

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ALMONDNET, INC. and DATONICS LLC,

Plaintiffs,

v.

AMAZON.COM, INC., AMAZON.COM
SERVICES LLC, and AMAZON WEB
SERVICES, INC.,

Defendants.

Case No. 6:24-cv-00234

JURY TRIAL DEMANDED

**COMPLAINT FOR PATENT INFRINGEMENT AGAINST AMAZON.COM, INC.,
AMAZON.COM SERVICES LLC, AND AMAZON WEB SERVICES, INC.**

This is an action for patent infringement arising under the Patent Laws of the United States of America, 35 U.S.C. § 1 *et seq.*, in which Plaintiffs AlmondNet, Inc. (“AlmondNet”) and Datonics LLC (“Datonics”) (collectively, “Plaintiffs”) make the following allegations against Defendants Amazon.com, Inc. Amazon.com Services LLC, and Amazon Web Services, Inc. (collectively, “Amazon” or “Defendants”):

INTRODUCTION AND PARTIES

1. This complaint arises from Defendants’ unlawful infringement of the following United States patents owned by Plaintiffs, each of which generally relate to novel internet / network based advertising systems and methods: United States Patent Nos. 10,984,445 and 8,494,904 (collectively, the “Asserted Patents”). Plaintiffs owns all right, title, and interest in each of the Asserted Patents to file this case.

2. AlmondNet, Inc. is a corporation organized and existing under the laws of the state

of Delaware, having its place of business at 37-18 Northern Blvd. Suite 404, Long Island City, NY, 11101. Datonics is a limited liability company organized and existing under the laws of the state of Delaware, having its principal place of business at 37-18 Northern Boulevard, Suite 404, Long Island City, New York 11101. AlmondNet, Inc. and Datonics LLC are collectively referred herein as “Plaintiffs.”

3. Founded in 1998, AlmondNet has developed an extensive suite of industry-leading targeted advertising solutions and products, is focused on R&D and the licensing of its extensive portfolio of enabling technology and intellectual property covering numerous areas of the targeting landscape and ecosystem, including profile based bidding, behavioral targeting, online and offline data monetization, addressable advertising, and multi-platform advertising.

4. Datonics is a leading aggregator and distributor of highly granular search, purchase intent, and life-stage data. Datonics offers data users (including ad networks, ad exchanges, demand side platforms, and publishers) pre-packaged or customized keyword-based “data segments” that can facilitate the delivery of advertisements to consumers wherever they go online, with the ads being focused on subjects relevant to the individual consumer yet delivered in a privacy-sensitive way.

5. On information and belief, Defendant Amazon.com, Inc. is a Delaware corporation with a listed registered agent of Corporation Service Company, 251 Little Falls Drive, Wilmington, Delaware 19808. Amazon.com Inc. has a principal place of business at 410 Terry Ave. North, Seattle, Washington 98109-5210. Amazon.com Inc. may also be served with process via its registered agent Corporation Service Company 300 Deschutes Way SW Ste 208 MC-CSC1, Tumwater, WA, 98501.

6. On information and belief, Defendant Amazon.com Services LLC (formerly

“Amazon.com Services Inc.” and referred to herein as “Amazon Services”) is a limited liability company organized under the laws of the state of Delaware, with its principal place of business at 410 Terry Avenue North, Seattle, Washington 98109. Amazon Services is a wholly owned subsidiary of Amazon. Amazon Services is registered to do business in the State of Texas and may be served with process via its registered agent in Texas, Corporation Service Company dba CSC-Lawyers Incorporating Service Company at 211 7th Street, Suite 620, Austin, TX 78701-3218. Amazon Services may also be served via its Delaware registered agent Corporation Service Company, 251 Little Falls Dr., Wilmington, Delaware 19808.

7. On information and belief, Amazon Web Services, Inc. is a Delaware corporation with its principal place of business at 410 Terry Ave. North, Seattle, Washington 98109. Amazon Web Services, Inc. may be served through its registered agent Corporation Service Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701. On information and belief, Amazon Web Services, Inc. is registered to do business in the State of Texas and has been since at least May 3, 2006. On information and belief, Amazon Web Services, Inc. is a wholly-owned subsidiary of Amazon.com, Inc.

JURISDICTION AND VENUE

8. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has original subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. This Court has personal jurisdiction over Defendants in this action because Defendants have committed acts within this District giving rise to this action, and have established minimum contacts with this forum such that the exercise of jurisdiction over Defendants would not offend traditional notions of fair play and substantial justice. Defendants, directly and through

subsidiaries or intermediaries, have committed and continue to commit acts of infringement in this District by, among other things, importing, offering to sell, and selling products and services that infringe the Asserted Patents.

10. Venue is proper in this District. For example, Amazon has a regular and established place of business, including, e.g., at Amazon Tech Hub located at 11501 Alterra Parkway, Austin, TX.

FACTUAL ALLEGATIONS

11. AlmondNet attempted to engage Amazon in negotiations, putting Amazon on notice of the '904 patent.

12. On July 24, 2019, AlmondNet sent a communication to Amazon identifying how Amazon infringes numerous patents in AlmondNet's portfolio, including the '904 patent. In this communication, AlmondNet also explained how Amazon could contact AlmondNet to discuss licensing AlmondNet's patent portfolio. No resolution was reached.

13. On October 25, 2019, AlmondNet sent another communication to Amazon again indicating that Amazon infringes numerous patents in AlmondNet's portfolio, including the '904 patent, and again explaining how Amazon could contact AlmondNet to discuss licensing that portfolio. No resolution was reached.

14. Despite AlmondNet's efforts, the parties were unable to resolve the issues raised in these letters and to come to an agreement on appropriate terms for a license to AlmondNet's patents. Thus, AlmondNet was left with no recourse but to file this lawsuit to protect its intellectual property.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 10,984,445

15. AlmondNet realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

16. AlmondNet owns all rights, title, and interest in U.S. Patent No. 10,984,445, titled “providing collected profiles to media properties having specified interests,” issued on April 20, 2021 (“the ’445 patent”). A true and correct copy of the ’445 patent is attached as Exhibit 1.

17. On information and belief, Amazon makes, uses, offers for sale, sells, and/or imports certain products (“Accused Instrumentalities”), such as, e.g., Amazon’s advertising platform and Amazon DSP, that directly infringe, literally and/or under the doctrine of equivalents, claims of the ’445 patent.

18. The infringement of the ’445 patent is also attributable to Amazon. Amazon and/or users of the Accused Instrumentalities direct and control use of the Accused Instrumentalities to perform acts that result in infringement of the ’445 patent, conditioning benefits on participation in the infringement and establishing the timing and manner of the infringement.

19. Amazon also knowingly and intentionally induces infringement of claims of the ’445 patent in violation of 35 U.S.C. § 271(b). Through at least the filing and service of this Complaint, Amazon has had knowledge of the ’445 patent and the infringing nature of the Accused Instrumentalities. Despite this knowledge of the ’445 patent, Amazon continues to make, use, offer for sale, sell, and/or import the Accused Instrumentalities, and to actively encourages and instructs customers and other companies to make, use, offer for sale, sell, and/or import the Accused Instrumentalities in ways that directly infringe the ’445 patent. Amazon does so intending that its customers and end users will commit these infringing acts.

20. Amazon has also infringed, and continues to infringe, claims of the ’445 patent by offering to commercially distribute, commercially distributing, making, and/or importing the

Accused Instrumentalities, which are used in practicing the process, or using the systems, of the patent, and constitute a material part of the invention. Amazon has knowledge of or is willfully blind to the components in the Accused Instrumentalities being especially made or especially adapted for use in infringement of the patent, not a staple article, and not a commodity of commerce suitable for substantial noninfringing use. Accordingly, Amazon is contributorily infringing the '445 patent in violation of 35 U.S.C. § 271(c).

21. The Accused Instrumentalities satisfy all claim limitations of claims of the '445 patent. A claim chart comparing independent claims of the '445 patent to representative Accused Instrumentalities is attached as Exhibit 2, which is incorporated by reference in its entirety.

22. By making, using, offering for sale, selling and/or importing into the United States the Accused Instrumentalities, Amazon has injured AlmondNet and is liable for infringement of the '445 patent pursuant to 35 U.S.C. § 271.

23. As a result of Amazon's infringement of the '445 patent, AlmondNet is entitled to monetary damages in an amount adequate to compensate for Amazon's infringement, but in no event less than a reasonable royalty for the use made of the invention by Amazon, together with interest and costs as fixed by the Court.

COUNT II

INFRINGEMENT OF U.S. PATENT NO. 8,494,904

24. AlmondNet realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

25. AlmondNet owns all rights, title, and interest in U.S. Patent No. 8,494,904, titled "method and stored program for accumulating descriptive profile data along with source information for use in targeting third-party advertisements," issued on July 13, 2013 ("the '904

patent”). A true and correct copy of the ’904 patent is attached as Exhibit 3.

26. On information and belief, Amazon makes, uses, offers for sale, sells, and/or imports certain products (“Accused Instrumentalities”), such as, e.g., Amazon’s advertising platform and Amazon DSP, that directly infringe, literally and/or under the doctrine of equivalents, claims of the ’904 patent.

27. The infringement of the ’904 patent is also attributable to Amazon. Amazon and/or users of the Accused Instrumentalities direct and control use of the Accused Instrumentalities to perform acts that result in infringement of the ’904 patent, conditioning benefits on participation in the infringement and establishing the timing and manner of the infringement.

28. Amazon’s infringement has been and is willful. Amazon knew of, or was willfully blind to, the ’904 patent and the infringing nature of the Accused Instrumentalities before this suit was filed. For example, AlmondNet notified Amazon of the ’904 patent and Amazon’s infringement of the ’904 patent at least as early as July 24, 2019. Despite Amazon’s knowledge of or willful blindness to the ’904 patent and AlmondNet’s allegations of infringement as a result of the 2019 communications as well as the filing of this complaint, Amazon continued to infringe the ’904 patent. In doing so, Amazon knew, or should have known, that its conduct amounted to infringement of the ’904 patent. Accordingly, Amazon is liable for willful infringement.

29. Amazon also knowingly and intentionally induces infringement of claims of the ’904 patent in violation of 35 U.S.C. § 271(b). Amazon had knowledge of, or was willfully blind to, the ’904 patent and the infringing nature of the Accused Instrumentalities at least as early as July 24, 2019, when Amazon received AlmondNet’s communication identifying the ’904 patent and explaining that Amazon infringed numerous patents in AlmondNet’s portfolio, as set forth above. Despite this knowledge of or willful blindness to the ’904 patent and AlmondNet’s

infringement allegations as a result of the 2019 communications as well as the filing of this complaint, Amazon continued to actively encourage and instruct its customers and end users (for example, through user manuals and online instruction materials on its website) to use the Accused Instrumentalities in ways that directly infringe the '904 patent. Amazon did and does so intending that its customers and end users will commit these infringing acts. Amazon also continued to make, use, offer for sale, sell, and/or import the Accused Instrumentalities, despite its knowledge of the '904 patent, thereby specifically intending for and inducing its customers to infringe the '904 patent through the customers' normal and customary use of the Accused Instrumentalities.

30. Amazon has also infringed claims of the '904 patent by offering to commercially distribute, commercially distributing, making, and/or importing the Accused Instrumentalities, which are used in practicing the process, or using the systems, of the patent, and constitute a material part of the invention. Amazon has knowledge of or is willfully blind to the components in the Accused Instrumentalities being especially made or especially adapted for use in infringement of the patent, not a staple article, and not a commodity of commerce suitable for substantial noninfringing use. Accordingly, Amazon has contributorily infringed the '904 patent in violation of 35 U.S.C. § 271(c).

31. The Accused Instrumentalities satisfy all claim limitations of claims of the '904 patent. A claim chart comparing independent claims of the '904 patent to representative Accused Instrumentalities is attached as Exhibit 4, which is incorporated by reference in its entirety.

32. By making, using, offering for sale, selling and/or importing into the United States the Accused Instrumentalities, Amazon has injured AlmondNet and are liable for infringement of the '904 patent pursuant to 35 U.S.C. § 271.

33. As a result of Amazon's infringement of the '904 patent, AlmondNet is entitled to

monetary damages in an amount adequate to compensate for Amazon's infringement, but in no event less than a reasonable royalty for the use made of the invention by Amazon, together with interest and costs as fixed by the Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully requests that this Court enter:

- a. A judgment in favor of Plaintiffs that Amazon has infringed, either literally and/or under the doctrine of equivalents, each of the Asserted Patents;
- b. A judgment in favor of Plaintiffs that Amazon has willfully infringed the '904 patent;
- c. A judgment and order requiring Amazon to pay Plaintiffs their damages, costs, expenses, and pre-judgment and post-judgment interest for Amazon's infringement of each of the Asserted Patents;
- d. A judgment and order requiring Amazon to provide an accounting and to pay supplemental damages to Plaintiffs, including without limitation, pre-judgment and post-judgment interest;
- e. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to Plaintiffs its reasonable attorneys' fees against Amazon; and
- f. Any and all other relief as the Court may deem appropriate and just under the circumstances.

DEMAND FOR JURY TRIAL

Plaintiffs, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: May 3, 2024

Respectfully submitted,

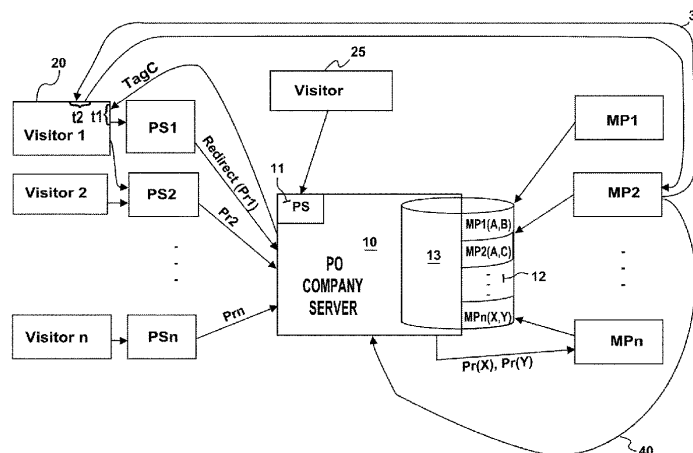
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Exhibit 1

(10) **Patent No.:** US 10,984,445 B2
(45) **Date of Patent:** Apr. 20, 2021



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Related U.S. Application Data

(60) Provisional application No. 60/805,144, filed on Jun. 19, 2006.

