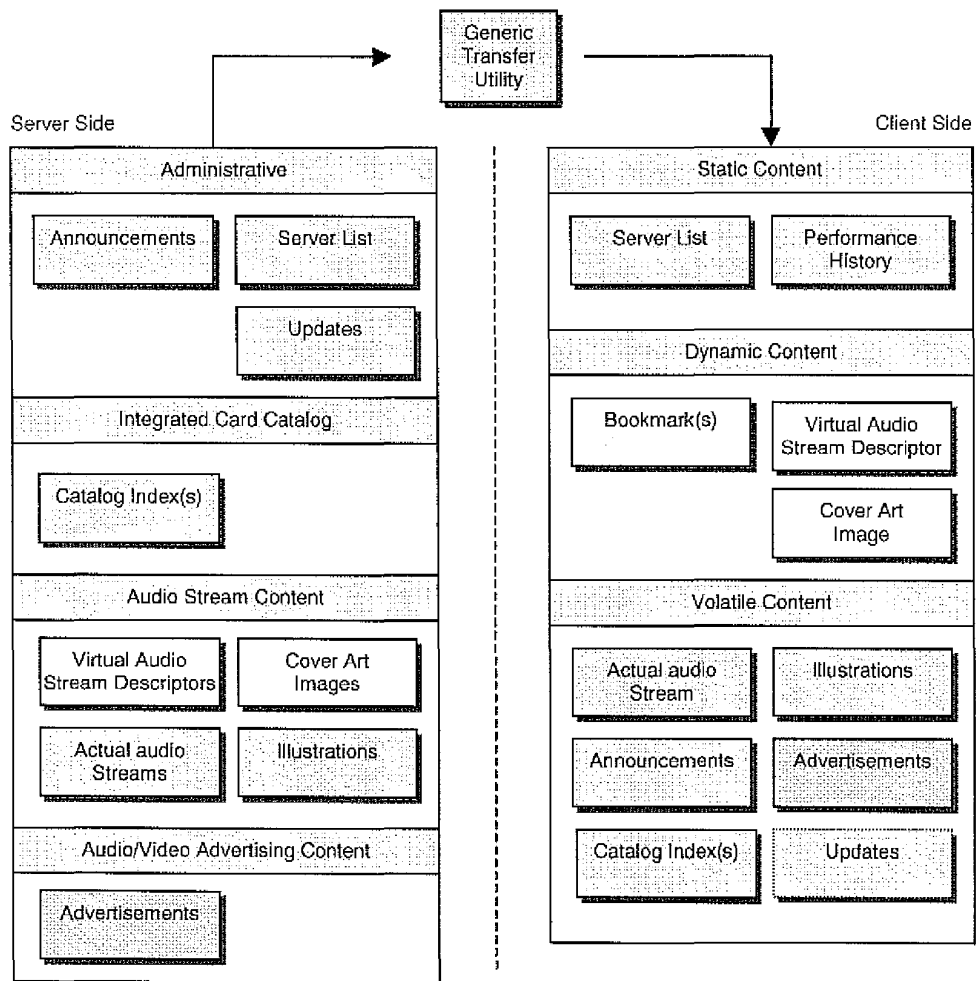


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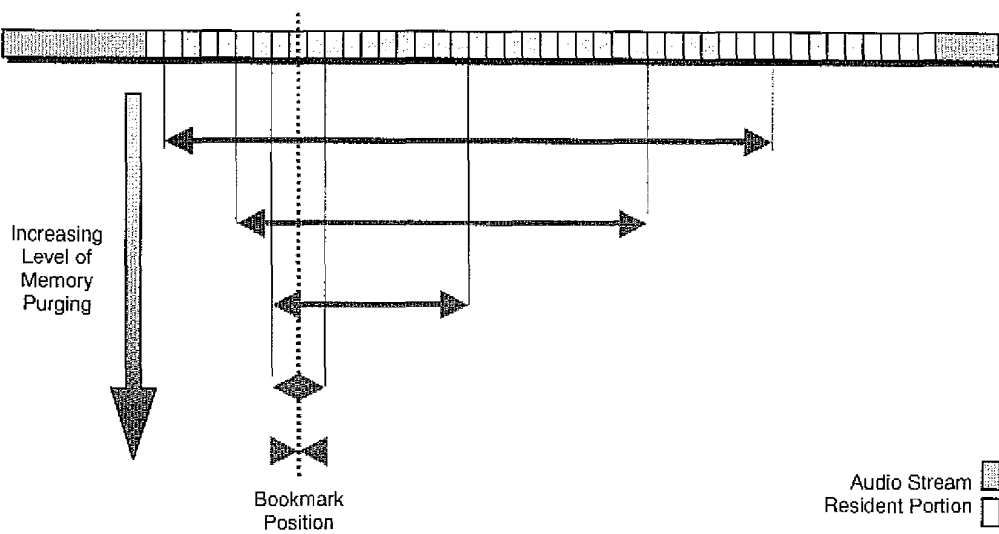


Fig. 13

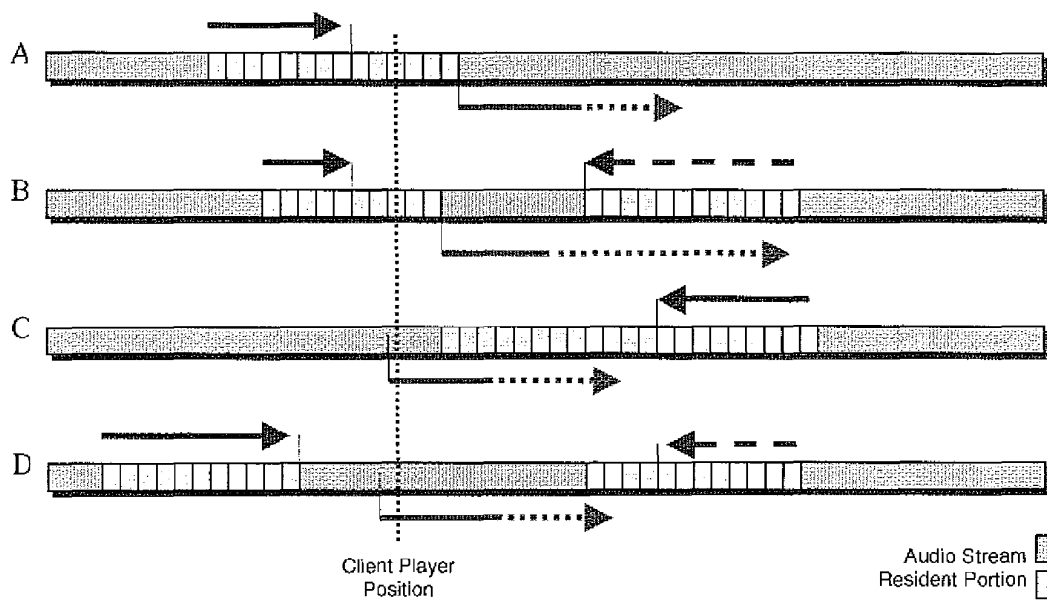


Fig. 14

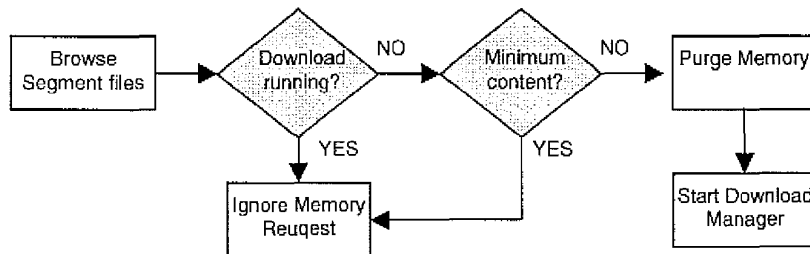


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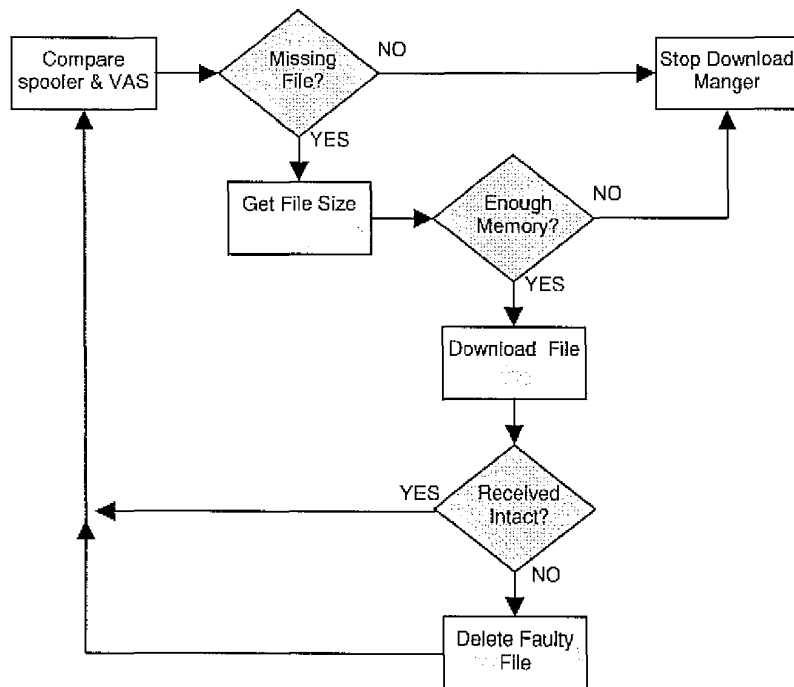


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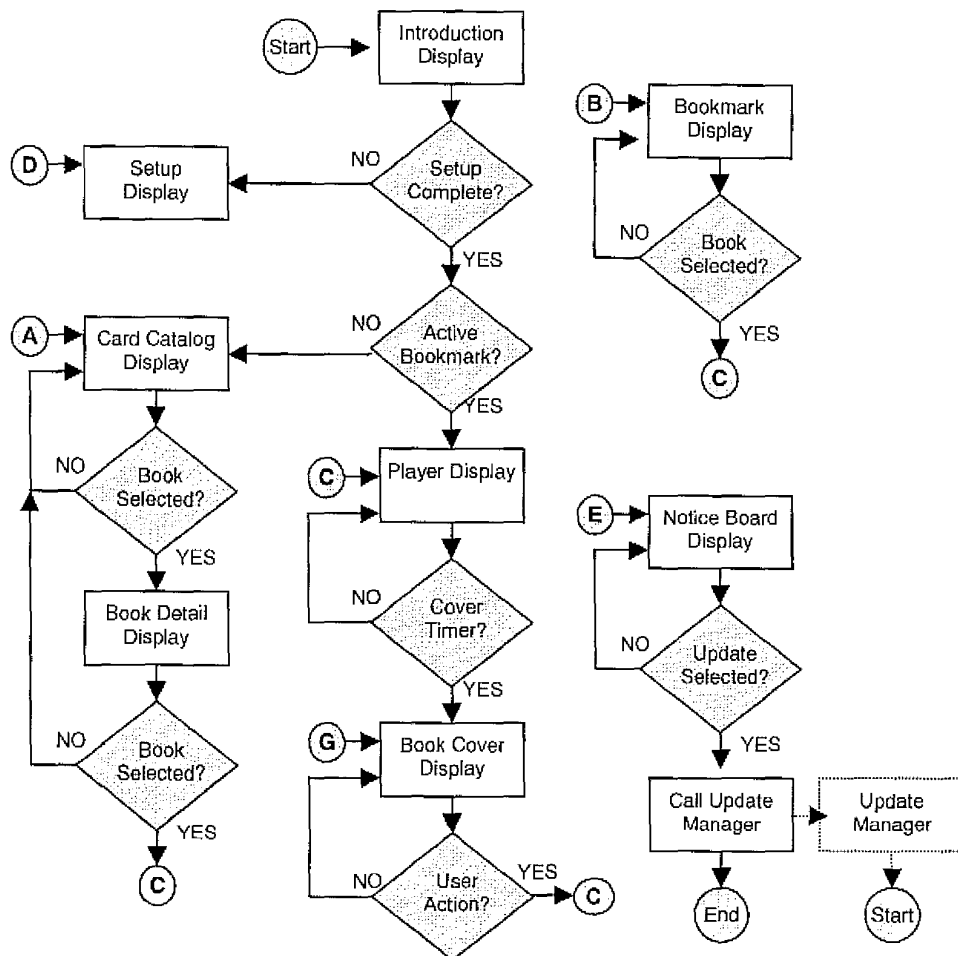
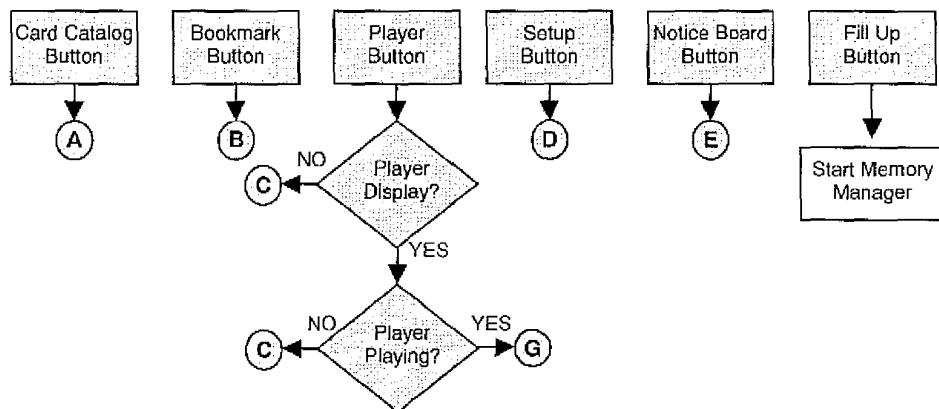