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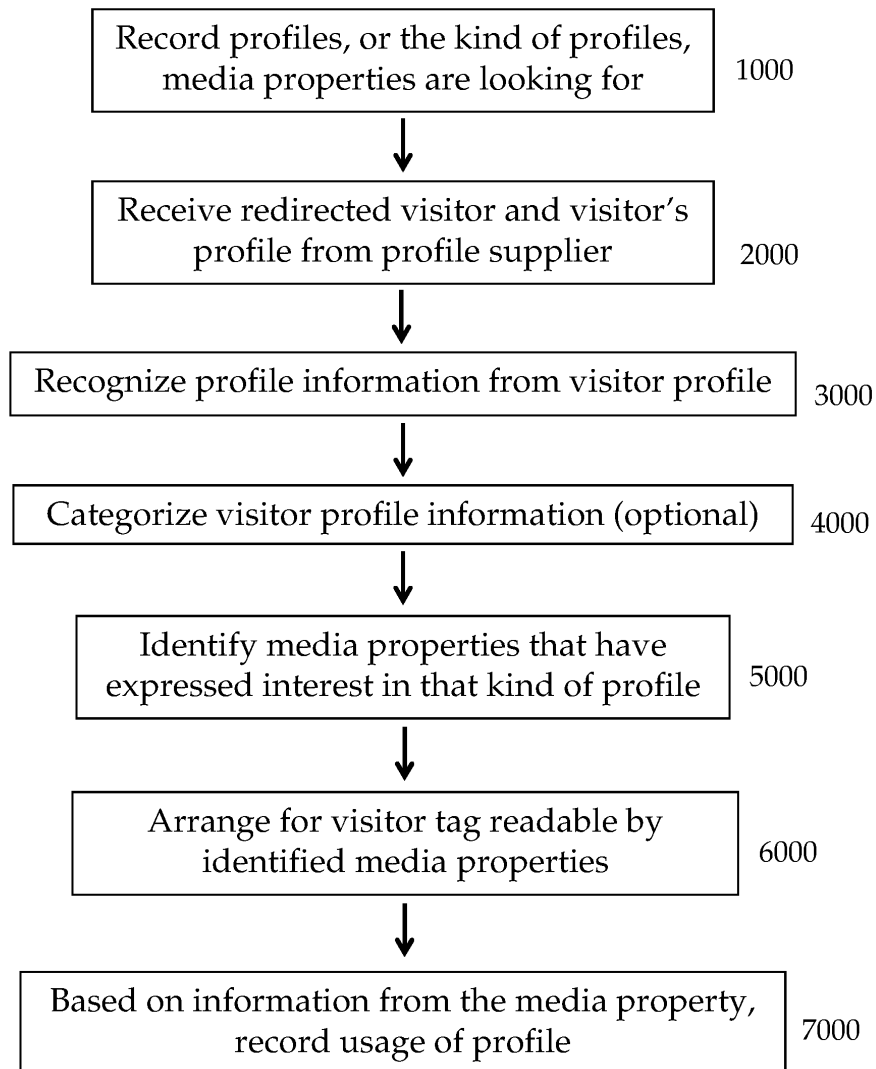


FIG. 1

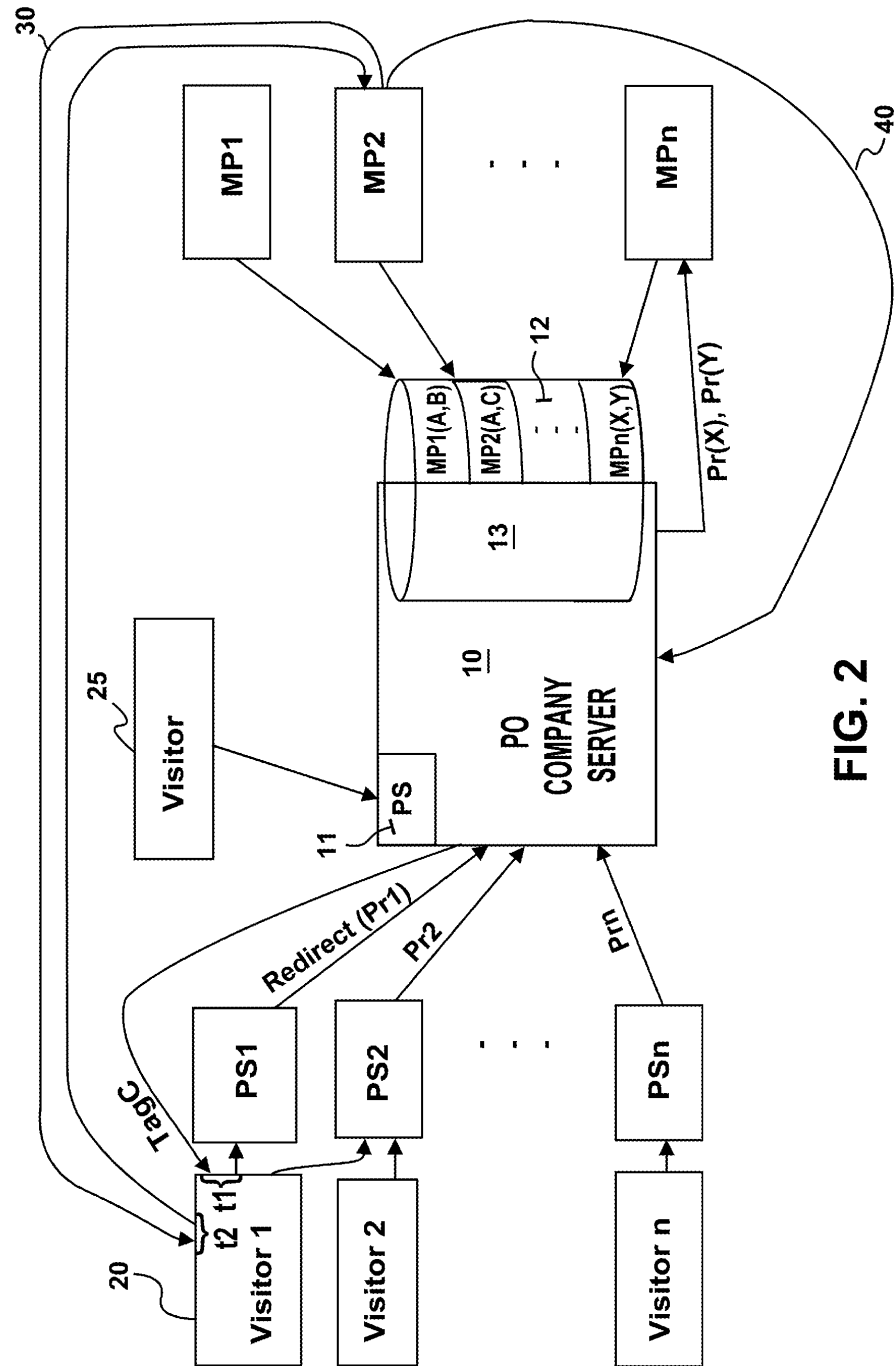


FIG. 2

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PROVIDING COLLECTED PROFILES TO MEDIA PROPERTIES HAVING SPECIFIED INTERESTS

CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation of application Ser. No. 14/080,999, filed Nov. 15, 2013, which is a continuation of application Ser. No. 13/631,244, filed Sep. 28, 2012, now U.S. Pat. No. 8,589,210, which is a continuation of application Ser. No. 11/765,433, filed Jun. 19, 2007, now U.S. Pat. No. 8,280,758, which claims the benefit of provisional application Ser. No. 60/805,114, filed Jun. 19, 2006, which is incorporated herein by reference.

FIELD OF THE INVENTION

The present invention generally relates to profile-based behavioral targeting advertisement placement services. More specifically, the present invention relates to improving monetization of electronic advertisement placement.

BACKGROUND OF THE INVENTION

DoubleClick's "Boomerang" is a service for advertisers that places a cookie on computers of visitors to an advertiser's site for the purpose of finding those visitors on other sites where DoubleClick is the ad server ("ad" is short for advertisement). When the same visitors are found on those other sites, additional advertiser's ads are served to them by the DoubleClick ad server or by the advertiser's ad server following a redirect from the DoubleClick ad server.

The only server that can read a cookie on a user's computer is a server operating under the same domain as the server that placed the cookie on a user's computer to begin with. In other words, a cookie placed by a server operating under one domain cannot be read by another server working under a separate domain. That is why the advertiser cannot expect to place a cookie of its own (e.g., ford.com cookie) on a visitor to its site and then later expect the DoubleClick ad server (doubleclick.com) to be able to recognize the visitor when that visitor is visiting sites where DoubleClick serves ads by reading the ford.com cookies. Only a server operating under the DoubleClick domain can read a cookie placed by a server operating under the DoubleClick domain. So, DoubleClick needs to place a doubleclick.com cookie on visitors to the ford.com site for DoubleClick to later find those visitors within other sites, i.e., where the DoubleClick ad server is used to serve ads.

For a site to have its ad served by an ASP-hosted ad server, such as the one operated by DoubleClick, the site needs to redirect visitors from the site to the DoubleClick ad server, to fetch the ad from the server. Following the redirect from the site, the visitor accesses the DoubleClick ad server. Because the DoubleClick server is operating under the DoubleClick domain, it can read the DoubleClick cookie or cookies and then recognize that it encountered the same visitor in the past. In this example, the DoubleClick ad server recognizes the visitor as someone who visited the ford.com site.

AlmondNet, Tacoda, RevenueScience, and other companies (herein "BT companies"; "BT" stands for behavioral targeting) specialize in targeting ads based on observed behavior of sites' visitors. To record a visitor's observed behavior, a BT company places a cookie (or cookies) on the computers of visitors to specific sections of a publisher's

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website or on the computers of visitors of the publisher who conducted a specific action such as search, click content, click an ad, make a phone call, request information, acquire a product, etc.

The placement of cookies allows those publishers or the BT company itself to sell ads to advertisers. Those ads will be presented to the profiled visitors when they are found later on the same site or on other sites. Such sites can be either a site where the BT company's software is used or a site where the BT company has bought media. The BT company may buy the media on behalf of itself or on behalf of the publisher, who is interested in delivering ads to its audience outside the publisher's site.

Although a BT company (AlmondNet, Tacoda, RevenueScience, etc.) acts as an agent that places cookies on the computers of publisher's visitors for the purpose of delivering targeted ads to the publisher's visitors on other sites, the publisher can work without an agent and place cookies or tags on the computers of the publisher's own visitors for the purpose of delivering ads to those visitors on other sites where the publisher buys ad space. Such a publisher, acting without an agent, is also included in the definition of a BT company.

A publisher may also be referred to as a "profile supplier" when it transfers profile information, such as behavioral information, demographic information, etc., to a BT company. Therefore, a publisher that is a BT company may also be its own profile supplier. Furthermore, although the name "BT company" implies the targeting of ads is based on collected behavioral profiles, a BT company may also collect other kinds of profile information, such as demographic information or user-provided information, and target ads to those visitors wherever found based on the collected profile information.

Another kind of a BT company is a company that has software installed on a person's computer, such as toolbar software, desktop search software, weather software, or any kind of software that is used by the computer's user. Such software also monitors the computer user's visits to different publishers' sites and media properties and collects profile information about the computer user for the purpose of delivering ads to the user within ad space of sites and media properties that the user visits based on the collected profiles.

A BT company using software installed on a user's computer does not need the cooperation of a visited media property to collect information about the visitor's visit because that software monitors whatever the user is doing on his or her computer. A BT company that has software installed on a user's computer is therefore its own profile supplier. Such software can place a cookie or another kind of tag on the user's computer. Because the software is installed on the user's computer, it can write cookies readable by any domain. That means that the BT company can place a tag or cookie of a second media property, if the BT company would like the second media property to recognize the visitor when the visitor visits that second media property site, by simply having the software place a cookie operating under the domain of the second property on the visitor's computer. The software may also report the collected profiles to a central server of the BT company.

The central server may also tag the visitor or arrange for the visitor to be tagged by operators of other media properties. A BT company can place a cookie on a site's section when a visitor's computer visits that section, if a code of the company was integrated into the page of that section by the site that owns the page. The code (e.g., HTML or Java) redirects to the BT company's server all visitors to the page.

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Also, in the case that the BT company is the publisher itself, the publisher will simply “cookie” (by itself) all visitors that either read a specific content, search, click, ask for information, make a phone call, etc.

The BT company’s server, which either gave the site a unique code for a page, received from the page its URL, or received access to the page’s content that could be analyzed by the BT company’s server, etc., identifies the content read by the page’s visitor, the keyword searched for by the user, an ad clicked on the page, a content item clicked on the page, a phone call that was made that was initiated from the page, information that was requested, or a product was acquired, etc. The content read by the page visitor could be identified by the BT company’s server whether the content was reported by the site or whether the content was identified following the analysis of the page. The server then places a cookie on the user’s computer indicating what content was read by the visitor on the page, what keyword was searched for by the user, or what ad was clicked on the page, etc. The placed cookie indicates that information (1) in the cookie per se, (2) in a central database operated by the server where the cookie ID is used as a record finder, or (3) both in the cookie and in the database.

Although the above description relates to cookies, a cookie is only one example of a possible tag. A tag generally is a unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, radio show, or the like, using a computer, a mobile device, a TV set, a TV set top box, or any other device.

The tag is used for the purpose of delivering additional ads to a visitor to one media property when that visitor is found later on other media properties, based on the visitor’s profile collected on the first media property. The profile could be the observed behavior of the visitor on the media property, demographic information collected on the media property, profile information provided by the visitor to the media property, etc. The profile could be made available to the other media properties.

Because the purpose of the tag is to enable the delivery of additional ads on other media properties visited by the visitor, and because the delivery of an ad requires only control of the ad space and not necessarily control of the entire media property visited by the visitor, a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor, including a web site, an ad network’s site (where the ad network represents the ad space of different sites), a TV program, some of the ad space within TV programs or TV channels (represented by a cable company), a TV network, or any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space can be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio, etc. An ad space can be a fixed position on a page, or the ad space can be made available by a web site to an ad network (for example) only when the web site did not sell all of the site’s ad inventory and therefore wishes to make some of the inventory available to the ad network.

In the case of a media property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled only temporarily. For example, in the case of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill,

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the ad network will have temporary control of the ad space, i.e., when that ad space is given to it by the web site. Once the site redirects the ad space on the page to the ad network (so the ad network could fill the ad space with an ad sold by the ad network), the ad network controls the ad space and has access to the visitor viewing the ad space that was redirected to the ad network by the site, and therefore the ad network’s equipment is considered a media property, as it controls an ad space viewed by a visitor.

The tag can be placed on the device used by the user to access the first media property where the user’s profile was collected (in case of observed behavior, that behavior can be reading a specific content, searching, clicking an ad or content, making a phone call, asking for product information, acquiring a product, or taking any other kind of action). A tag placed on the device (1) could be read only by a server operating under the same domain as the server that placed the tag on the device to begin with as in the case of a cookie for example, (2) could be placed on the device when the user visited the first media property, and then the tag can be read by any second media property visited by the visitor, or (3) could be encrypted and, while accessed by any second media property visited by the visitor, the tag could be deciphered only by second media property computers that received the deciphering code from the first media property. In case of a tag placed by software installed on a user’s computer, the tag could be whatever the software wants it to be, including a cookie of any domain.

A tag does not have to be placed on the user’s device. A tag can also be used in a central database of a BT company or a central database of any second media property visited by the visitor, where the tag could be a unique identifier either of the device or of the user. In the case where the tag identifies the device, the tag might denote an IP address, a phone number, a device’s manufacturer serial number, etc. A cookie placed on the device can also uniquely identify the device and the cookie therefore can be used as a tag in a central database. In the case where the tag identifies the user, the tag might denote the username and password used to access a media property, a user’s name and address, a user’s e-mail, a user’s social security number, or any other personal identifiable information.

As already mentioned, the observed behavior of a visitor to a first media property is referred to as profile information about a specific visitor. A visitor’s profile might be enhanced by the visitors’ observed behavior on other media properties or by other profile information collected on other media properties.

A visitor’s profile can be represented by a unique tag, or the profile can be stored with the tag, whether the tag is placed on the device, on a central database, or both. For example, the profile can be stored within a cookie (tag) on a visitor’s device, or the profile can be stored in a central database where the tag connected to the profile is used as a unique identifier of the visitor’s device or of the visitor personally. The profile can also be saved on both the device and a central database.

Some 50% to 80% of the ad space on the Internet is considered difficult to monetize, as it is located next to content that tends to be more generalized, such as general news, web based e-mails, instant messages, music or files downloading sites, and software. Advertisers are not willing to pay a high price for delivering an ad to visitors of such sites, as they do not know how many of those sites’ visitors are potential clients for their products and services. By contrast, advertisers prefer the placement of ads on dedicated content sites, such as a travel site. For example, an

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airline is willing to pay a high price per ad on a travel site, as it knows that the ad will be delivered to people who are currently searching for flying tickets. The same is true for TV, where a significant proportion of the ad space is within TV programs where the audience is heterogeneous. It is also true for radio shows and other kind of media.

Using profiles for the delivery of targeted ads within the above-described low-value ad space can turn the low-value ad space into high-value ad space by delivering ads to users that are based on previously collected profiles of the users, rather than ads that are related to the content on the page they are viewing. For example, a “car insurance” related ad, delivered to a person who yesterday searched for “car insurance” within the ad space of a general news page the person is currently reading, will be much more relevant to the person than an ad related to the general news he or she is reading.

The BT companies are described above as collecting profiles and later delivering ads to the profiled visitors when found on other sites. The ads delivered by the BT company to the profiled visitors are either sold by the BT company, which pays royalties to the profile suppliers that provided it with profiles whenever ads presented to their audience generate revenues, or paid for by a publisher that is interested in delivering ads to its own audience outside its site and is paying the BT company to find its audience on other sites. As described, the publisher might be the BT company itself.

In addition, where the collected profiles are mainly used to deliver targeted ads within low-value ad space that is acquired from low-value ad space owners, and the ads are delivered by the BT company, there is also the opportunity to make the collected profiles available to low-value ad space owners, because, instead of selling their low-value ad space to the profile owners, such ad space owners would prefer to monetize their low-value ad space better by themselves, by using the collected profiles to sell targeted ads, delivered to the profiled visitors when found within such low-value ad space.

A low-value ad space owner could be any media property owner, whether it owns a web site, a TV program, a radio show, or any other media property. Also, “low-value” ad space is a relative term. Because ad space prices are usually a function of the content next to the ad space, if a profile-based ad garners a higher price for the ad space owner than an ad based on the adjacent content, then the ad space value is considered “low value” (i.e., in relative terms, relative to the price the ad space will garner if used for delivery of a profile-based ad).