Fig. 17

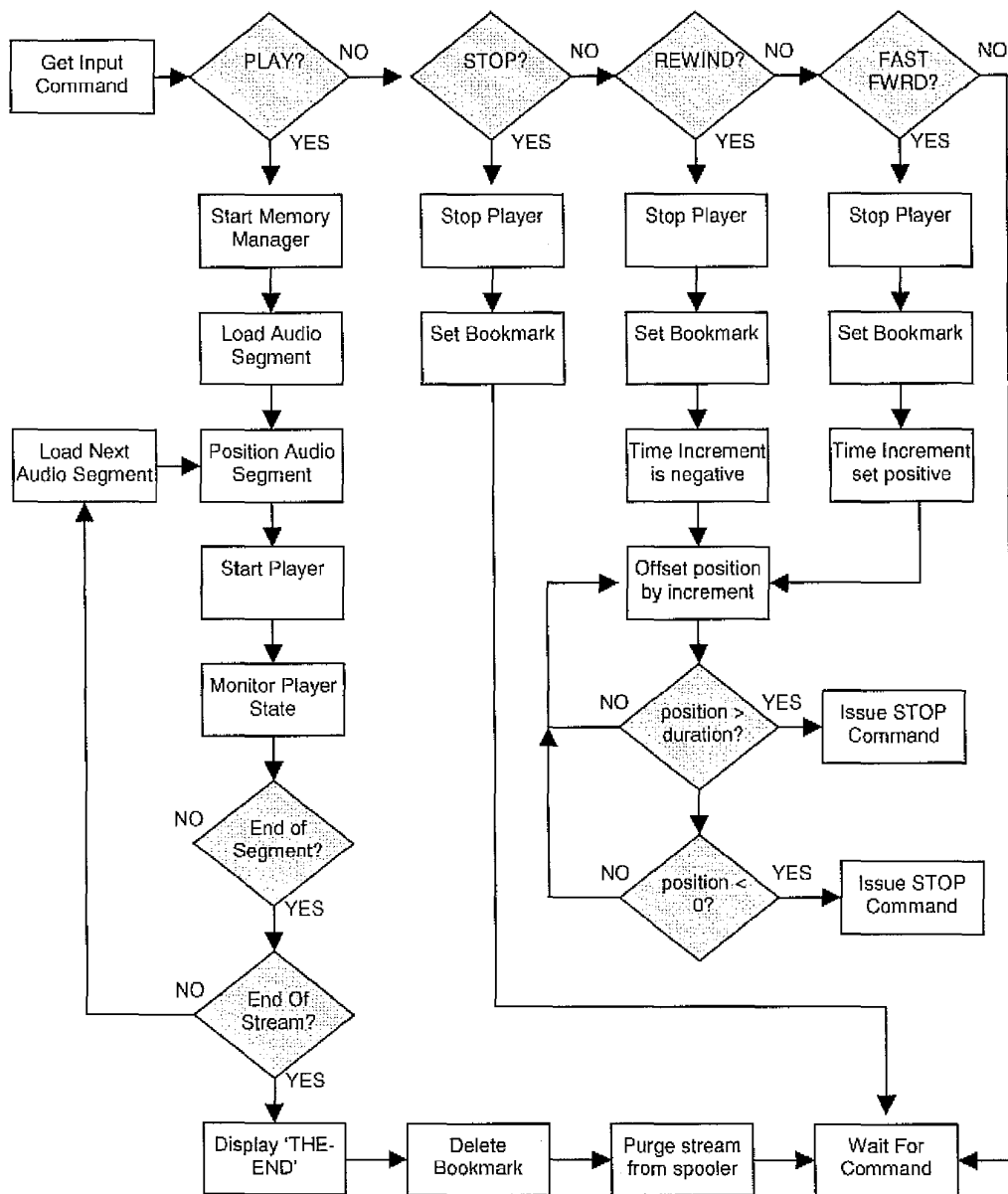


Fig. 18

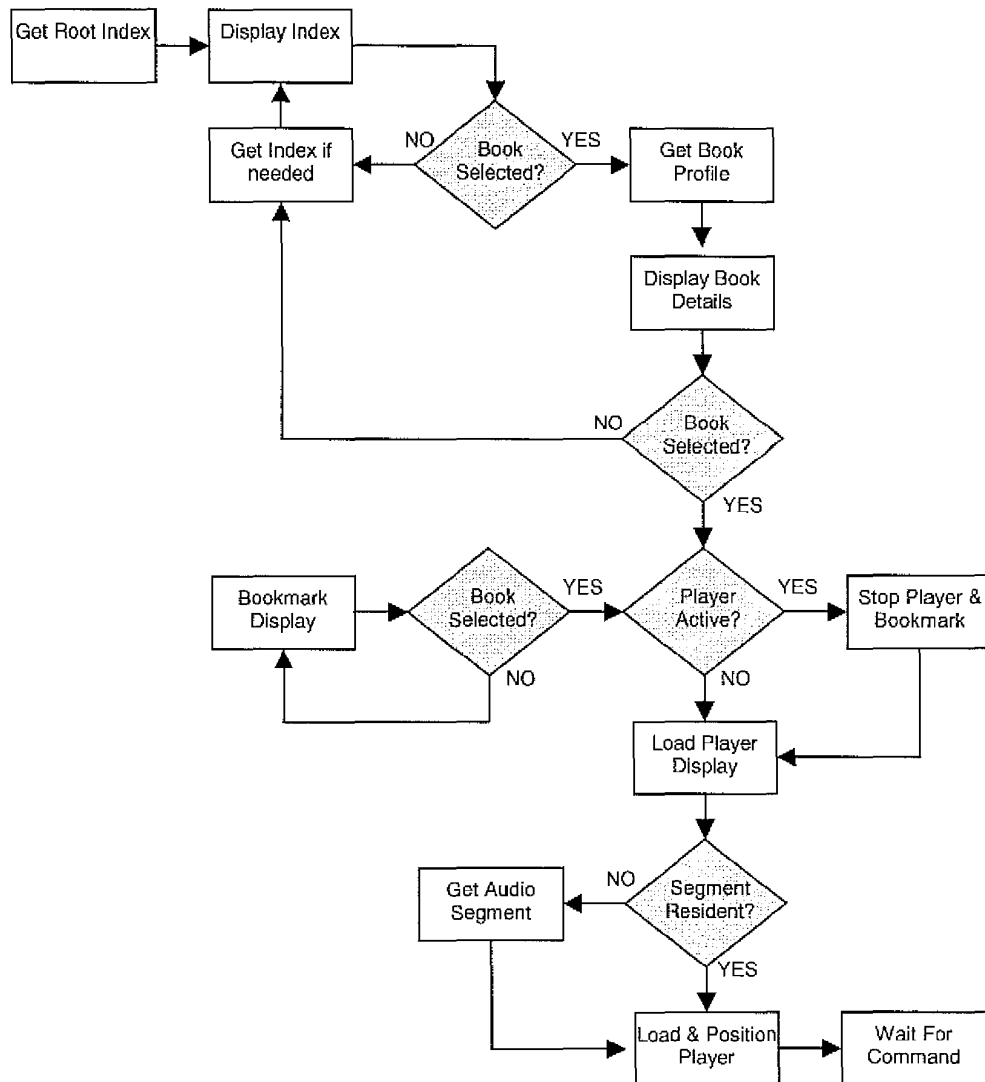


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