As described, for example, in commonly owned U.S. Pat. No. 6,925,440, (A) profile owners (i.e., who either own the profiles or have the right to resell the profiles on behalf of another profile owner) can provide a databank with access to visitors and their profiles, and (B) either (i) the databank enhances its existing profile on a visitor with a profile owner’s profile information about the visitor or (ii) a profile owner enhances the profile it has on a visitor with the databank’s profile information about the visitor, where the profile information is given in return for royalties paid for every later usage of the profile information for the delivery of targeted ads to the visitor based on the profile (for example).

Although the invention of the ‘440 Patent provides a media property with additional information about its visitors, several possible challenges arise:

1. If a media property (if acting as a profile owner) wants to enhance the profiles available to it about its visitors and

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thus contacts a databank and provides it with access to the profiles, the media property might be wasting resources: First, the databank might have no profiles about the media property’s visitors. For example, if the databank has no profile about a visitor, the media property would have provided the databank access to the visitor merely to learn that fact. Second, the profiles that the databank does have might be of no use to the media property because its sales force does not sell ads in the category in which the profiles belong. For example, if the databank has a profile about the visitor and it is a health-related profile, but the media property’s sales force does not sell ads in the health category, the profile available from the databank about that visitor is of no use to the media property.

2. The media property (if acting as a databank) may be given access by a profile owner to many visitors to that profile owner’s site for whose profiles the media property has no need, because the media property has no way of monetizing profiles of those kinds. For example, if a media property’s sales force specializes in selling ads in the travel and financial services categories, there is no use in providing them with health, auto, and shopping-related profiles. In cases where a large profile owner makes profiles available to a media property, unless the media property has a very large sales force that specializes in selling ads in many different advertising categories, there is a significant probability that the media property will have no use for most of the profiles received.

3. A media property that receives profiles under the system of the ‘440 Patent described here is committing itself to pay for every usage of a received profile. Because many of the ads (or, depending on the way the profile is transferred, all of the ads) are delivered by the media property after receipt of the profile, it is a challenge for the media property to track usage of the profiles. First, it is not clear which of the visitors (for whom the media owner received profiles) actually visited the media property later on their own accord as opposed to visiting via a redirect, for example from a databank or a profile owner to the media property without the visitor asking for such visit or being aware of it. In the case of a redirect from a databank’s server or a profile owner’s server, a visitor’s browser would simply fetch a 1x1 transparent pixel from the media property’s server following the redirect. Second, because it is not clear how many of the profiled visitors will appear later within the ad space of the media property, some tracking of the usage of the profiles by the media property must be established. The problem becomes even more complex when the media property receives the profiles from a databank, because the databank itself aggregates profiles from other profile owners and makes those profiles available to media properties, and it is not clear which of the delivered profiled visitors will visit the media property on their own accord (whether for the first time or not). In that circumstance, it is not clear how the databank will know which profile suppliers to compensate for usage of their profiles. The problem is especially complex when the databank has several profile suppliers providing it with profiles in the same category (for example, the databank may have 20 different travel sites, all allowing the databank to tag their visitors as “travel” visitors) and the databank gives to a media property all of the profiles from those profile suppliers within that category.

Although BT companies can collect profiles and deliver ads to the profiled visitors within low-value ad space that they buy from media properties, there remains the need, therefore, to provide collected profiles to media properties that will better monetize their low-value ad space by selling

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ads based on the profiles and delivering the ads within their ad space to the profiled visitors when those visitors visit the media properties and making a payment for the profiles to the profile owners who provided the profiles.

What is needed generally is a more efficient method of profile-based behavioral targeting advertisement placement services, particularly for improving monetization of electronic advertisement placement.

SUMMARY OF THE INVENTION

Generally, various aspects of the disclosed embodiments relate to systems and methods for providing collected profiles to media properties, for improved monetization of electronic advertisement placement. The methods have particular importance to media properties that have interests in specific profiles or profiles of a specified category or kind.

The disclosure more specifically relates to an automatic system operated by a profile owner company ("PO company") for identifying media properties interested in having a collected profile made available to them. The automatic system makes the identification by recognizing a collected profile as one that a media property has previously requested or one that is within a category that a media property has previously requested. Thereafter, the PO company arranges for the visitor to be tagged with a tag readable by the media property that requested such a profile.

Using information received from the media property, the PO company then records usage of the profile by the media property. When the PO company also acts as a databank, the PO company determines which profile supplier will be credited for the media property's usage of the profile (i.e., the one that provided the databank with the profile that was used) and records the credit.

In one implementation, when a media property uses a profile, the media property transfers the visitor, along with the profile it is using, to the PO company's system, to let the PO company know which kind of profile was used. The media property might transfer the profile along with the visitor only when the media property receives from the PO company more than one kind of profile, because it is unnecessary if the media property receives only one kind of profile.

Because BT companies collect profiles, any BT company (defined above) could act as a PO company and make profiles available to media properties, whether the PO company owns profiles directly or acts as a databank representing other profile owners. Such other profile owners provide the databank with their profiles in return for (i) royalties paid to them whenever the profiles are used, or (ii) a payment. Any profile supplier (defined above) can also be a PO company.

The above summary does not include an exhaustive list of all aspects of the present invention. Indeed, the inventor contemplates that the invention may include all systems and methods that can be practices from all suitable combinations of the various aspects summarized above, as well as those disclosed in the detailed description below and particularly pointed out in the claims. Such combinations have particular advantages not specifically recited in the above summary.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a flow diagram of an exemplary embodiment of a method for transferring collected profiles to media properties having specified interests.

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FIG. 2 is a schematic of an exemplary embodiment of entities and associated data flow useful with a method of transferring collected profiles to media properties having specified interests.

DESCRIPTION OF PREFERRED EXEMPLARY EMBODIMENTS

In disclosed embodiments, collected profiles are made available by accepting information about desired profiles or profile categories from a media property, identifying an electronic visitor as fitting into the profile category, and arranging for that visitor to be tagged. Preferred additional aspects of disclosed embodiments include automatically electronically recording electronic visits by tagged visitors to a media property, determining which profile supplier will be credited for the recorded electronic visit, and crediting that profile supplier.

The method includes the following basic steps:

1. A PO company's database 12 records (FIG. 1, 1000) the profiles, or the kind of profiles, a media property (e.g., FIG. 2, MP1) is looking for. The profile could be a behavioral profile, a demographic profile, or any other possible profile. For example, a media property (MP1) could ask for visitors who have searched for "car insurance" on a search engine, visitors who were interested in "travel" (MP1(A)), or visitors who were interested in "autos" (MP1(B)), etc. A media property can communicate to the PO company the profiles for which it is looking via e-mail, electronically, via mail, over the phone, or in any other way.

2. A profile supplier (e.g., FIG. 2, PS1) redirects (FIG. 1, 2000) a visitor 20 to a PO company 10 along with the visitor's profile (Pr1). In case the profile supplier is also the PO company (see visitor 25), this step either does not take place or takes place internally, for example via an internal redirect from one server (see 11) to another server 10 operating under the same domain that belongs to the publisher/PO Company. In case the PO company has software on a user's computer that enables it to monitor the user's visits to media properties without the cooperation of the media properties, this step either does not take place or takes place internally, e.g., by the software on the user's computer communicating the collected profile to the PO company's central server.

3. The PO company's server 10 recognizes (3000) the content read by the user, the category to which the content read by the user belongs, the keyword searched for by the user, an ad clicked by the user, or any other action conducted on the page/site by the user (such as click on an item of content or an ad, purchase of a product, request for more information, etc.) during the site visit. The recognizing might be as simple as pulling a keyword for which the visitor searched from a URL used by the profile supplier to redirect the visitor 10 to the PO company, for example. Alternatively, the recognizing might be as simple as recognizing the kind of content read by the visitor by recognizing the URL used by the profile supplier to redirect the visitor to the PO company because the URL is one that the PO company identified to the profile supplier for use when redirecting visitors who read a specific kind of content. Recognizing of content may also be done through a semantic analysis of content of a page read by the visitor.

4. The PO company's server 10 optionally can categorize (4000) specific content read by the user or an action conducted by a user. In some implementations, this step will not take place. An example action might be a search for a keyword. To illustrate, suppose a person searched for an

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airline ticket to Florida on a travel site. When the PO company receives that information, in addition to recording the search for the flight to Florida in the visitor's profile (whether the profile is stored in the cookie or tag, the PO company's central database 13, or both of those places), the PO company's server 10 may further categorize the person under the "Travel" category and in the "Search for Flights" subcategory of "Travel." In another example, a visitor would be categorized as "searching for an airline ticket" by virtue of having searched for an airline ticket at least three different times within a week, on one media property or several media properties. In that example, if the visitor were to have searched for an airline ticket fewer than three times within a week, the PO company's server 10 will not categorize the visitor as "searching for an airline ticket," because the visitor would be considered as less serious about the purchase according to the definition in use by the PO company.

5. The PO company's server 10 identifies (5000) the media properties (e.g., MP1 and MP2) that have asked to receive a visitor having a profile such as the one recognized in step 3 or categorized in step 4 (e.g., a profile of kind "A" in FIG. 2). Thereafter, the PO company arranges (6000) for the visitor (e.g., 20) to be tagged with a tag readable by the identified media property (e.g., MP1 or MP2), which can use the tag to recognize the visitor's profile.

6. Using information 40 received from the media property, the PO company then records (7000) usage of the profile (e.g., Pr(A)) by the media property (e.g., MP2). When the PO company also acts as a databank, the PO company determines which profile supplier (PS1, PS2, . . . PSn) will be credited for the media property's (e.g., MP2's) usage of the profile and records the credit (e.g., in data store 13).

The PO company's arranging placement of the tag (see step 5 above) can be achieved in different ways:

A. The PO company can redirect (e.g., Pr(X), Pr(Y) in FIG. 2, in cases where media property MPn has expressed interest in those profiles) a visitor to the identified media property with a request to have the identified media property tag the visitor with the media property's own tag, which obviously is readable by the selected media property (such a tag could be a cookie on the visitor's storage device). The tag in this case could be placed by the identified media property following a redirect by the PO company to a specific URL given to the PO company by the media property. The media property would have given the PO company, in this example, different URLs for different kind of profiles, and the PO company would choose the URL for redirecting the visitor to the media property based on the kind of profile recognized.

B. The PO company can itself place a tag (e.g., TagC denoting profile "C" in FIG. 2) that will be readable by the identified media property.

C. The PO company can place an encoded tag that, although accessible by any media property, can be read only by a selected media property to which the PO company gave a deciphering code.

D. In cases when the PO company has software installed on a user's computer, the BT company can arrange for the software to place a tag readable by the identified media property (such a tag could be a cookie operating under the selected media property domain).

E. The PO company can arrange for the identified media property to place a tag in the identified media property's central database, in which case the tag can uniquely identify (1) the device that the visitor will use to access the identified media (IP address, set-top box ID, mobile phone number,

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manufacturer serial number, cookie readable by the identified media property, etc.), or (2) the user as a person (personal identifiable information).

The identified media property can use its tag to recognize the profile of the visitor either (1) by virtue of each profile having a unique tag (e.g., TagC denoting profile "C" in FIG. 2), or (2) by virtue of the profile that was received from the PO company having been stored (a) with the tag, (b) in the tag (which can occur with a cookie), (c) in a central database (where the tag is used as the link between the visitor and profile), or (d) in all of those places.

In another possible implementation (not shown), aside from the PO company arranging placement of the tag readable by the identified media property, the PO company sends the profile and a copy of the tag separately to the identified media property, which will store the tag and the profile in its central database, and when the identified media property recognizes the tag on a visitor's computer, for example, it pulls the visitor's profile from its database.

The PO company can make a profile available to a media property using the same methods that profile suppliers use to give their profiles to PO companies.

When an identified media property (e.g., MP2 in FIG. 2) recognizes (at time t2) a tagged visitor (tagged previously, at time t1) within its ad space, the media property will serve an ad 30 to the visitor (e.g., visitor 20) based on the profile provided by the PO company 10. Usually, a profile-based ad will be delivered by the media property when it will generate a higher price for the ad space than other ads available to the media property for placement within the ad space.

The media properties (a profile supplier and an identified media property) can be of the same kind of media (e.g., two web sites on the Internet) or of different media (e.g., first media property, where the profile is collected, can be a web site on the Internet, and the second media property, to which the profile is given by the PO company, can be a TV channel on TV or a text message system on a mobile phone, etc.). In the case where the second media property operates within a different media than the first media property, the tagging of the visitor with a tag readable by the second media property (which is arranged by the PO company) might include finding the device used by the visitor to access the second media property (the identified media property) by using personal identifiable information about the visitor. As there may be no connection between the device used by the visitor to access the first media property (computer, for example) and the device used by the visitor to access the second (identified) media property (TV, for example) besides the commonality of the user (visitor), personally identifiable information about the visitor could be used to allow the second media property to learn which device the visitor uses to access the second media property and tag the visitor. The second media property could tag the device used by the visitor to access the second media property by placing a tag on the device itself or in a central database of the second media property, for example.

The process of the PO company enabling an identified media property to place a cookie on a visitor's computer for the purpose of finding the visitor later within the ad space of the identified media property is similar to the way DoubleClick's Boomerang system places cookies on visitors to an advertiser site for the purpose of finding those visitors later on other sites where Doubleclick serves ads. That process—where identified media properties place cookies on visitors' computers redirected to them by PO companies—is sometimes referred to as "cookie matching."

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For example, following a redirect (not shown) from a server **10** of a PO company #1, weather.com might place a weather.com cookie on a visitor's computer **20** marking the visitor as interested in "travel" (profile category "A") and indicating that the profile originated with PO company #1. Later, if and when the weather.com ad server (MP2) recognizes that the same visitor **20** had happened to visit weather.com's site (weather.com can recognize the visitor by reading its own weather.com cookie), the weather.com ad server (MP2) can choose to deliver a travel-related ad **30** to the visitor **20** within the weather.com ad space. The weather.com ad server's decision whether or not to deliver the travel-related ad will usually depend on the price the ad is expected to bring when compared with the price for other ads available for weather.com to display within the same weather.com ad space.

In step 6, the information received by the PO company might be received from the media property electronically **40**, via e-mail, in a file on a CD sent by mail, or in any other form. That said, because the goal is to make profiles available to media properties on a large scale, it would be beneficial to demand the least complex approach from media properties. After all, the more complex the tracking system that the media properties must implement to track their usage of profiles, the more difficult it will be for them to use profiles that they do not own.

One implementation—where the media property is required to give only minimal effort to track its usage of profiles—is merely asking a media property to provide the PO company server **10**, every time that the media property (MP2) serves an ad based on a profile from the PO company, with access to the visitor **20** viewing an ad **30** based on the PO company's profile (e.g., in TagC). Such access, in that implementation, could be achieved by simply having the media property integrate into every profile-based ad it delivers a 1x1 pixel that will redirect (also denoted by **40** in FIG. 2) the visitor **20**, when viewing the ad **30** (at time t2), to the PO company server **10**. Such a 1x1 pixel can point to a URL given to the media property by the PO company that is unique to a certain kind or category of profiles (so the PO company could recognize not only the fact that the media property used a profile but also the kind of profile used). The advantage of this implementation is that the PO company is the one that records the profile usage, and the media property does not have to do anything further to keep or transfer records.

In the same implementation, in cases where the PO company has transferred more than one kind of profiles to a media property (for example, profiles "A" indicating interest in travel and profiles "B" indicating interest in autos), the media property can send the PO company, along with the access to the visitor viewing an ad, an indication of which profile the media property used to deliver the ad currently being viewed by the visitor. In that implementation, a travel profile will be indicated by the media property's use of a first URL to redirect the visitor to the PO company server, an auto profile will be indicated by the media property's use of a second URL to redirect the visitor to the PO company server, etc. (The different URLs for different kind of profiles would be ones given to the media property by the PO company.)

Because different kind of profiles might have different rates (a travel profile might fetch \$2 CPM, auto profiles might fetch \$5 CPM, etc.), it is important to know which of the profiles the media property used. Also, if the PO com-

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pany is acting as a databank, it might have different ways in which it compensates profile suppliers for their collected profiles.

Based on its profile collection and compensation policy, the PO company can decide which profile suppliers to credit for the delivery of a profile-based ad by a media property. For example, the PO company might decide that, for behavioral profiles, time is important, so only the last profile supplier to report a behavioral profile of a visitor (before an ad based on that profile is served to the visitor) will be compensated but any other profile suppliers that provided the same kind of profile information about the same visitor earlier will not be compensated.

The following example illustrates the above-described embodiment. Suppose a visitor **20** searches for airline tickets on three different sites (PS1, PS2, and PSn), and all three sites delivered the visitor **20** to the PO company server **10** along with the information that the visitor searched for an airline ticket. Suppose further that the PO company has recognized that the Yahoo! site (MP2 is Yahoo! this time) is interested in receiving travel ("A") profiles and therefore has redirected (not shown) the visitor **20** to Yahoo! on three different occasions along with the information that the visitor searched for an airline ticket; that is, each time the PO company server **10** itself received access to the visitor **20** following a redirect from a profile supplier (PS1, PS2, or PSn), it immediately redirected the visitor to Yahoo!, because it recognized the visitor **20** as interested in "travel" (in this example, according to a definition that recognizes a visitor as interested in "travel" after only one search for an airline ticket).

Later (time t2), when the visitor **20** chooses to visit yahoo.com (MP2) on his or her own accord, Yahoo! recognizes the profiled visitor **20** and delivers a travel-related ad **30** to the visitor **20**; however, Yahoo! has that opportunity only after Yahoo! has received the profile about the visitor **20** from the PO company three times. If Yahoo! has integrated into the travel ad **30** delivered to the visitor **20** a 1x1 pixel redirecting the visitor **20** to the PO company, the visitor's browser, when fetching the ad from the Yahoo! ad server (MP2), also approaches the PO company server **10**. The PO company server **10** learns, from the URL that the visitor's browser is using to access it, that Yahoo! (MP2) has served a travel-related ad **30** to the visitor **20**.

Based on that information, the PO company records (in data store **13**) a charge of two tenths of a cent to Yahoo! (in this example, \$2 CPM, or \$2 per 1,000, is the rate the PO company charges for travel-related ("A") ads delivered based on travel profiles provided by the PO company to a media property).

The PO company stores, as part of the visitor's profile, data indicating which profile suppliers provided profiles about the visitor and the date and time the profiles were supplied. The PO company stores the profile (1) in the tag (a cookie, for example), (2) along the tag, (3) in a central database (e.g., **13**), in which case the tag is used as a link between the visitor's computer and the profile information in the database, or (4) in all of those places.

Note that the PO company's tag is different from the identified media property's tag. The PO company's tag is used to uniquely identify a visitor about which the PO company has a profile, where the profile itself includes the profile suppliers that provided the profile, the dates and times they have done so, and possibly other information, all part of the visitor's profile definition. The identified media property's tag is used by the media property to recognize the profile of the visitor.

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The PO company uses its own tag to access the visitor profile and learn which profile supplier (PS1, PS2, or PSn) was the last one to supply the travel-related ("A") profile (the visitor's search for airline tickets), which Yahoo! (MP2) used to deliver the ad. The PO company then records (also, 5 e.g., in 13) a credit of one tenth of a cent (half of the charge to Yahoo!) to that profile supplier. In this example, a revenue share of 50%-50% between the profile supplier and the PO company is used. If the PO company had agreed with the profile supplier on a 40% revenue share, the profile supplier would have been given a credit of eight hundredths of a cent ($\$2/1000 \times 40\%$), or if the profile supplier was promised \$0.001 for every use of its profile, the PO company would have recorded a credit of \$0.001 to the profile supplier.

In a second illustration, the PO company might decide that a visitor should be considered interested in "travel" only if the visitor searches for airline tickets three different times within a week, on the same site or different sites. In that case, only when the visitor is recognized as interested in "travel" according to that definition will the PO company make the visitor's "travel" profile available to media properties (MP2) 20 interested in "travel" ("A") profiles. In this example, if a first profile supplier PS1 delivers the visitor 20 and the information (Pr1) that the visitor 20 is searching for airline tickets on Sunday, a second profile supplier PS2 delivers the visitor 20 to the PO company 10 on Monday along with the information (Pr2) that the visitor 20 is searching for airline tickets, and the first profile supplier PS1 again delivers the visitor 20 to the PO company 10 on Wednesday along with the information (not shown) that the visitor 20 is searching for airline tickets, then only at that time on Wednesday will the PO company's server 10 recognize the visitor 20 as a "travel" ("A") visitor and redirect (not shown) the visitor's computer 20 to Yahoo! (MP2).

In that second illustration, when Yahoo! (MP2) serves a travel-related ad 30 to the visitor 20 and redirects (40) the visitor 20 to the PO company 10, the PO company might credit (in 13) the first profile supplier PS1 with two thirtieths of a cent ($\$2/1000 \times 50\% \times 2/3$) and the second profile supplier PS2 with one thirtieth of a cent ($\$2/1000 \times 50\% \times 1/3$). In other words, in that illustration, (a) Yahoo! agreed to pay \$2 for every thousand travel-related ads delivered based on profiles provided by the PO company, (b) the PO company promised to give profile suppliers half of the revenues the PO company generates from ads delivered by media properties based on the profiles it makes available to them, and (c) the visitor was recognized as interested in "travel" thanks to two visits (out of the three visits to travel sites that defined the visitor as interested in "travel") made to the first profile supplier's site and one visit to the second profile supplier's site. Therefore, the first profile supplier is entitled to two thirds of the amount due to the profile suppliers altogether, and the one visit made by the visitor to the second profile supplier's site entitles the second profile supplier to one third of the amount due to the profile suppliers altogether.

Alternatively, the PO company—when making a profile available to a media property by arranging for placement of a tag readable by the identified media property—can add a unique ID to the profile (or to the tag in cases where the tag is used by the media property to recognize the visitor's profile) and ask the media property to report the ID back to the PO company whenever the media property uses the transferred profile. The PO company can use the unique ID to record in its database the profile suppliers that will be entitled to a credit when the media property delivers ads based on the transferred profile. The media property could report 40 to the PO company (at the end of the month, for

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example) the number of ads it has served, for each unique ID. Because each unique ID represents a kind of profile, the PO company will know what rate it should charge the media property for usage of the profile, and because the unique ID also tells the PO company which profile suppliers should be entitled to a credit for the usage of a profile, the PO company can also credit the deserving profile suppliers.

The media property might pay the PO company for every ad impression delivered based on the received profile or only when an action takes place that is connected to the ad (perhaps occurring on the advertiser's site immediately following a click on the ad or perhaps occurring a few days after viewing the ad or clicking the ad), such as a click on the ad, a registration on the advertiser's site, a request for information, a product acquisition, or the making of a phone call.

Different implementations might be chosen depending on the relative sizes of a profile owner (in terms of number of profiled visitors; note that the profile owner may also be a databank) and a media property (in terms of number of visitors). In cases where the media property has many visitors and is considered to have an extensive reach ("reach" is a figure used to express the percentage of the population using a media that visits the media property; for example, Valueclick, a web-based ad network of sites reaches 80% of the US web population), a profile owner might transfer to the media property all visitors within the categories requested by the media property, because the probability of finding a profiled visitor within the media property's ad space is high (in the case of Valueclick, the probability is 80%).

In cases where the media property's reach is not very significant, but the profile owner has a relatively large number of profiles, the media property may choose to make its visitors accessible to the profile owner to check whether the profile owner can enhance the profiles of some of its visitors, in the ad categories of interest to the media property, instead of having the profile owner send all of its visitors in the categories of interest, because, as a result of the media property's low reach, only a small percentage of visitors sent to the media property by the profile owner will later choose to visit the low-reach media property.

PUBLIC NOTICE REGARDING THE SCOPE OF THE INVENTION AND CLAIMS

The inventor considers various elements of the aspects and methods recited in the claims filed with the application as advantageous, perhaps even critical to certain implementations of the invention. However, the inventor regards no particular element as being "essential," except as set forth expressly in any particular claim.

Although the invention has been described in terms of preferred embodiments and generally associated methods, the inventor contemplates that alterations and permutations of the preferred embodiments and methods will become apparent to those skilled in the art upon a reading of the specification and a study of the drawings.

I claim:

1. A method of causing delivery of electronic advertisements based on provided profiles comprising: (a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an

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entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor; (b) wherein the profile owner computer is programmed: (i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and (ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a); and (c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

2. The method of claim 1 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

3. The method of claim 2 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

4. The method of claim 3 wherein the tag identifies the mobile phone.

5. The method of claim 3 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

6. The method of claim 2 wherein the second device is a computer and further comprising, after parts (a) and (c), with

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the computer system electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer.

7. The method of claim 6 wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement.

8. The method of claim 1 further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer.

9. The method of claim 8 wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

10. The method of claim 1 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

11. The method of claim 10 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

12. The method of claim 1 wherein the tag comprises personally identifiable information identifying the visitor.

13. The method of claim 1 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

14. The method of claim 1 wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

* * * * *

Exhibit 2

Exhibit 2 - U.S. Patent No. 10,984,445 (“’445 Patent”)

Claim 1	Amazon’s Accused Instrumentalities
1. A method of causing delivery of electronic advertisements based on provided profiles comprising:	Amazon’s Accused Instrumentalities perform a method of causing delivery of electronic advertisements based on provided profiles. <i>See, e.g.,</i> evidence and analysis for claim limitations (a)-(c) below. <i>See also, e.g.,</i> https://advertising.amazon.com/blog/programmatic-buying-lp: Improvements to make your advertising more efficient: • Advertiser audiences lookalikes: If you’re in the United States or Canada, you can now use the advertiser audiences tool to discover overlap between your anonymized customer lists, DMP segments, pixel-based audiences, and Amazon lifestyle and in-market segments. This in turn helps you extend campaign reach by finding shoppers who exhibit similar behaviors to your existing audiences. • Data Management Platform (DMP) integrations: We now support audience ingestion from Adobe Audience Manager and Salesforce DMP (formerly known as Krux), enabling you to use your existing DMP audiences when creating campaigns via our programmatic buying solution. ; https://advertising.amazon.com/library/guides/dsp-ssp-dmp-difference:

	What is a Data Management Platform (DMP)? A data management platform (DMP) is software that gives advertisers, marketers, brands, and agencies a place to store collected insights in order to use it to inform ad campaigns. Amazon DSP allows for advertisers to use their own DMP audiences when creating programmatic buying campaigns. What is Real Time Bidding (RTB)? Real Time Bidding (RTB) is a way to buy ads programmatically. With RTB, advertisers can participate in an auction when an impression becomes available. If their bid wins the auction, their ad is displayed on the publisher's site. RTB is not only efficient, but it helps advertisers focus on the most relevant inventory. Through RTB, publishers and advertisers are able to sell and buy ads facilitated by an SSP. ; https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions: What launched? Amazon Marketing Cloud (AMC) and Amazon DSP are now integrated with Customer Data Platform (CDP) solutions from multiple vendors, including ActionIQ, Adobe, Amperity, Hightouch, Lytics, Relay42, Salesforce, Tealium, and Treasure Data. With the integrations, advertisers who are mutual customers of these CDP vendors and Amazon Ads can easily stream in pseudonymized first-party signals of choice into AMC or/and Amazon DSP, where they can utilize these signals for audience building, campaign execution, performance measurement, and custom insights. Some CDPs also allow advertisers to take additional actions using outputs from Amazon Ads, such as visualizing insights, optimizing segmentation of customers, and informing marketing tactics at advertisers' owned marketing channels.
(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system,	Amazon's Accused Instrumentalities automatically store, with a computer system, profile information associated with a visitor in a central database associated with the computer system, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kinds of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor. For example, Amazon receives profile information associated with visitors from profile owners (such as, e.g., the Oracle and Adobe data management platforms). As a result of receiving this profile information, which matches a kind of profile requested by Amazon, Amazon automatically stores the profile information associated with a visitor in a central database, and a

wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

tag (e.g., a cookie) associated with the visitor device serves as a link to the corresponding profile information.

See, e.g., <https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/AudienceDataMarketplace/AudienceDataMarketplace.html>:

Oracle Data Cloud data directory

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In-market auto	Users who have demonstrated intent through make and model searches, car configurations and dealership quote requests via online automotive sites. 93% of the platform's in-market auto users come from comScore top 10 automotive sites.

; <https://www.oracle.com/advertising/audiences/>:

Audiences by Oracle

Customize audiences or activate any of the more than 4,000 syndicated audiences by Oracle that include a range of demographic and lifestyle segments to deliver more sophisticated targeting, such as purchase-based targeting solutions. We can help you reach customers and prospects at any buyer journey stage with highly relevant, privacy-centric targeting solutions. Below are a few examples of the audience targeting types available to help you achieve your ad campaign goals:

Business to business

Oracle's business-to-business audiences include some of the most significant professional demographic and firmographic data assets. These curated audiences are built from attributes, such as company size, sales volume, company age, industry, job function, and management level.

Custom

Leverage our vast data assets to build custom audiences specific to your targeting needs and KPIs.

Demographics

Oracle's demographic audiences source the best online and offline data based on attributes, such as age, gender, and household composition. Audience sources include the US census, vehicle registration information, public records, surveys, deeds, and more.

In-market

Reach consumers actively searching for products online through product review pages, comparison sites, online product configuration tools, and online searches. Popular in-market audience categories include auto, real estate, technology, and travel.

Life stages

Reach consumers who are in specific life stages or life events, such as college graduation, new parents, and recently married. These life stages are curated from online and offline data sources, including consumer purchases, public records, registration data, surveys, online search, and browsing data.

Lifestyle

Oracle lifestyle targeting finds audiences based on their daily activities and purchase behavior. These can range from food lovers and fashionistas to soccer parents and outdoor enthusiasts. These audiences are built and maintained using data about where consumers shop, how they shop, what the purchase, the websites they visit, along with demographic and psychographic attributes.

Proximity

Reach people who live within a certain range of retailers, places of business, attractions, and more. Oracle proximity audiences are sourced from known offline addresses and merchant locations.

Purchase based

Engage customers based on their shopping behavior. These modeled audiences are built using purchase data from industries, such as consumer packaged goods (CPG), retail, restaurants, entertainment, and more. They include where consumers visit, how often they shop, how much they spend, and the products purchased. You can use purchase-based audiences to reach your brand buyers, competitive buyers, new or lapsed buyers, frequent shoppers, brand switchers, and high spenders.

Seasonal

'Tis the season to reach holiday and seasonal audiences. Oracle's seasonal audiences source offline and ecommerce-observed consumer spending from online behaviors, such as visiting holiday/seasonal webpages, and from UPC and SKU-level transactions during a specific timeframe.

Find 3rd party audiences

; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Audiences/deliver_audience_newflow.htm:

Delivering Audiences

After you have created and configured an audience, you can deliver to it to media execution platforms for targeting, optimization, and analytics. The Oracle Data Cloud platform includes integrations with top technology partners that enable you to power your media targeting campaigns with your first-party data. Many partners also allow you to target third-party data purchased from the [Oracle Data Marketplace](#). Different partners support different ID sources ranging from desktop and mobile web cookies to mobile advertising IDs (MAIDs).

In this topic

- [Setting the delivery method](#)
- [Specifying advanced settings](#)
- [Pausing audience data delivery](#)
- [Changing delivery end dates](#)
- [Managing failed deliveries](#)

Setting the delivery method

You can choose from three methods to deliver audience data:

- [Data delivery platform \(app\)](#)
- [Pixel URL delivery](#)
- [JSON return delivery](#)

; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Apps/apps_index.htm:

■ Amazon

You can deliver first- and third-party desktop and mobile cookie-based audiences from the Oracle Data Cloud platform to Amazon Advertising. Amazon Advertising enables you to reach shoppers on Amazon sites, across the web, and in mobile apps.

	; https://www.forbes.com/sites/jessedamiani/2020/06/19/oracles-bluekai-spilled-billions-of-records-of-web-tracking-data/: BlueKai tracks users around the web through cookies and other proprietary technology. This is not limited to Oracle users. By tracking what websites people visit and which emails they open, BlueKai is able to infer a wide range of information about us—from our interests to our politics to our income. Of course, this is designed for “ideal identity resolution,” ad tech-speak for targeting users with the most optimal ads. Effectively, all these different sources of data merge to form a “unique fingerprint” of a person’s device—which itself can later be linked to other devices. ; https://www.oracle.com/advertising/what-is-data-cloud/: Understand data and the advertising environment Protect your brand Oracle Contextual Intelligence helps advertisers and publishers understand the underlying meaning of the environment where ads are served. This mitigates brand safety risks and identifies content that represent opportunities to make your message more impactful without relying on personal identifiers. Insights to Plan Oracle Data Management Platform (formerly Bluekai) unlocks data-driven, customer-first advertising possibilities for quicker acquisition of higher-value customers while achieving greater ad-spend efficiencies. Personalize online, offline, and mobile marketing campaigns with richer data sets about relevant audiences with both scale and accuracy. https://advertising.amazon.com/resources/whats-new/oracle-data-cloud-custom-predicts
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Oracle Data Cloud - custom predicts

November 16, 2020

What launched?

[Amazon DSP](#) now supports Oracle Data Cloud's (ODC) custom predicts.

Why is it important?