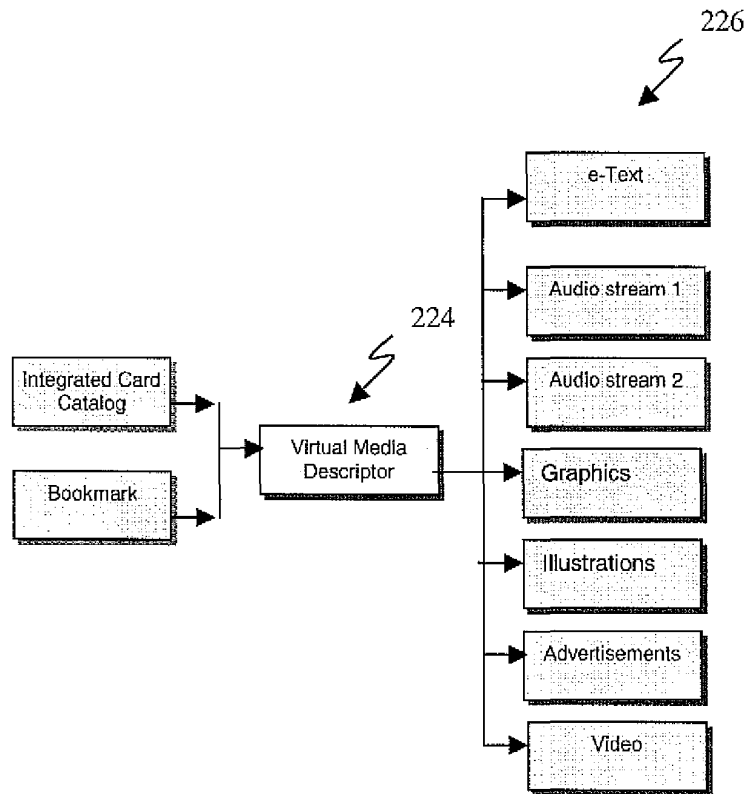


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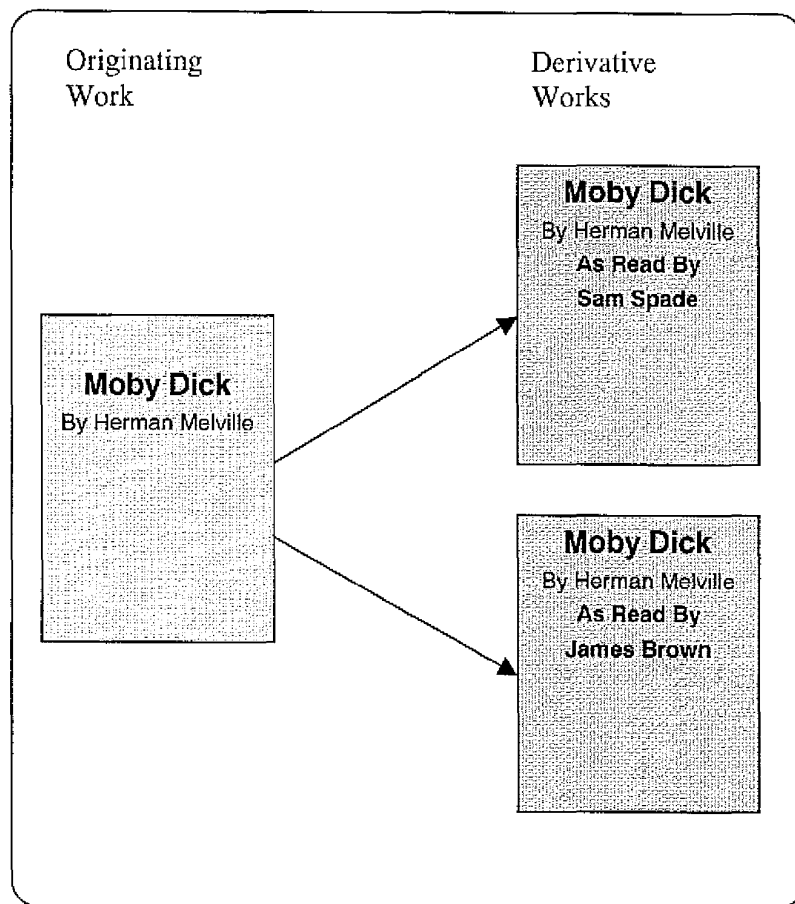