Predicts is a contextual targeting feature that allows brands to capitalize on trending content and the associated inventory in real time, driving greater relevancy and reach. Predicts helps advertisers achieve their reach goals by dynamically expanding static segments in real time, on a daily basis, and receiving impressions as the conversation evolves. This feature is available worldwide for standard display, mobile app, and video line items running on third-party supply sources.

<https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions>:

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What launched?

Amazon Marketing Cloud (AMC) and Amazon DSP are now integrated with Customer Data Platform (CDP) solutions from multiple vendors, including ActionIQ, Adobe, Amperity, Hightouch, Lytics, Relay42, Salesforce, Tealium, and Treasure Data. With the integrations, advertisers who are mutual customers of these CDP vendors and Amazon Ads can easily stream in pseudonymized first-party signals of choice into AMC or/and Amazon DSP, where they can utilize these signals for audience building, campaign execution, performance measurement, and custom insights. Some CDPs also allow advertisers to take additional actions using outputs from Amazon Ads, such as visualizing insights, optimizing segmentation of customers, and informing marketing tactics at advertisers' owned marketing channels.

<https://business.adobe.com/products/audience-manager/real-time-destinations.html>:

Real-time Destinations

Activate dozens of destinations to support real-time transfer of segment information. Ensure customer information is refreshed whenever users visit or take action on your site, so you can always reach customers at the right time.

Exceed your customers' expectations. In real time.

The world moves fast. And customers expect you to move at the same pace — with real-time response and personalization. By qualifying and segmenting users from the start, you can meet these expectations and make the most of any opportunity.

Each time a user visits or takes action on your site, Audience Manager uses server-side connections to send those updated segments to dozens of destinations. With more real-time destinations than any other DMP, you can deliver relevant, up-to-the-minute experiences to more of your customers.

See what makes it work.

Server to server integrations

Adobe Audience Manager builds new traits and segments for targeting as soon the content provider sends data. We support server-to-server transfers of data, both real-time and batch.

Up to date segmentation

By integrating with up to date segmentation that accept real-time transfers, you can ensure your users see content that is relevant to them, and while tailoring campaigns to specific points in the conversion path.

Destination Builder

Create, manage, and delete destinations safely in the Destination Builder interface. This helps reduce the time required for pre-deployment testing, so you can activate faster.

; <https://advertising.amazon.com/blog/programmatic-buying-lp>:

Improvements to make your advertising more efficient:

- **Advertiser audiences lookalikes:** If you're in the United States or Canada, you can now use the advertiser audiences tool to discover overlap between your anonymized customer lists, DMP segments, pixel-based audiences, and Amazon lifestyle and in-market segments. This in turn helps you extend campaign reach by finding shoppers who exhibit similar behaviors to your existing audiences.
- **Data Management Platform (DMP) integrations:** We now support audience ingestion from Adobe Audience Manager and Salesforce DMP (formerly known as Krux), enabling you to use your existing DMP audiences when creating campaigns via our programmatic buying solution.

Page 9 of 24

(b) wherein the profile owner computer is programmed: (i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and	In the method practiced by Amazon's Accused Instrumentalities, the profile owner computer is programmed to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system. For example, the profile owner computer (such as, e.g., a computer operated by Oracle or Adobe) will automatically select which entities to provide profile information to, based on a comparison of the profile information with the stored requests of data consumers (including Amazon), which requests include requests for specific types of profiles (such as, e.g., demographic attributes or users interested in consumer technology). <i>See, e.g.,</i> evidence and analysis for claim limitation 1(a); https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/AudienceDataMarketplace/AudienceDataMarketplace.html:
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; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Audiences/deliver_audience_newflow.htm;

Delivering Audiences

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In this topic

- Setting the delivery method
- Specifying advanced settings
- Pausing audience data delivery
- Changing delivery end dates
- Managing failed deliveries

Setting the delivery method

You can choose from three methods to deliver audience data:

- Data delivery platform (app)
- Pixel URL delivery
- JSON return delivery

Changing delivery end dates

You can change delivery end dates for up to 50 audiences at the same time without having to edit their full delivery details. For example, suppose you originally scheduled delivery for several audiences to end on March 31 but later decide that you want to extend that period. Instead of opening each audience separately, you can select them as a group and then specify a new end date.

You can change delivery end dates only for active audiences. If an audience began delivery in the past, the new end date cannot be more than one year in the future from today. If an audience has not yet started delivery, the new end date cannot be more than one year from the scheduled start date.

; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Audiences/create_audience.html:

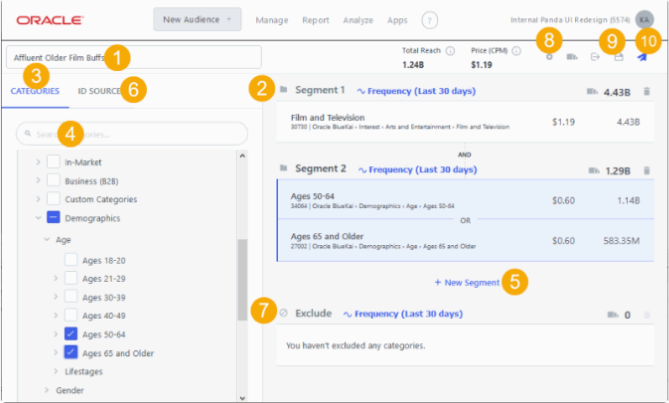
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Creating Audiences

The Oracle Data Cloud Platform enables you to create, configure, and deliver audiences in a single, straightforward workflow. You can configure audiences to target exactly the users you want and then select delivery platforms to deliver the audiences to media execution partners. The modern, intuitive user interface makes the process fast and simple.

Understanding the audience builder interface

The following illustration shows the audience builder page populated with example data. A table follows to explain the features of the page called out in the illustration.



<https://business.adobe.com/products/audience-manager/real-time-destinations.html>:

Real-time Destinations

Activate dozens of destinations to support real-time transfer of segment information. Ensure customer information is refreshed whenever users visit or take action on your site, so you can always reach customers at the right time.

Exceed your customers' expectations. In real time.

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; <https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions>:

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(ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a); and	When Amazon is the entity controlling the computer system, the profile owner computer is programmed to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of Amazon's computer system. For example, when the profile owner determines that profile information matches a profile request from Amazon, the profile owner will automatically arrange for storage of the requested profile linked to the tag associated with the visitor device and readable by Amazon's computer system, such that Amazon is able to access the requested profile information. See, e.g., https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/AudienceDataMarketplace/AudienceDataMarketplace.html:

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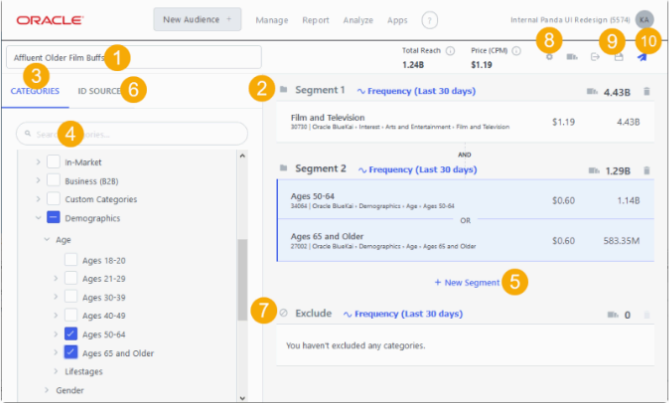
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(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.	Amazon's Accused Instrumentalities will later, when the visitor device is available to receive an advertisement with the computer system, use the tag recited in limitation (a) that is associated with the visitor device to access the profile information stored in the central data base, and use the profile information linked to that tag to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor. For example, the visitor device is available to receive an advertisement, Amazon uses the tag and the profile information linked to the tag to automatically cause delivery of an advertisement to the visitor device (e.g., by providing the profile information to an advertiser, such that the resulting advertisement is dependent on that profile information, and/or by causing an advertisement dependent on that profile information to be delivered to the visitor device on behalf of an advertiser). See, e.g., https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions:

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; <https://advertising.amazon.com/library/guides/dsp-ssp-dmp-difference>:

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A data management platform (DMP) is software that gives advertisers, marketers, brands, and agencies a place to store collected insights in order to use it to inform ad campaigns. Amazon DSP allows for advertisers to use their own DMP audiences when creating programmatic buying campaigns.

What is Real Time Bidding (RTB)?

[Real Time Bidding \(RTB\)](#) is a way to buy ads programmatically. With RTB, advertisers can participate in an auction when an impression becomes available. If their bid wins the auction, their ad is displayed on the publisher's site. RTB is not only efficient, but it helps advertisers focus on the most relevant inventory. Through RTB, publishers and advertisers are able to sell and buy ads facilitated by an SSP.

Exhibit 3



US008494904B2

(12) **United States Patent**
Shkedi

(10) **Patent No.:** **US 8,494,904 B2**
(45) **Date of Patent:** ***Jul. 23, 2013**

(54) **METHOD AND STORED PROGRAM FOR ACCUMULATING DESCRIPTIVE PROFILE DATA ALONG WITH SOURCE INFORMATION FOR USE IN TARGETING THIRD-PARTY ADVERTISEMENTS**

G06Q 10/08 (2012.01)
G07F 17/16 (2006.01)
(52) **U.S. Cl.**
USPC **705/14.4; 705/1.1**
(58) **Field of Classification Search**
None
See application file for complete search history.

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This patent is subject to a terminal disclaimer.

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G06Q 10/10 (2012.01)
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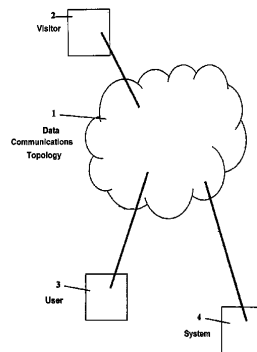
Primary Examiner — Jonathan Ouellette

(74) *Attorney, Agent, or Firm* — Louis J. Hoffman

(57) **ABSTRACT**

A method of accumulating descriptive profile data uses a databank that can be contacted by profile providers who contribute profile elements about an online visitor. The method includes keeping track of which profile provider contributed which elements, so that use of particular elements in targeting electronic third-party advertisements automatically can result in compensation.

30 Claims, 3 Drawing Sheets



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Fig. 1

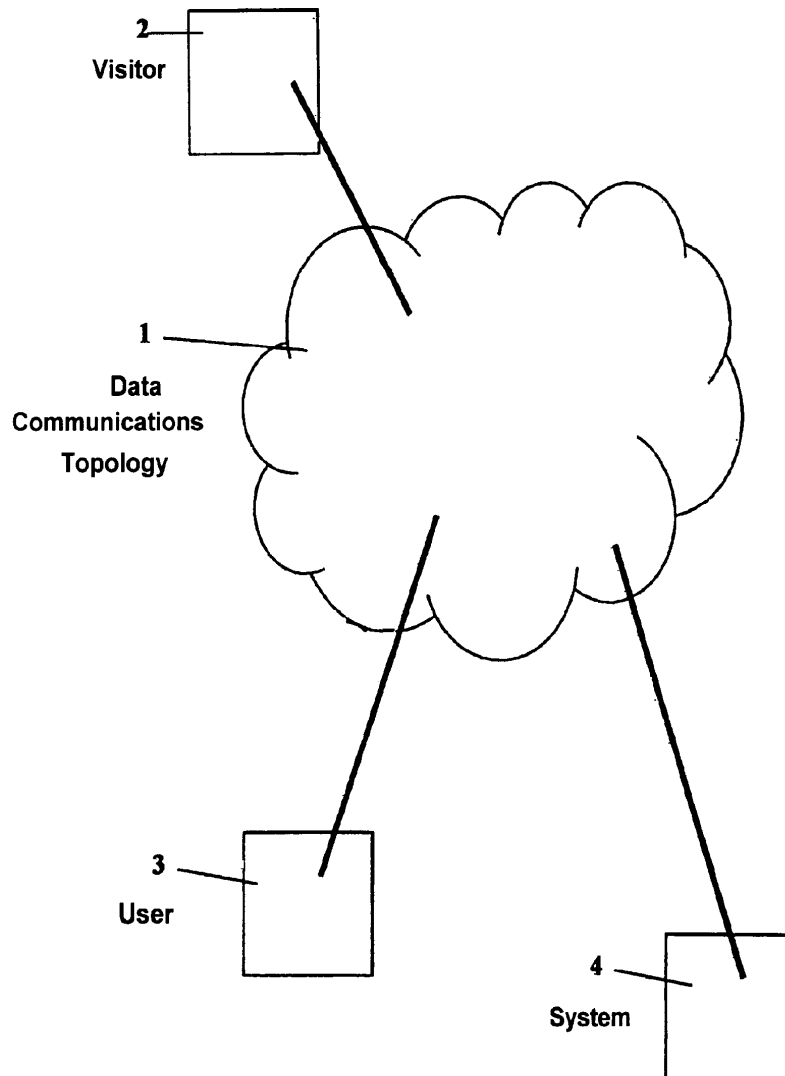
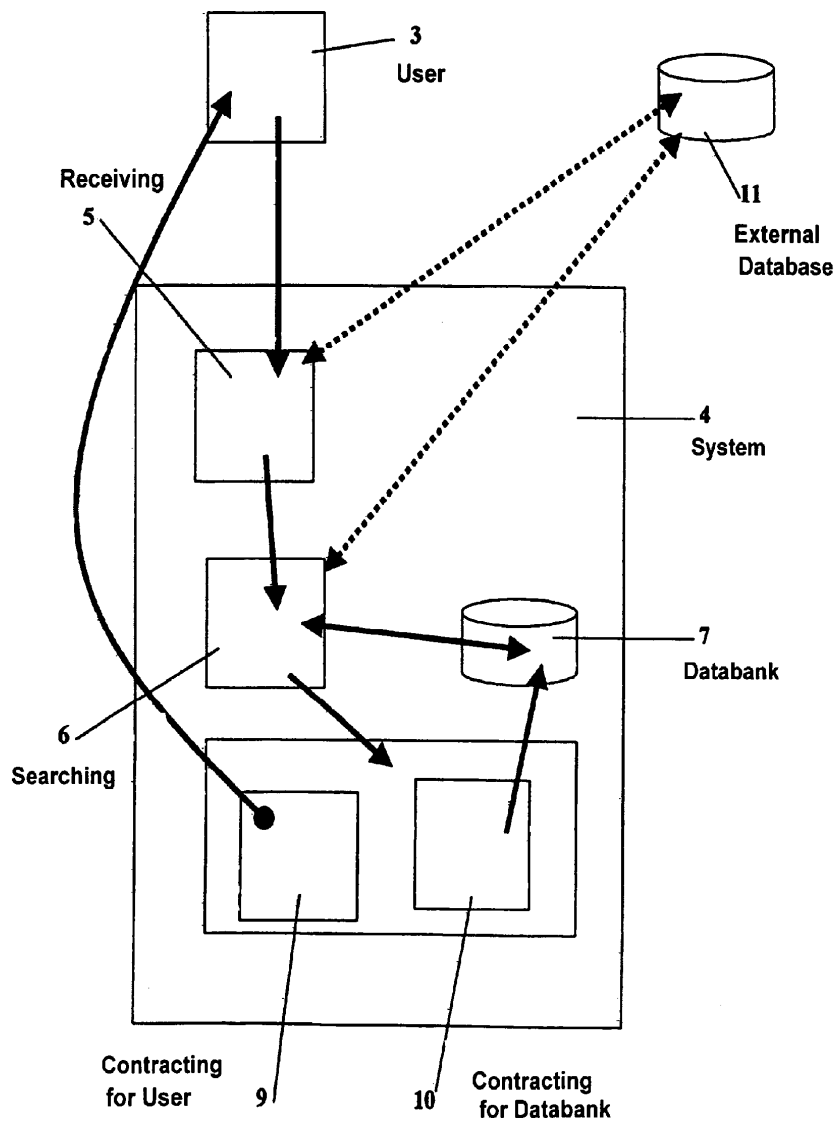


Fig. 2



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Fig. 3

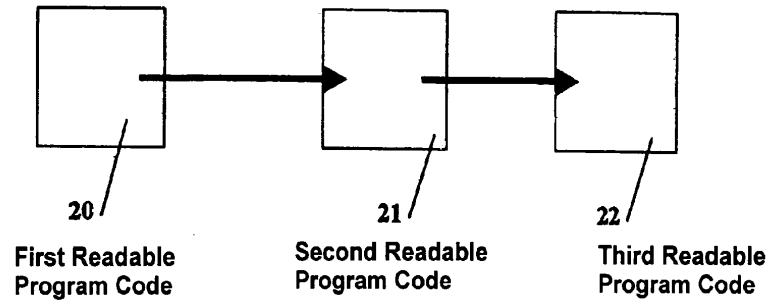


Fig. 4

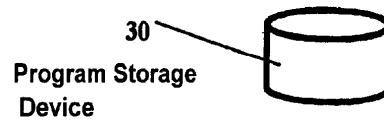
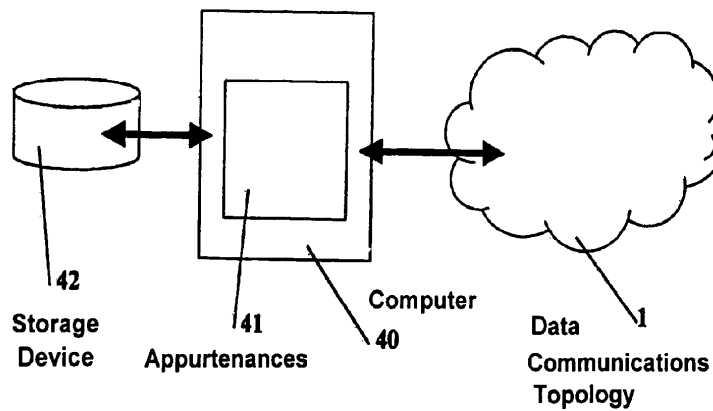


Fig. 5



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**METHOD AND STORED PROGRAM FOR
ACCUMULATING DESCRIPTIVE PROFILE
DATA ALONG WITH SOURCE
INFORMATION FOR USE IN TARGETING
THIRD-PARTY ADVERTISEMENTS**

**CROSS-REFERENCE TO RELATED
APPLICATIONS**

This application is a continuation of application Ser. No. 13/115,949, filed May 25, 2011, now U.S. Pat. No. 8,244,582, which is a continuation of application Ser. No. 12/186,918, filed Aug. 6, 2008, now U.S. Pat. No. 7,979,307, which is a division of application Ser. No. 11/099,861, filed Apr. 6, 2005, now U.S. Pat. No. 7,428,493, which is a continuation of application Ser. No. 09/593,993, filed Jun. 14, 2000, now U.S. Pat. No. 6,925,440, which claims priority to Israel Application No. 133,489, filed Dec. 13, 1999. A portion of the disclosure of this patent document contains material, which that is subject to copyright protection. The copyright owner has no objection to the facsimile reproduction by anyone of the patent document or the patent disclosure, as it appears in the Patent and Trademark Office patent file or records, but otherwise reserves all copyright rights whatsoever.

FIELD OF THE INVENTION

The present invention generally relates to a mercantile method.

More specifically, the present invention relates to a mercantile method directed to brokerage of attributes of information.

BACKGROUND OF THE INVENTION

Advances in database technology have given rise to commerce in records, files and databases, per se. For example, paying for a database credit check for an individual or buying a mailing list have become common practice. These well-known systems do not address the problems of how the database is to collect all of the attributes of information that are contained therein. Often, the contents of a database are the result of massive clerical efforts, which usually represent the product of many calendar years of transactional accumulations.

Sometimes, whole databases are merged to form higher precision data clusters. For example, voting turnout lists may be integrated with census data to produce a register from which a statistical profile of voters may be derived. Another example relates to merging the records of a credit card company with the records of a mortgage company. For those persons having an entry in each of the constituent record sets, the result is a credit profile of more precise resolution. In this example, the actual economic value of merged records exceeds the combined values of constituent records. This would likewise be true for the inclusion of any additional attribute of information to any record.

Unfortunately, the current state of information commerce is focused on the sales of whole databases, whole records, or evaluations based on single or clusters of records. In commercial applications where specific attributes of information strongly affect the value of evaluations, there is a need in the art for commerce in such attributes. For example, in targeted advertising, every attribute, which substantially affects the probability of that advertisement's success, innately has a discrete economic value. Likewise, in actuarial calculations,

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how precisely a client can be profiled determines what the probability of profiting from such a client.

More specifically, there remains a need in the art for assigning values to information attributes or for managing value assignments to information attributes. In the absence of such assignments or management, the commerce in information attributes, per se, is substantially precluded; especially in client-specific advertisement profiling, client-specific actuarial targeting, and the like.

NOTICES

The present invention will forthwith be described with a certain degree of particularity, however those versed in the art will readily appreciate that various modifications and alterations may be carried out without departing from either the spirit or scope, as hereinafter claimed.

In describing the present invention, explanations are presented in light of currently accepted theories and models; be they scientific, economic, sociological, etc. Such theories and models are subject to changes, both adiabatic and radical. Often these changes occur because representations for fundamental component elements are innovated, because new transformations between these elements are conceived, or because new interpretations arise for these elements or for their transformations. Therefore, it is important to note that the present invention relates to specific technological actualization in embodiments. Accordingly, theory or model dependent explanations herein, related to these embodiments, are presented for the purpose of teaching, the current man of the art or the current team of the art, how these embodiments may be substantially realized in practice. Alternative or equivalent explanations for these embodiments may neither deny nor alter their realization.

GLOSSARY

Profile: A collection of attributes that describe a person or an organization or any other entity that can be described by a combination of data. For example, a person profile could be a collection of the following attributes: the person's gender, the person's age, the person's education, the person's interests as reflected in his behavior or as reported by the person or as reflected from his membership in a specific club and so forth. An organization profile could be a collection of the following attributes: number of employees, activities the organization maintain whether business activities or other activities, the organization's revenues, the organization's gross profit, the organization's operating profit, the organization's net profit, the organization's equity and so forth. It should be mentioned that profile attributes include, among other things, attributes that enable the identification of the entity described by the profile such as name, address, URL, cookie. In addition, profile attributes may include information learned about the entity described by the profile from a communication protocol such as the information learned about the visitor to a web site from its http header.

User: any entity that owns attributes contained in at least one partial profile. The entity could be a web site that has a database of its visitor profiles, an organization with a database of partial profiles or the subject described by the profile itself.

Cookie: A text (or alphanumeric) string that is put on a computer hard disk of a visitor to a web site by the web site's server. The cookie enables the identification of the

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specific computer on its future visits to the web site. Each cookie is reported (by the computer browser) only to the web site server that installed that cookie. Therefore, it should be clearly understood that the only way for a third party to acquire cookie data is to receive that data from the server that installed that cookie, or from another third party who so acquired the data from a chain of parties going back to that cookie setting server, etc.

Contract: An agreement between a user and a system incorporating the method of the present invention wherein ownership of an attribute or a right to represent an attribute is transferred from one party to another for an agreed consideration. Generally, examples include a purchase of an attribute for cash or credit, or an acceptance of an attribute according to a brokerage fee schedule. More specifically, since there are many problems in assigning the value of an attribute, the system of the present invention may simply agree to store new attributes with the proviso that users wishing to acquire a copy of these attributes will transfer a payment specified by the original attribute provider (the royalty payment) to that provider and a brokerage fee for providing this service payable to the system's account. Alternatively, the attribute provider or the system may elect to assign a value to an attribute using a formula which factors in such parameters as newness of the attribute, geographical extent wherein the attribute is of presumable value, veracity of the attribute, etc.

SUMMARY OF THE INVENTION

The present invention generally relates to a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

- (a) from a user, receiving a transaction having therein a first partial profile;
- (b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;
- (c) between the user and the databank, contracting:
 - i. for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or
 - ii. for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

The present invention comes to provide a means for making viable the economic commerce in information attributes. Since the value of such attribute will only become well understood with the implementation of the present method in the electronic commerce marketplace, the present best enabling mode for the present invention operates on a brokerage representation model. According to this model, a typical use of the present invention may be according to the following scenario.

An electronically facilitated visitor to an Internet web-site presents his credentials. These credentials could be the visitor profile itself or a cookie or a user name and so forth that enables the site to retrieve the visitor profile or any combina-

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tion of the above. Of course, it could be that the site does not have a profile of the visitor to that web-site. The web-site may make better profit from the visitation if it were to know more about the visitor. The web-site forwards particulars from the visitor's credentials (a partial profile), as well as (optionally) a redirect to a portion of the visitor's page to a server located in cyberspace (at a juncture in a data communications topology). By redirecting a portion of the visitor's page to the server, the visitor's browser reports to the server a cookie the server put on the visitor's computer in the past, if any. This server interconnects the user's transactions and the server own cookie (if used) with a computer having therein software for running the method of the present invention. Associated with the computer is a databank, having therein an organized ensemble of information attributes.

The computer uses the forwarded visitor credentials with its server cookie (if any) to search the associated databank. Either or both of two possible mercantile events are set into motion thereby.

Firstly, it may be the case that the credentials contain new information attributes which were not heretofore known in the databank. According to a simple model of evaluating the value of these attributes, the database incorporates these new attributes and the computer assigns a user selected micro-payment royalty for each elected use of these attributes by any other user. Stated simply, if the user provides a date of birth for a known named person in the data bank, then the user is the owner of that date of birth attribute, and a user designated micro payment royalty (or credit) is assigned to the user for each purchase of that attribute by another user. The owner of the databank may likewise collect for itself a brokerage commission for each use of the attribute.

Secondly, the databank may contain new attributes that were not in the initial visitor credentials. In this case, the user is told that such attributes exist for purchase, what these new attributes describe (e.g. education level associated with the visitor), and the micro-payment royalty plus brokerage fee that is charged for each respective attribute. If the user is interested in any of these attributes, then a contract is agreed to, resulting in a micro-payment transfer from the user to the broker and to the royalty owner, and a transfer of a copy of the attribute to the user (the buyer).

Other types of contracts and other types of pricing structures are available for the user in his interactions with the "system of the present invention" (e.g. the computer with its associated databank); as will be describes in subsequent sections.

BRIEF DESCRIPTION OF THE FIGURES AND APPENDICES

In order to understand the invention and to see how it may be carried out in practice, embodiments including the preferred embodiment will now be described, by way of non-limiting example only, with reference to the accompanying drawings, in which:

FIG. 1 illustrates a schematic view of an Internet data-communications topology;

FIG. 2 illustrates a schematic view of a system using the descriptive-profile mercantile method;

FIG. 3 illustrates a schematic view of a computer program product;

FIG. 4 illustrates a schematic view of a program storage device; and

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FIG. 5 illustrates a schematic view of an installed computer system for facilitating a descriptive-profile mercantile method.

DETAILED DESCRIPTION OF THE INVENTION 5

In FIG. 1 there is presented a schematic illustration of a data-communications topology as a wide area network (e.g. the Internet) (1) having interconnected thereto a visitor (2), a user (3), and a system (4) embodying the method of the present invention. 10

The present invention relates to a descriptive-profile mercantile method (further presented in FIG. 2), for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of 15

- (a) from a user (3), receiving (5) a transaction having therein a first partial profile;
- (b) using the first partial profile, searching (6) a databank (7) having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; 20
- (c) between the user and the databank, contracting:
 - i. (10) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or 25
 - ii. (9) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile. 30

According to an embodiment of the present invention, 35 receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the searching of the databank. According to a variation of this embodiment, 40 extracting includes constructing at least one composite key for the searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

According to another embodiment of the present invention, 45 contracting includes selecting a pricing structure according to a rating of the user.

According to a different embodiment of the present invention, contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion. 50

According to a further embodiment of the present invention, incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile. According to a variation of this embodiment, incorporating 55 includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank. According to a further refinement of this variation, contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting. 60

According to an additional embodiment of the present invention, receiving a transaction includes consulting an external database (11). 65

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According to an extension embodiment of the present invention, the method furthermore includes:

- i) searching at least one external database (11) for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and
- ii) between the database and the databank, contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

The present invention also relates to a computer program product (see FIG. 3) including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

- a) first computer readable program code (20) for causing a computer to receive a transaction from a user, the transaction having therein a first partial profile;
- b) tied to the first computer readable program code, second computer readable program code (21) for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and
- c) tied to the second computer readable program code, third computer readable program code (22) for causing the computer to contract between the user and the databank:
 - i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or
 - ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the user the second mutually agreed portion of the second profile.

Furthermore, as illustrated in FIG. 4, the present invention relates to a program storage device (30) readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

- a) from a user, receiving a transaction having therein a first partial profile;
- b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;
- c) between the user and the databank, contracting:
 - i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or
 - ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

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The present invention also relates to a computer system for facilitating a descriptive-profile mercantile method (see FIG. 5), the system including:

- a) a computer (40) installed at a juncture in a data-communications topology (1);
- b) associated with said computer, a storage device (42) for keeping a maintained databank of partial profiles; and
- c) associated with the internal functionality components of the computer, appurtenances (41) for performing method steps including:
 - i) from a user, receiving a transaction having therein a first partial profile;
 - ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;
 - iii) between the user and the databank, contracting:
 - (1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or
 - (2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

In the context of the preferred embodiment of the present invention, "attribute" relates to an information particular (or attribute) that is aggregated with other particulars to form a partial profile. Examples of attributes may be: name, address, income, age, education, details of product purchase transaction over the Internet, credit rating, etc.

In the context of the preferred embodiment of the present invention, "data" relates to knowledge concerning a visitor.

In the context of the preferred embodiment of the present invention, "data-communications topology" relates to a virtually interconnected collection of communications facilities including at least one mutually agreed protocol between any directly communication facilities in the collection.

In the context of the preferred embodiment of the present invention, "information" relates to the collection of all attributes known by a user about a visitor.

In the context of the preferred embodiment of the present invention, "pricing structure" relates to the price and payments for data exchanged by the user and the system.

In the context of the preferred embodiment of the present invention, all profiles are, by definition, partial. A profile may describe aspects of a person, or an organization, or of a corporation. It is logically impossible to have complete information about any of these. However, any particular of information about any of these may have an economic value for a customer of profile information.

In the context of the preferred embodiment of the present invention, a "databank" relates to an accessible searchable aggregation of records or like data structure units wherein "partial" profiles are stored.

In the context of the preferred embodiment of the present invention, "system" relates to a computer embodying the descriptive profile mercantile method according to the present invention.

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In the context of the preferred embodiment of the present invention, "transaction" relates to a process to complete a communicative activity between the parties that reciprocally affects or influences the other party. It may include an acquisition provision of a partial profile, an identification of the user, a reference to a contractual mechanism related to the acquisition, screening, and/or distribution of new data and a pricing structure.

In the context of the preferred embodiment of the present invention, "user" relates to an individual, web site, search-robot and/or other type of software agent that interacts with the system by virtue of their contacting a juncture in the data-communications topology where the method is installed in order to acquire, trade, dispose of and/or broker some attribute data for the purpose of acquiring some potential economic or other value in connection with that attribute data.

In the context of the preferred embodiment of the present invention, "visitor" relates to an entity the user has access to or is interested in. The visitor could be a consumer or potential customer of an offering of goods, services, or information.

INTRODUCTION

This invention relates to gaining an ability to buy, sell, broker, and trade specific pieces of data between two disjoint parties within the context of a system that may include a databank and that may include a micro-payment royalty arrangement as a pricing structure in connection with the aforesaid exchange of data.

The specific pieces of data that may be involved in the exchange are known as attributes. The attributes relate to details of a particular profile. The profile can be a collection of descriptive information as used by an advertiser for generating targeted advertising or used by an insurer for finding a more specific actuarial rate. It is noted that a secondary type of profile that is also contained in another embodiment of the invention is a form of a collective profile that is an aggregate that is based on a pre-structured analysis of the existing individual profiles such as average or typical.

In the normal course of a transaction between a user and an embodiment of a system according to the present invention a typical scenario ensues:

1. A visitor arrives at a web site of the user. The web site of the user collects a variety of specific data about the visitor that may include the visitor's cookie and any other information that the visitor voluntarily disclosed to the web site.
2. The web site has a number of interests in the visitor and the information that the web site possesses about the visitor. In connection to a profile of the visitor, there would be a benefit to the web site if the web site could acquire additional information as to the specific visitor or at least acquire typical profile information about a class of individuals possessing similar profiles relative to the specific visitor. Possession of such additional information will enable the web site to engage in potentially more successful product offering and/or targeted advertising to the visitor. Another independent benefit that can accrue to the web site is the gain of some economic remuneration for and as a function of the information itself that the web site possesses about the visitor.

In order for the web site to progress and to potentially achieve either or both of the above mentioned benefits (the improved targeted advertising (or improved product offering) to the visitor as well as the gain of some economic remuneration of the information itself about the visitor); the web site

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now becomes a user of the system of the present invention. The web site as a user of the present invention constructs a transaction that contain those portions of the information it possesses about the visitor that it is allowed to diverge to third parties.

The transaction includes:

1. Information that the user is allowed to disclose to third parties about the visitor.
2. Contract terms about the user, typically including but not limited to: identity, pre-determined rate structures per transaction type, and information type, pre-determined contractual relations with the system as to what each party—the user and the system can do with information exchanged between them.
3. Instructions as to the type of transaction—buy, sell, broker, and/or trade information to be conducted between the user and the system.