Fig. 21

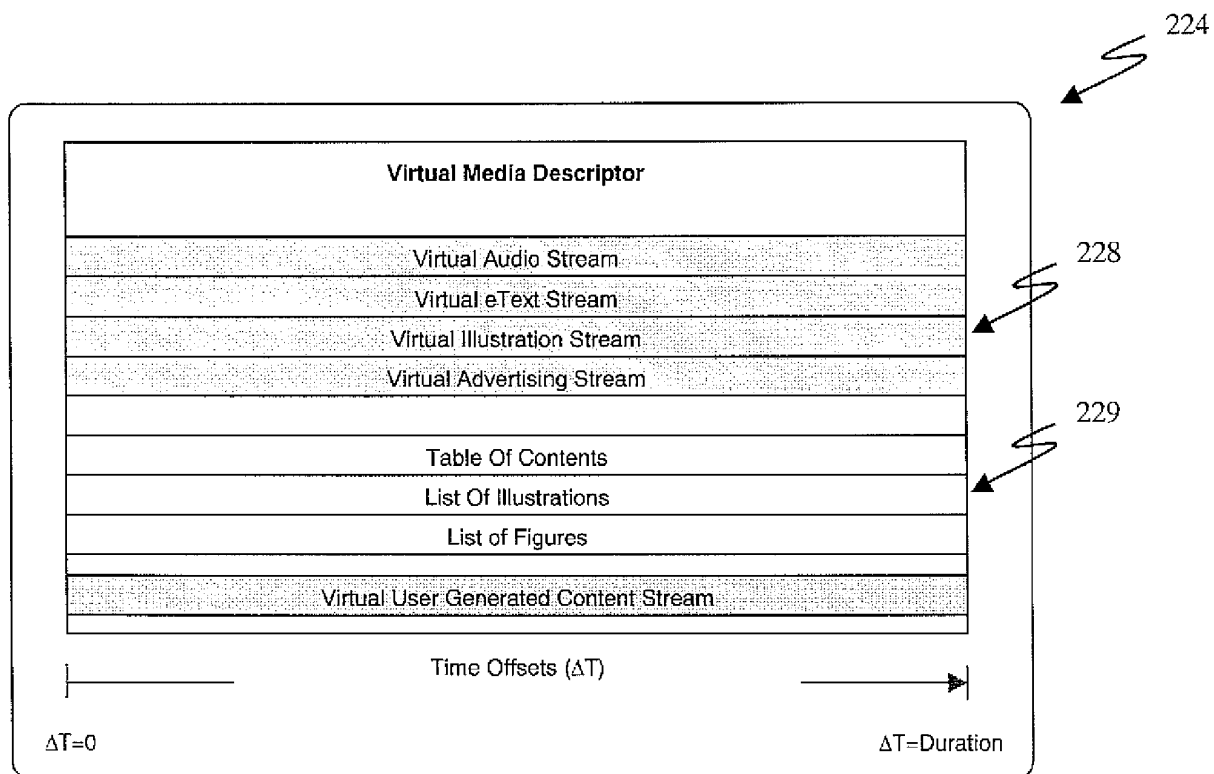


Fig. 22

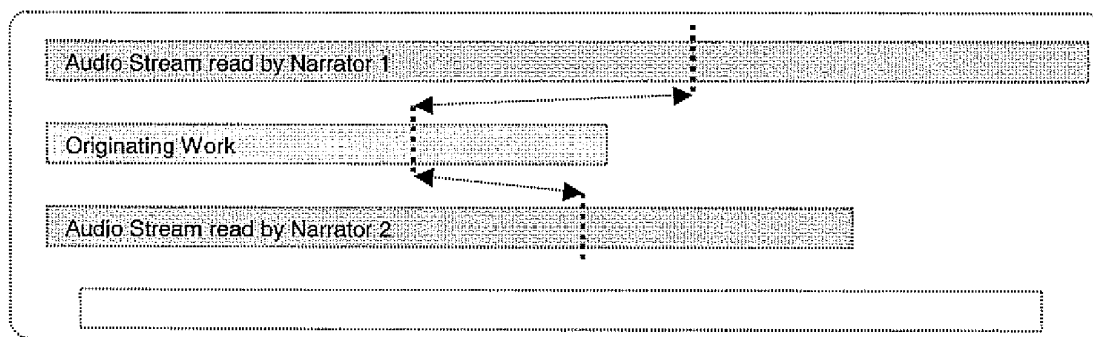


Fig. 23

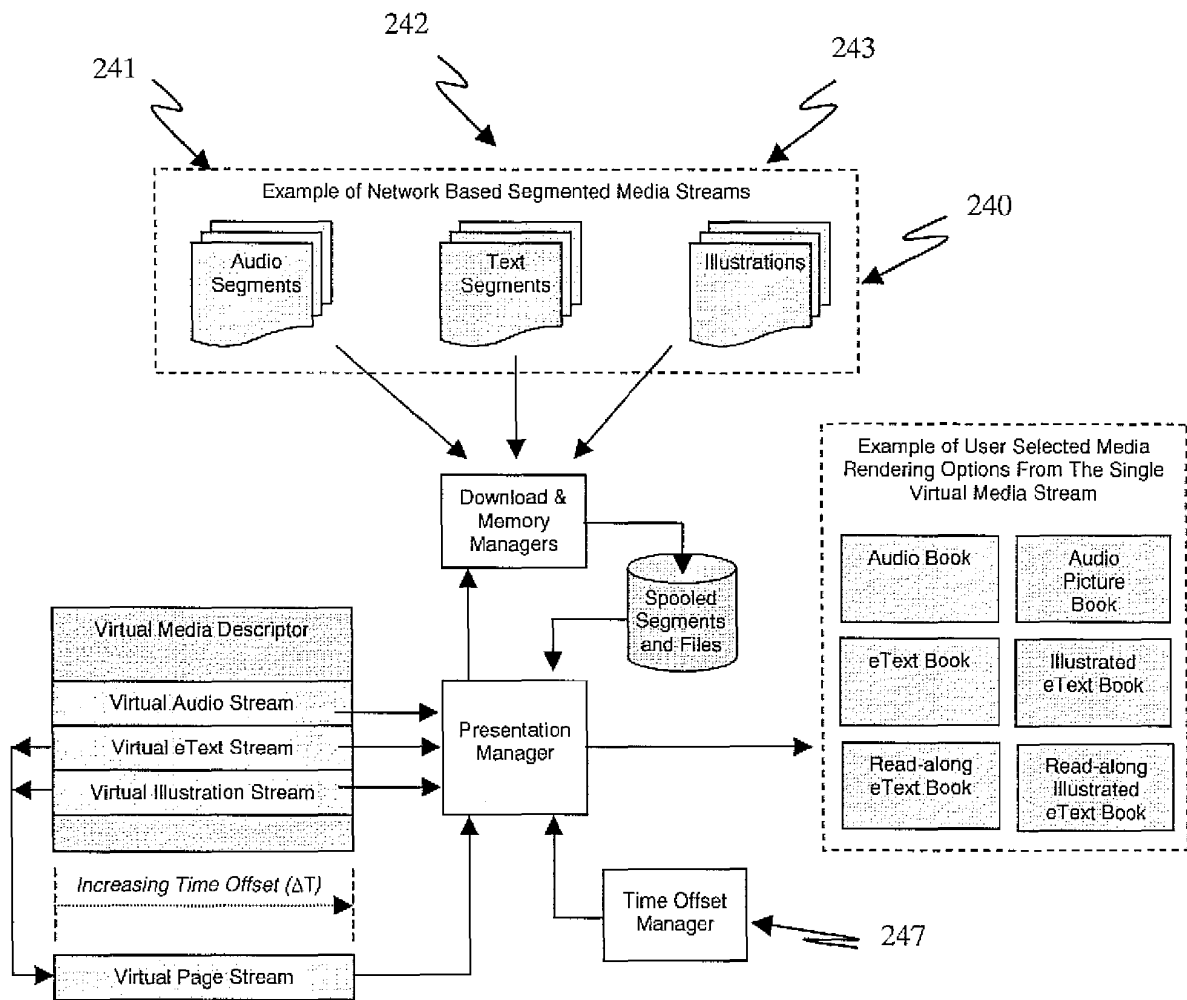


Fig. 24a

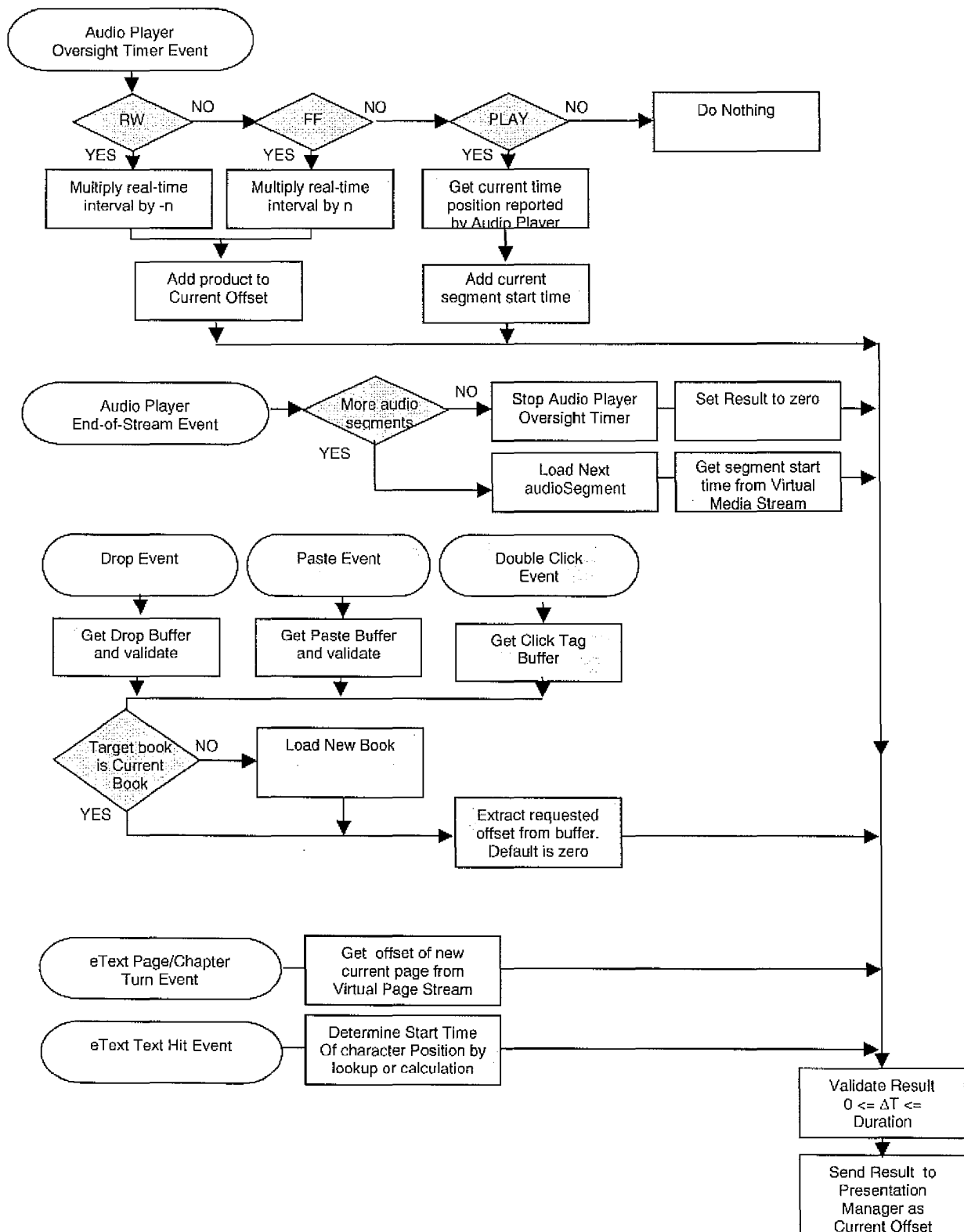


Fig. 24b

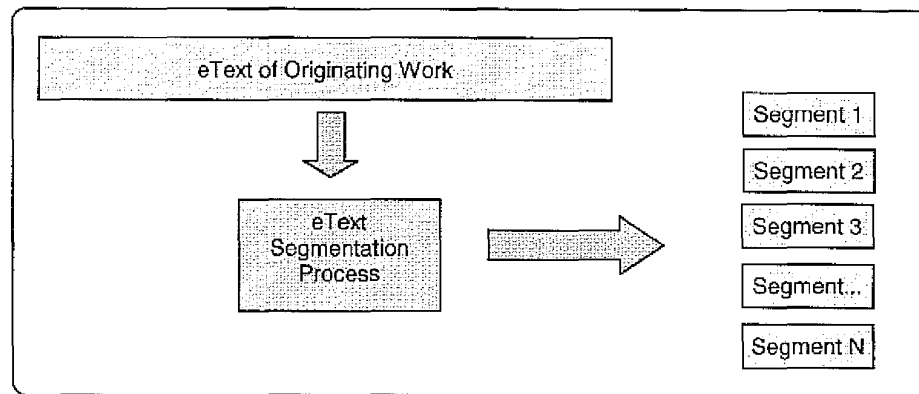


Fig. 25

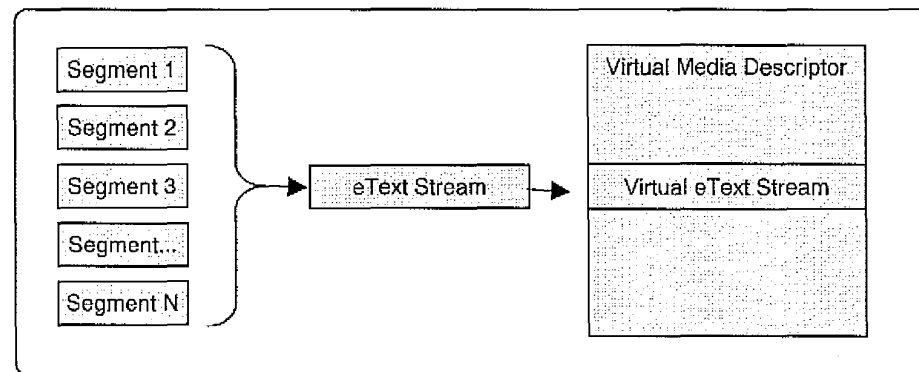


Fig. 26

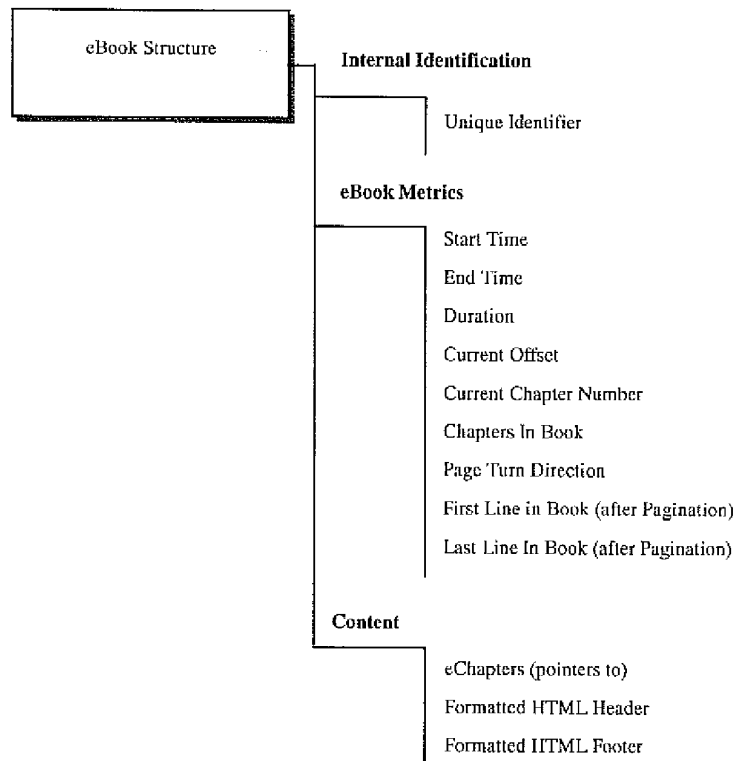


Fig. 27a

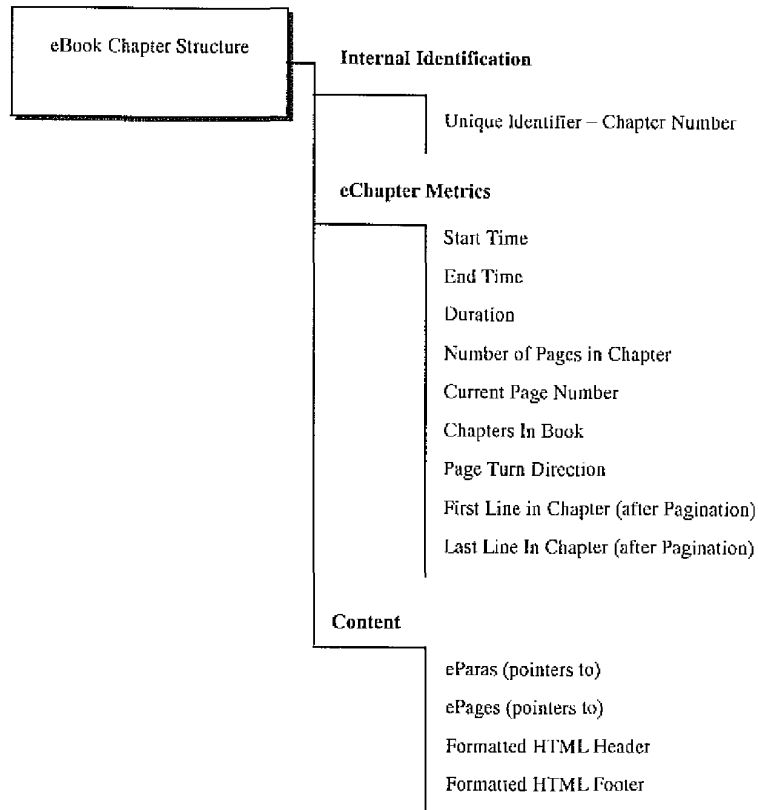


Fig. 27b

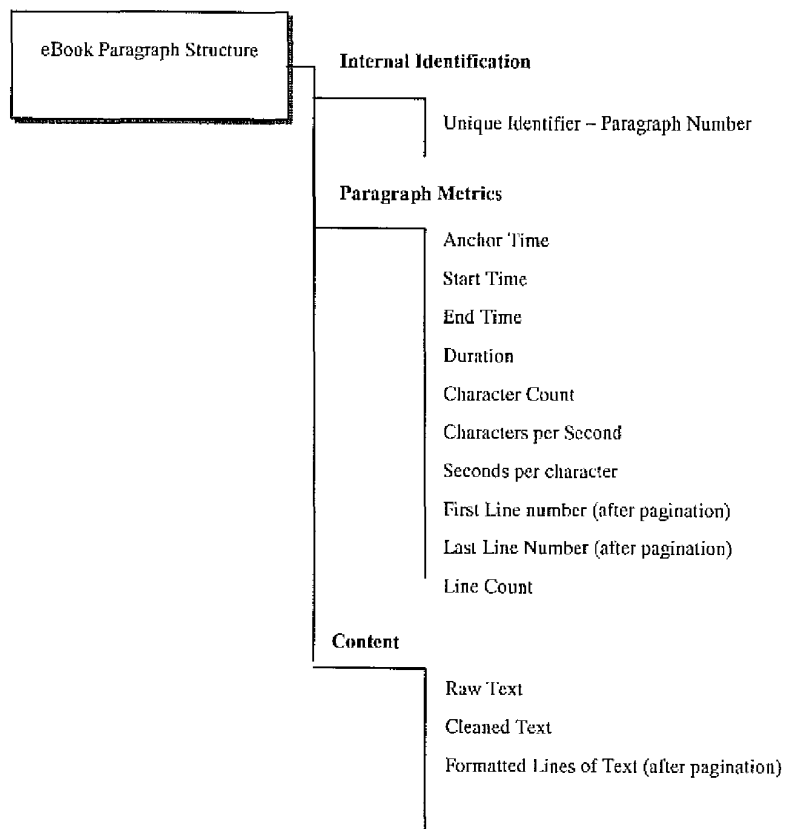


Fig. 27c

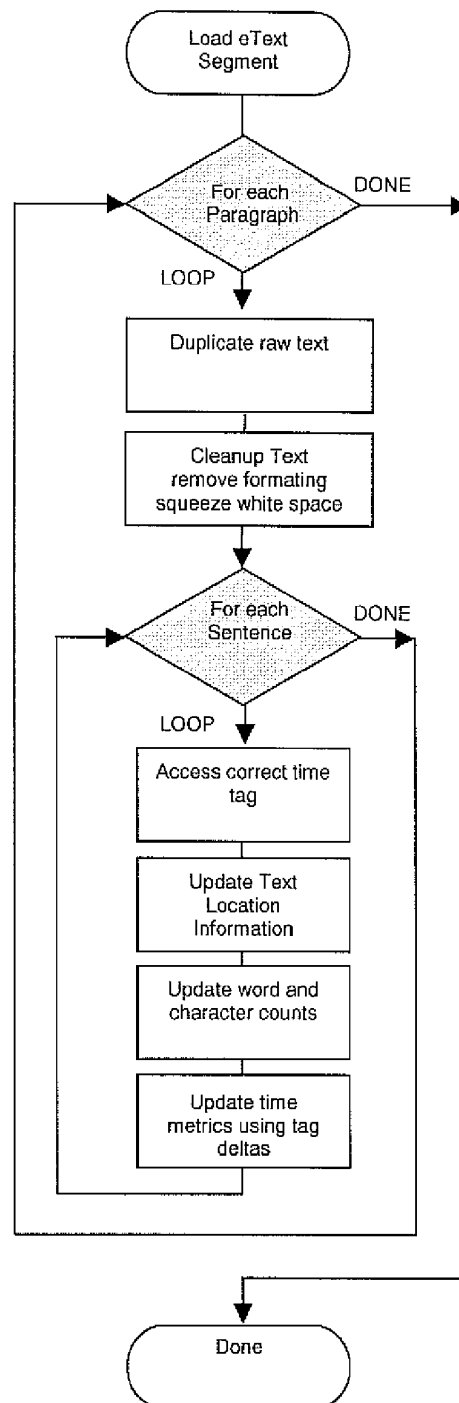


Fig. 28

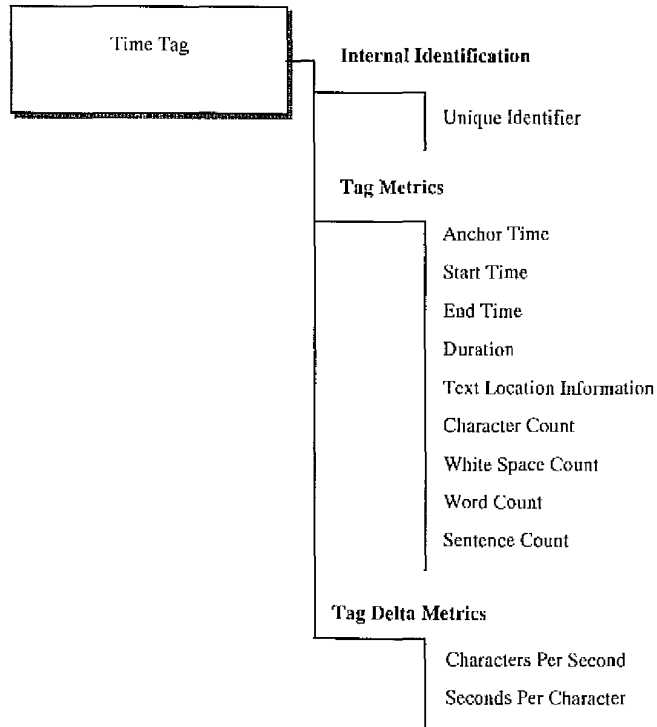


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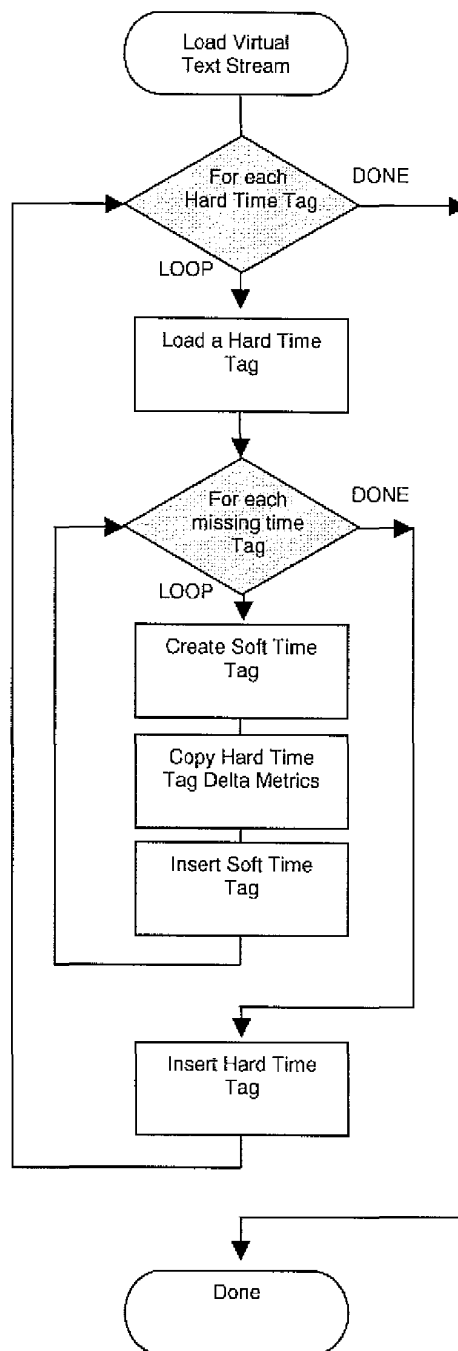


Fig. 30

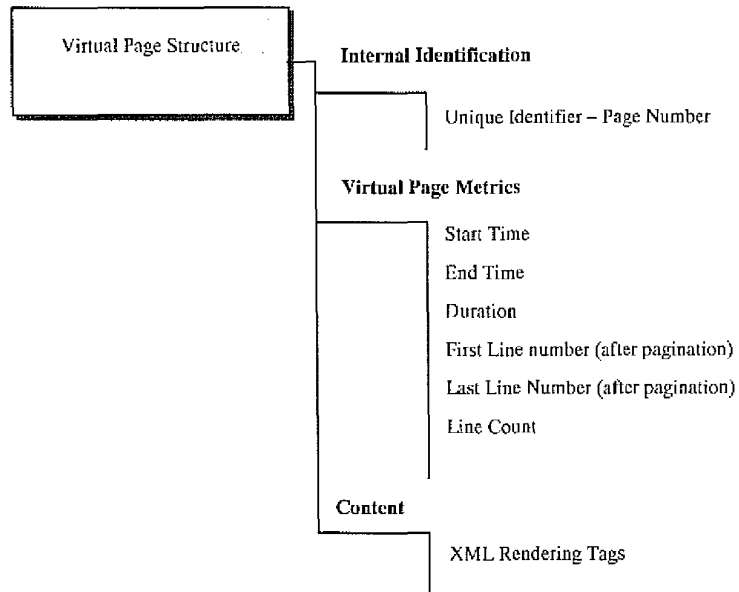


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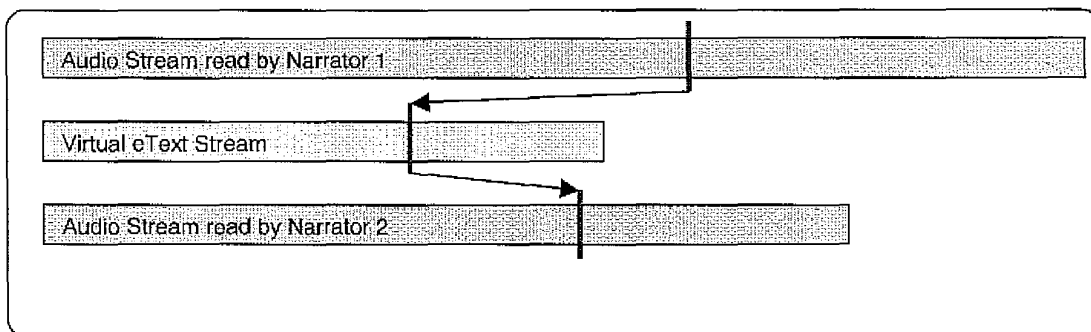


Fig. 32

Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS		
First Named Inventor/Applicant Name:		John McCue		
Filer:		Neil Teitelbaum/Lisa Fader		
Attorney Docket Number:		141-1 US CIP		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	95	95
Utility Search Fee	2111	1	310	310
Utility Examination Fee	2311	1	125	125
Pages:				
Claims:				
Claims in excess of 20	2202	9	30	270
Independent claims in excess of 3	2201	2	125	250
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1050

Electronic Acknowledgement Receipt

EFS ID:	11561279
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
Customer Number:	24949
Filer:	Neil Teitelbaum/Lisa Fader
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	07-DEC-2011
Filing Date:	
Time Stamp:	14:25:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1050
RAM confirmation Number	804
Deposit Account	502810
Authorized User	FADER,LISA

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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)

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Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal of New Application	Cover_Letter.pdf	32189	no	2
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Warnings:					
Information:					
2	Oath or Declaration filed	Declaration.pdf	66452	no	3
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Warnings:					
Information:					
3	Specification	Specification.pdf	2417424	no	68
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Warnings:					
Information:					
4	Drawings-other than black and white line drawings	Figures.pdf	511744	no	28
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5	Fee Worksheet (SB06)	fee-info.pdf	37807	no	2
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Total Files Size (in bytes):			3065616		

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

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

New International Application Filed with the USPTO as a Receiving Office

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

Electronic Acknowledgement Receipt

EFS ID:	11561279
Application Number:	13313393
International Application Number:	
Confirmation Number:	2438
Title of Invention:	SYSTEM AND METHOD FOR RENDERING DIGITAL CONTENT USING TIME OFFSETS
First Named Inventor/Applicant Name:	John McCue
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Filer:	Neil Teitelbaum/Lisa Fader
Filer Authorized By:	Neil Teitelbaum
Attorney Docket Number:	141-1 US CIP
Receipt Date:	07-DEC-2011
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Time Stamp:	14:25:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1050
RAM confirmation Number	804
Deposit Account	502810
Authorized User	FADER,LISA

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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	Transmittal of New Application	Cover_Letter.pdf	32189	no	2
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Warnings:					
Information:					
2	Oath or Declaration filed	Declaration.pdf	66452	no	3
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3	Specification	Specification.pdf	2417424	no	68
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4	Drawings-other than black and white line drawings	Figures.pdf	511744	no	28
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Total Files Size (in bytes):			3065616		

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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.

SCORE Placeholder Sheet for IFW Content

Application Number: 13313393

Document Date: 12/7/2011

The presence of this form in the IFW record indicates that the following document type was received in electronic format on the date identified above. This content is stored in the SCORE database.

- Drawings

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