Thus, the user sends a transaction in the data communication topology where the system is installed; as for example, via the Internet, Intranet, LAN, WAN, wireless packet communications system, etc. Thereupon, the system receives the transaction, identifies the user, interprets instructions sent concerning the transaction's contractual terms and type, i.e. the applicable contract and structure for using all or some of the attributes contained in the information (hereinafter, "First Visitor Profile Data") includes the profile of the visitor as known to the site, visitor information included in the communication protocol such as the information in the http header, profile attributes that enable the identification of the entity described by the profile by the databank such as name, address, URL, cookie put by the server connected to the databank and so forth. It should be noted that the profile of the visitor known to the site mentioned above might not include certain attributes the user is not interested in exposing to the databank or attributes that are of no interest to the databank. For example, a databank that identifies web site visitors by the cookie its server puts on their computers, could decide not to take 'real world identifying attributes' such as name, address and e-mail in order to give web surfers a level of anonymity.

The system searches a databank according to what is contained in the First Visitor Profile Data (contained in the transaction) in order to find either: at least one profile in the databank that matches the information in the visitor profile (that includes the information dispatched by the user related to the visitor, visitor information included in the communication protocol such as the information in the http header, profile attributes that enable the identification of the entity described by the profile by the databank such as name, address, URL, cookie put by the server connected to the databank and so forth) or to find at least one aggregate profile that describes a profile of a group that the visitor might belong to.

If it is the intent of the user, as contained in the transaction instructions, to purchase additional attributes that may relate to the First Visitor Profile Data, then the system examines the profiles it has found in its search, determines if it has any new attributes not sent by the user. In the event that the system has found new attributes that were sent by the user, the system reviews the contract instructions of the transaction in order to determine the relevance of the new attributes found to the intent of the user. If the system finds the new attributes relevant, then the system will debit the user's account in accordance with a pre-agreed pricing structure in connection with additional attributes related to the First Visitor Profile Data that are delivered as data to the user.

A non-limiting example of the principle of data release in accordance with the user's contractual instructions is herein

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provided. It may be that in the contract with the user, the user has instructed that it is never interested in receiving any data that does not specifically relate to the visitor, meaning the user is not interested in information about an average profile of a group that the visitor might belong to. Another example could be that the user has instructed that it is not interested in the habits of a visitor, but specifically, only in information about his age, gender, education and income. The reason may be to preclude the system from disclosing the name of the visitor since the user always knows the name of the visitor and has no interest in paying to re-learn what it already knows. Thus, in accordance with the contractual instructions, no attribute data relating to information the user specified it is not interested in receiving will either be sent, and since such information was not sent, it will not be debited to the user's account.

An alternative example is the case where the user only has an interest in a pre-defined—within the transactional instructions—set of attributes. For example, the user may only be interested in what type of car the visitor drives, or what the visitor's current credit rating is, or, what may be the most interesting example, what category of goods have been purchased by the visitor over a pre-defined period. It is noted that elements of this last example may typically be a piece of information that other typical users trade with or sell to the system.

It should be noted that a user may restrict the use of attributes it sells to the databank. The restrictions could be of number of usages, to whom the databank has the permission to sell, and so forth.

A second class of data that is found by the system as it searches may equally be of value to the user. This is the search result that demonstrates discrepancies between the disclosure of information by the user to the system and the results of the search by the system. The fact that there is a discrepancy, as well as the nature of the discrepancy, may be of value to the user, the system, or both.

A third category is the example where there are pieces of information relating to the user in the descriptive portion of the transaction that describes the visitor which the search by the system failed to disclose. For example, the make and model of the car driven by the visitor, recently purchased from the user's web site might be the new information otherwise unknown to the system. In this instance, the system would go through an appropriate contractual arrangement in order to credit the user for the new attribute which the user has delivered to the system.

The various kinds of contracts available in a transaction between the system and the user are: buy, sell, broker, and trade. Where new information is disclosed to the system a royalty arrangement (or, alternatively, an outright purchase or sale) comprised of micro payments may be employed. In addition to the various kinds of contracts, there are various types of users. A user may be a large scale commercial web site or an individual small scale web page. Furthermore, there may be different types of rate structures. An audited user which may have taken efforts to verify information regarding a user, for example a credit bureau, would have a different payment rate for new information that it discloses to the system than a user with information that is neither audited nor verified but which is causal.

Thus the value of information in a databank can change as a function of its credibility and source. Accordingly, the royalty payment rate for said information could be enhanced or reduced as a function of its value.

In addition to profiles of a visitor it may be of interest to allow an embodiment of the invention to create a type of secondary market for the information consisting of a prede-

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terminated class of profiles about all visitors. For example it may be of interest to know what type of individuals, including their profession, income, gender, and geographic location, buy a certain model of vehicle. The purchase, sale, trade, and/or brokerage of this class of data can then enter a mercantile model and may be of significant interest to advertisers.

DESCRIPTION

The preferred embodiment of the present invention relates to the use of a procedure on a computer attached to a network, Internet, Intranet, LAN, WAN, wireless packet communication system or hybrid composite of any of the above whereby data is exchanged by purchase, sale, trade, or brokerage and micro payments of royalties as a pricing structure that may accompany the data exchange.

This procedure begins with the introduction to the system of data that contains a partial profile that will be used in the establishment, supplementation, or improvement of a descriptive profile. The partial profile will often itself contain certain predetermined identified commercial attributes, demographic attributes, or behavioral attributes or combinations thereof or the like. These attributes then allow construction of a descriptive profile that resides as existing information in a databank. However, inherent design characteristics of the descriptive profile result in the descriptive profile always being partial. This means that data within the profile relates to one or more attributes of the item, business, service, data characteristic, advertisement, or person that is being profiled. The descriptive profile is then methodically employed in an activity that verifies or contradicts, maintains, modifies, updates or downgrades, and/or enhances the databank of previously existing partial profiles. Thereafter, the system may retain, market, and/or exchange with the user new resultant (of the process described) data that contains further descriptive profile attributes for further usage.

Since the present invention is directed to the value of details of a profile, it is an object of the present invention to facilitate the transfer of rights to such particulars. For example, a visitor may arrive at a commercial Internet web-site. The visitor may disclose his cookie and may provide the web-site with other facts about him/herself on a non-confidential basis. The web site may then contact a juncture in a data-communications topology where the present method is installed. According to one scenario, the web-site is a familiar user of the present method, and has pre-arranged the terms and conditions of what information he may wish to transfer rights to. For example, after considering the web-site transmission containing the non-confidential disclosed information, the system may find that all of the information already recorded in its databank with the single exception of the visitor's annual income. By prearranged contract details, the web-site is given a predetermined micro-payment credit for providing this detail. Alternatively, by prearranged contract the databank agrees to store this user attribute and to credit the providing web-site with a micro-payment royalty for each use of this attribute "purchased" from the databank by each interested party.

Likewise, according to the same prearranged contractual arrangement between the user and the databank, the databank may find that it represents a right to an attribute that has not been disclosed to it by the user. In this example, the system's databank may then transmit a query to the user in the form: "for the identified visitor (detail from original transaction inserted), are you interested in the following attributes

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according to the associated payment conditions: (education level, micro-payment price schedule 1), (gender, micro-payment price schedule 2), etc.?"

The systematic procedure described in the preceding paragraph includes various steps that can be better illustrated by example. However, the reader should be aware that all examples which are given in this document are limiting examples that are expressed in this document solely for the purpose of explanation and not for the purpose of limitation.

Initially a user will interface with the system by providing the system's databank with a partial profile consisting of at least one attribute which will enable the identification of the entity described by the profile in the system's databank (the attribute could be for example, the cookie installed on the visitor's computer (the visitor to a web site which is a user of the system of course) by the server attached to the databank. The user enables the server attached to the databank to receive the cookie it installed by redirecting a portion of the visitor page to the databank's server). For example a company might provide the system with a name of one of its customers. This step sets the process in motion. For once there is an initiation by contribution of an initial attribute list by the user, the system will search existing data in the databank.

It should be recognized that the existing databank would have the characteristics that when it is approached by the user it will already contain or have the ability to acquire or generate a multiplicity of other partial profiles and room for at least one null profile; since it is the business of the databank to consider representing any new item of profile information. For example the databank might contain a list of geographic addresses of individuals. Then, once the user provides a name, the system will provide either a corresponding address or the message address unknown.

An alternative example has the user, in this case a web portal, providing the computer with a list of the previously monitored search habits of one of the portal's visitors. The system's databank might then suggest to the portal other web sites that contain text and/or graphics of similar type which the portal might then suggest to the visitor, presuming that the system maintains profiles on portals or web sites or surfing habits. If the web sites provided by the portal are provided on a fee basis, then a mechanism may be included in the contractual basis between the portal and the system whereby partial remuneration in the form of a micro payment would be made for any click through activity on the part of the visitor to a web site suggested by the system to the portal and then suggested by the portal to the visitor. It is noted that the click itself would be of further interest to both the portal and the system in the building by the system of a profile related to the behavioral characteristics or psychological makeup or predisposition of the visitor.

Once there is a coupling of the first partial profile of the user with a second partial profile existing in the databank, a contract can be formed between the user and the system related to the new information set which has resulted. The contract should provide that the system will own or acquire a license to utilize an agreed portion of the first partial profile which has been confirmed and at some time thereafter the system will incorporate the agreed portion of the first profile into at least one second partial profile in the system's databank.

For example the name of an individual (an initial partial profile provided by the user) when coupled with age (a second partial profile provided by another use, inherent in the sys-

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tem's databank, or acquired by the system searching other databases will provide a partial second profile of certain demographic value consisting of name and age. If, for example, other partial profiles are found to correspond to gender, geographic address, and/or general income, there is a further enhancement of the partial second profile which results in a gain in the value of the information residing or incorporated from other databases into the system's databank and offered for exchange in accordance with the terms and instructions existing between the user and the system.

Alternatively, rather than the system acquiring by ownership or license an agreed portion of the first profile; the user itself might desire to acquire a right to own or license to use at least a part of an agreed portion of the second partial profile which has been confirmed by the system by its coupling with the first partial profile. Thus it would be an agreed function of the system to provide to the user an agreed portion of the second profile

For example the user might have the name and car model owned by a driver; the system's databank might have or have acquired the driving record of the driver and the safety record of the particular car model. The result of the coupling is the ability to refine an appropriate insurance rate for the particular driver and his car.

Alternatively the descriptive profile mercantile method might do both of the above by providing ownership or license to use certain information gleaned by the coupling of an initial partial profile with a second partial profile to both the system and the user. For example the system's databank might retain the use of the names and addresses and actuarial calculations of insurance agents residing in a geographical area proximate to the driver mentioned in the above paragraph, while a user (in this case the driver himself) might retain the name and address of the insurance agents willing to offer him insurance.

Inherent in the above examples is that the system that receives an input or exchange of data consisting of a first partial profile from a user will distill from that information at least one predetermined attribute. This attribute is then utilized by the system for searching the system's databank. Thus, the system, when receiving data, will, within the parameters of the transaction, extract at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the searching of the system's databank. When the system extracts data it also constructs at least one composite key for the searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile. For example, a combination of the name and address of a person described in a profile will be used to search the databank. The combinatorial use is of importance to differentiate between partial profiles of people with the same name that do not allow cookies, for example. Continuing the example, in addition to whether the advertisement is for automobiles, it may be important to couple that information with advertisements only for home utility vans such that the first partial profile will now consist of car advertisements only for home utility vans.

An "interest" expressed by a user and the system, as to what these parties define between them as relevant data, may be expressed by the user and the system in a pricing structure. The pricing structure will include a contract between the user and the system that will include an obligation by the party which utilizes the information flowing to the system's databank to pay the other for substantially each use or transfer of the agreed information transferred between them. Instant data may or may not be ephemeral, and the profiles themselves may have either a limited or an unlimited shelf live. This

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means that information becomes currency and is treated by the parties in a manner similar to currency. To own or utilize certain information, there is a price associated with it either as a sales price or a rental price. In the event that the information is re-useable, in part or in whole then a certain predetermined royalty may be associated with each use of the portion of the information which is reused. Let an example be provided at this juncture to further illustrate the operation of the preferred embodiment.

Normative market research consists of an array of information that is gleaned from answers provided to a questioner. However, the market research contains within itself not only the ability to provide truthful responses but also the ability to provide sampling errors due to either wrong answers, wrongly recorded answers, an error in the framing of the questions themselves, and/or an error in the population base which is being questioned. Clearly the larger and more diverse (or more homogeneous) the sample population (depending on the type of responses required), the larger number of similar questions answered, and the ability to better refine the questions all assist in increasing the value of the market analysis performed.

In the embodiment of the invention described, the user provides either a question or an answer, i.e. the initial partial profile. Thereupon, the system thereupon takes the initial partial profile and extracts from it a predetermined data that is then used for searching the databank. Depending on the contract between the user and the system, the system will or will not pay the user for the initial partial profile, or parts thereof. The search of the databank, results in the construction of a new profile that contains at least two predetermined parts of the first partial profile. For example, both the user and the system may be interested in screening the responses to a market survey of an individual respondent in order to ascertain whether on previous or similar questionnaires the respondent's answers were identical or deviant. This will allow both the user and the system to value the truthfulness of the current responses. The aforesaid quality value will have a predetermined monetary or other agreed "barter" value between the parties.

In addition, since the upgrading or downgrading of the credibility of the respondent has qualitative value in and of itself for other market surveys; to the extent that the user's information contributed to the new evaluation of the respondent, a payment might flow to the user. Similarly, to the extent that the upgrading or downgrading of the credibility of the respondent is based on existing information in the system's databank, the system may provide a royalty payment to the initiator of the existing information in the system's databank. Thus, to the extent that the information inherent in the initial partial profile and in existing partial profiles have value and to the extent that participants who utilize the system (including the system's databank itself) have agreed on the value rating of the information and the amount to be paid between them an exchange of predetermined economic value will flow between the participants. In addition, to the extent there is further information and further participants, the continuing re-evaluation by the participants of a market valuation of the information as a function of the expected utility value of the information may further drive over time the price evaluation of both the information and the payments to be made between users and the system.

Furthermore, the preferred embodiment may embrace a further possible variations, i.e. an assignment by the contracting participants and/or the databank, per se, of a credibility rating to the agreed portion of the first partial profile. Coupling of the first partial profile with a second partial profile

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result in verification/confirmation of the first partial profile and second partial profile or contradiction/down grading of the credibility of the first partial profile and/or the second partial profile. By example, the first partial profile contains the name of Joe Blue, the information that he is male, and the information that he lives in Mississippi. However, the corresponding second partial profile associated with Joe Blue contains the information that he is a she (real name Josephine) and that she lives in Mississippi. The verification—perhaps—of the name is of dubious value in and of itself. However, in the event that for a certainty it can be established that Joe Blue is really Josephine Blue and that the gender is female rather than male, then, to a user of the information, the validation or disqualification of the information has significant value. Assume that the user of the information is an advertiser of beauty care products. The fact that Joe is male or female can result in an advertisement of beauty care products specifically targeted to the profile—in this case, male or female. In this instant case, the user (the advertiser) will assign a value to the credibility of the information.

Intrinsic to the example immediately above is the ability of the participants either individually or collectively to either raise or lower the rated utility value assigned to the first partial profile consistent with the pre-determined (but perhaps equally dynamic) credibility weighting system of the second partial profile. Thereafter the newly rated utility value of the partial profile incorporated in the database is stored for future usage. Lets see how this works in the case of Joe (Josephine) Blue. The first partial profile indicated that Joe was male; however all subsequent partial profiles which could be assigned to Joe (Josephine) Blue render to a statistical certainty that Joe (Josephine) Blue is actually female. This, combined with other attributes like geographical address, income level, and even spending patterns, when stored in the databank, results in an increasingly higher utility value rating for the (credible) information associated with Joe (Josephine) Blue. Thus, the raising or lowering of the credibility rating of an attribute due to the interaction between the associated attribute of the first partial profile and the second partial profile results in a corresponding change in the rating of the anticipated utility value of the attributes and profile themselves.

A further variation of the preferred embodiment incorporates an agreed portion of the data and assigns a credibility rating to the agreed portion of the first profile. This is accomplished by assigning a credibility rating of the first profile with a pre-existing credibility rating of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the system's databank. This may result in an interesting result. When the participants select a pricing structure in accordance with a predetermined corresponding rating of the utility value of the partial attributes, the result is the continuous re-calibration of new information with existing information and a predetermined agreement by the parties as to the various value rating of an attribute.

If, for example, Ms. Blue's credit rating were confirmed as bankrupt, the desire of an advertiser to send her advertisements for the purchase of a pleasure craft would be seriously impacted notwithstanding the fact that other information in the databank related to Ms Blue indicates that she is a water skiing enthusiast and otherwise fits both demographic, behavioral, and/or psychological profiles (which might reside in the databank) associated with candidates for potential purchasers of pleasure craft.

Another particularly useful variation of the preferred embodiment of the invention includes within it the possibility

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of consultation by the system with an external database or external databases. For example, the system is not restricted to searching the existing attributes residing within its own databank. Rather, the system is capable of acting as a first partial profile user to other databases, searching them, trading information with them or borrowing, renting, or purchasing other attributes with them. Thus the information related to credit worthiness attributes of Ms. Blue of the previous example might reside in a database owned by a credit company. Nonetheless, as per the example, the system would be able to utilize the information resident in the credit company's database for its own purposes related to the transaction with the user.

Furthermore the preferred embodiment may embrace other possible variations, including an ability to search one or more external databases for a partial profile, or part thereof, which complements at least one second partial profile of the system's databank. In the example of Ms. Blue, the name may be resident in the databank as well as a number of different external databases. Other attributes may reside as well either in the databank or in one or more external databases. Nonetheless, the result by search, correlation, and rating of the information in the databank and the databases results in both an expanded profile and a higher rating as to credibility of the partial profile existing both in the databank and in the other databases.

Thus, both system and owners of other databases may themselves contract between themselves for the right to own, use, license, or rent the other's partial profile and for the right to sublicense others to further use the other's partial profile. Since the information may very well have a shelf life—even as its credibility and rating may change over time—the result is a corresponding velocity of the value of the information in that not only is the more the information used is the more valuable it is and becomes; but the more the information can be used the greater the potential value it has to its owners of licensors (with a right to sublicense). If we return to our example of Ms. Blue, the fact that she is female (information from the system's databank), is interested in water skiing (a partial attribute contributed by the first partial profile user), and has a restored credit rating (provided by an external credit service database) means that another user looking at its own profiles of young, single, sports minded women, would desire to provide her with advertisements related to scuba diving in the Gulf of Mexico, for example. This other user would pay the system for the information it has stored or accessed. The system itself would pay the initial provider of the verification of the gender of Ms. Blue, to the user who contributed that Ms. Blue is interested in water skiing and might share a fee associated with the clarification of Ms. Blues' actual credit worthiness.

As an alternative embodiment to a process that has previously been described is the ability to embody the invention not as a process but as a computer useable program, i.e. a software product, which allows the exchange of descriptive profiles between users, databanks, and/or computers. Another alternative is usage as a computer program storage device.

I claim:

1. An automated method of collecting profiles of Internet-using entities, the method comprising:

(a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties, an electronically URL-redirectioned partial profile of an entity that uses a user computer coupled to the global computer network to access a website, which partial profile is available to one of the third parties and

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contains at least one profile attribute related to the entity, which partial profile is received along with an identification of the one of the third parties that contributed the partial profile, and automatically with the computer system storing the received partial profile;

- (b) automatically with the computer system electronically adding the received partial profile to a maintained profile believed to be related to the same entity;
- (c) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; and
- (d) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.

2. The method of claim 1 further comprising, in accordance with a predetermined arrangement, automatically using the electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes to create electronic data used to identify a payment amount due to the unaffiliated third party as a result of using at least one of the profile attributes in the partial profile contributed by that third party in targeting the third-party advertisements to the entity's computer over the global computer network.

3. The method of claim 1 wherein the computer system electronically adding the received partial profile to a maintained profile believed to be related to the same entity comprises the computer system adding the received partial profile to a maintained profile believed related to the same entity on account of the received partial profile and the maintained profile being related to the same user computer.

4. The method of claim 3 wherein the computer system determines that the received partial profile and the maintained profile are related to the same user computer by automatically reading a cookie on the user computer.

5. The method of claim 1 further comprising automatically with the computer system electronically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes used in targeting the advertisements.

6. The method of claim 1 further comprising automatically with the computer system electronically determining whether the received partial profile contains any profile attributes about the entity that were not previously contained in a maintained profile.

7. The method of claim 1 further maintaining with the computer system a credibility rating associated with at least one of the profile attributes of the maintained profile.

8. The method of claim 7 wherein the credibility rating is reflected in a price for the at least one profile attribute.

9. The method of claim 1 further comprising automatically with the computer system selecting profile attributes from the maintained profile based on the source thereof.

10. The method of claim 1 further comprising automatically with the computer system electronically reading a cookie previously stored on the entity's computer, as a result of the URL redirection.

11. A computer system programmed and connected to perform a method of collecting profiles of Internet-using entities, the method comprising:

- (a) electronically receiving at a computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties, an electronically URL-redirectioned partial profile of an entity that uses a user computer coupled to the

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global computer network to access a website, which partial profile is available to one of the third parties and contains at least one profile attribute related to the entity, which partial profile is received along with an identification of the one of the third parties that contributed the partial profile, and automatically with the computer system storing the received partial profile;

- (b) automatically with the computer system electronically adding the received partial profile to a maintained profile believed to be related to the same entity;
- (c) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; and
- (d) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.

12. The computer system of claim 11 wherein the method performed by the computer system further comprises, in accordance with a predetermined arrangement, automatically using the electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes to create electronic data used to identify a payment amount due to the unaffiliated third party as a result of using at least one of the profile attributes in the partial profile contributed by that third party in targeting the third-party advertisements to the entity's computer over the global computer network.

13. The computer system of claim 11 wherein the computer system electronically adding the received partial profile to a maintained profile believed to be related to the same entity comprises the computer system adding the received partial profile to a maintained profile believed related to the same entity on account of the received partial profile and the maintained profile being related to the same user computer.

14. The computer system of claim 13 wherein the computer system determines that the received partial profile and the maintained profile are related to the same user computer by automatically reading a cookie on the user computer.

15. The computer system of claim 11 wherein the method performed by the computer system further comprises automatically with the computer system electronically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes used in targeting the advertisements.

16. The computer system of claim 11 wherein the method performed by the computer system further comprises automatically with the computer system electronically determining whether the received partial profile contains any profile attributes about the entity that were not previously contained in a maintained profile.

17. The computer system of claim 11 wherein the method performed by the computer system further comprises maintaining with the computer system a credibility rating associated with at least one of the profile attributes of the maintained profile.

18. The computer system of claim 17 wherein the credibility rating is reflected in a price for the at least one profile attribute.

19. The computer system of claim 11 wherein the method performed by the computer system further comprises automatically with the computer system selecting profile attributes from the maintained profile based on the source thereof.

20. The computer system of claim 11 wherein the method performed by the computer system further comprises auto-

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matically with the computer system electronically reading a cookie previously stored on the entity's computer, as a result of the URL redirection.

21. A tangible, non-transitory data storage medium comprising indicia of instructions for a processor to perform a method of collecting profiles of Internet-using entities, the method comprising:

- (a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties, an electronically URL-redirectioned partial profile of an entity that uses a user computer coupled to the global computer network to access a website, which partial profile is available to one of the third parties and contains at least one profile attribute related to the entity, which partial profile is received along with an identification of the one of the third parties that contributed the partial profile, and automatically with the computer system storing the received partial profile;
- (b) automatically with the computer system electronically adding the received partial profile to a maintained profile believed to be related to the same entity;
- (c) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; and
- (d) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.

22. The data storage medium of claim 21 wherein the indicia of instructions instruct the processor to perform a method that further comprises: in accordance with a predetermined arrangement, automatically using the electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes to create electronic data used to identify a payment amount due to the unaffiliated third party as a result of using at least one of the profile attributes in the partial profile contributed by that third party in targeting the third-party advertisements to the entity's computer over the global computer network.

23. The data storage medium of claim 21 wherein the computer system electronically adding the received partial profile to a maintained profile believed to be related to the

20

same entity comprises the computer system adding the received partial profile to a maintained profile believed related to the same entity on account of the received partial profile and the maintained profile being related to the same user computer.

24. The data storage medium of claim 23 wherein the computer system determines that the received partial profile and the maintained profile are related to the same user computer by automatically reading a cookie on the user computer.

25. The data storage medium of claim 21 wherein the indicia of instructions instruct the processor to perform a method that further comprises: automatically with the computer system electronically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes used in targeting the advertisements.

26. The data storage medium of claim 21 wherein the indicia of instructions instruct the processor to perform a method that further comprises: automatically with the computer system electronically determining whether the received partial profile contains any profile attributes about the entity that were not previously contained in a maintained profile.

27. The data storage medium of claim 21 wherein the indicia of instructions instruct the processor to perform a method that further comprises: maintaining with the computer system a credibility rating associated with at least one of the profile attributes of the maintained profile.

28. The data storage medium of claim 27 wherein the credibility rating is reflected in a price for the at least one profile attribute.

29. The data storage medium of claim 21 wherein the indicia of instructions instruct the processor to perform a method that further comprises: automatically with the computer system selecting profile attributes from the maintained profile based on the source thereof.

30. The data storage medium of claim 21 wherein the indicia of instructions instruct the processor to perform a method that further comprises: automatically with the computer system electronically reading a cookie previously stored on the entity's computer, as a result of the URL redirection.

* * * * *

Disclaimer

8,494,904 B2 - Roy Shked, New York (US). METHOD AND STORED PROGRAM FOR ACCUMULATING PROFILE DATA ALONG WITH SOURCE INFORMATION FOR USE IN TARGETING THIRD-PARTY ADVERTISEMENTS. Patent dated July 23, 2013. Disclaimer filed September 6, 2017, by the inventor.

I hereby disclaim the following complete claims 2, 12 and 22 of said patent.

(Official Gazette, September 6, 2022)

Exhibit 4

Exhibit 4 - U.S. Patent No. 8,494,904 (“’904 Patent”)

Claim 1	Amazon’s Accused Instrumentalities
1. An automated method of collecting profiles of Internet-using entities, the method comprising:	Amazon’s Accused Instrumentalities perform an automated method of collecting profiles of Internet-using entities. <i>See, e.g.,</i> evidence and analysis for claim limitations (a)-(d) below. <i>See also, e.g.,</i> https://advertising.amazon.com/blog/programmatic-buying-lp: Improvements to make your advertising more efficient: • Advertiser audiences lookalikes: If you’re in the United States or Canada, you can now use the advertiser audiences tool to discover overlap between your anonymized customer lists, DMP segments, pixel-based audiences, and Amazon lifestyle and in-market segments. This in turn helps you extend campaign reach by finding shoppers who exhibit similar behaviors to your existing audiences. • Data Management Platform (DMP) integrations: We now support audience ingestion from Adobe Audience Manager and Salesforce DMP (formerly known as Krux), enabling you to use your existing DMP audiences when creating campaigns via our programmatic buying solution. ; https://advertising.amazon.com/library/guides/dsp-ssp-dmp-difference:

	What is a Data Management Platform (DMP)? A data management platform (DMP) is software that gives advertisers, marketers, brands, and agencies a place to store collected insights in order to use it to inform ad campaigns. Amazon DSP allows for advertisers to use their own DMP audiences when creating programmatic buying campaigns. What is Real Time Bidding (RTB)? Real Time Bidding (RTB) is a way to buy ads programmatically. With RTB, advertisers can participate in an auction when an impression becomes available. If their bid wins the auction, their ad is displayed on the publisher's site. RTB is not only efficient, but it helps advertisers focus on the most relevant inventory. Through RTB, publishers and advertisers are able to sell and buy ads facilitated by an SSP. ; https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions: What launched? Amazon Marketing Cloud (AMC) and Amazon DSP are now integrated with Customer Data Platform (CDP) solutions from multiple vendors, including ActionIQ, Adobe, Amperity, Hightouch, Lytics, Relay42, Salesforce, Tealium, and Treasure Data. With the integrations, advertisers who are mutual customers of these CDP vendors and Amazon Ads can easily stream in pseudonymized first-party signals of choice into AMC or/and Amazon DSP, where they can utilize these signals for audience building, campaign execution, performance measurement, and custom insights. Some CDPs also allow advertisers to take additional actions using outputs from Amazon Ads, such as visualizing insights, optimizing segmentation of customers, and informing marketing tactics at advertisers' owned marketing channels.
(a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties, an electronically URL-redirectioned partial profile of an entity that uses a user computer coupled to the global computer network to access a website, which partial profile is available to one of the third parties and contains at least	Amazon's Accused Instrumentalities electronically receive at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties, an electronically URL-redirectioned partial profile of an entity that uses a user computer coupled to the global computer network to access a website, which partial profile is available to one of the third parties and contains at least one profile attribute related to the entity, which partial profile is received along with an identification of the one of the third parties that contributed the partial profile, and automatically with the computer system store the received partial profile. For example, Amazon receives electronically-redirectioned partial profile information (e.g., partial profile information redirectioned using a pixel or JavaScript redirect) associated with website visitors

one profile attribute related to the entity, which partial profile is received along with an identification of the one of the third parties that contributed the partial profile, and automatically with the computer system storing the received partial profile;

from a server or servers controlled by unaffiliated third parties (such as, e.g., the Oracle and Adobe data management platforms). The partial profile is available to the third parties, and includes one or more profile attributes related to the website visitor, and is received with an identification of which third party contributed the profile. Amazon then automatically stores the received partial profile (including the one or more profile attributes).

See, e.g., <https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/AudienceDataMarketplace/AudienceDataMarketplace.html>:

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The Oracle Data Cloud data directory showcases Oracle's aggregation of market-leading data available through the Oracle Data Marketplace - the world's largest collection of third-party data. This data is cultivated from industry leading branded and unbranded data providers giving users access to a billion profiles across 30,000 categories that can be leveraged for ad targeting, site optimization, custom segmentation and more to deliver the most relevant customer experiences at every touch point.

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[; https://www.oracle.com/advertising/audiences/:](https://www.oracle.com/advertising/audiences/)

Audiences by Oracle

Customize audiences or activate any of the more than 4,000 syndicated audiences by Oracle that include a range of demographic and lifestyle segments to deliver more sophisticated targeting, such as purchase-based targeting solutions. We can help you reach customers and prospects at any buyer journey stage with highly relevant, privacy-centric targeting solutions. Below are a few examples of the audience targeting types available to help you achieve your ad campaign goals:

Business to business

Oracle's business-to-business audiences include some of the most significant professional demographic and firmographic data assets. These curated audiences are built from attributes, such as company size, sales volume, company age, industry, job function, and management level.

Custom

Leverage our vast data assets to build custom audiences specific to your targeting needs and KPIs.

Demographics

Oracle's demographic audiences source the best online and offline data based on attributes, such as age, gender, and household composition. Audience sources include the US census, vehicle registration information, public records, surveys, deeds, and more.

In-market

Reach consumers actively searching for products online through product review pages, comparison sites, online product configuration tools, and online searches. Popular in-market audience categories include auto, real estate, technology, and travel.

Life stages

Reach consumers who are in specific life stages or life events, such as college graduation, new parents, and recently married. These life stages are curated from online and offline data sources, including consumer purchases, public records, registration data, surveys, online search, and browsing data.

Lifestyle

Oracle lifestyle targeting finds audiences based on their daily activities and purchase behavior. These can range from food lovers and fashionistas to soccer parents and outdoor enthusiasts. These audiences are built and maintained using data about where consumers shop, how they shop, what the purchase, the websites they visit, along with demographic and psychographic attributes.

Proximity

Reach people who live within a certain range of retailers, places of business, attractions, and more. Oracle proximity audiences are sourced from known offline addresses and merchant locations.

Purchase based

Engage customers based on their shopping behavior. These modeled audiences are built using purchase data from industries, such as consumer packaged goods (CPG), retail, restaurants, entertainment, and more. They include where consumers visit, how often they shop, how much they spend, and the products purchased. You can use purchase-based audiences to reach your brand buyers, competitive buyers, new or lapsed buyers, frequent shoppers, brand switchers, and high spenders.

Seasonal

'Tis the season to reach holiday and seasonal audiences. Oracle's seasonal audiences source offline and ecommerce-observed consumer spending from online behaviors, such as visiting holiday/seasonal webpages, and from UPC and SKU-level transactions during a specific timeframe.

[Find 3rd party audiences](#)

; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Audiences/deliver_audience_newflow.htm;

Delivering Audiences

After you have created and configured an audience, you can deliver to it to media execution platforms for targeting, optimization, and analytics. The Oracle Data Cloud platform includes integrations with top technology partners that enable you to power your media targeting campaigns with your first-party data. Many partners also allow you to target third-party data purchased from the [Oracle Data Marketplace](#). Different partners support different ID sources ranging from desktop and mobile web cookies to mobile advertising IDs (MAIDs).

In this topic

- [Setting the delivery method](#)
- [Specifying advanced settings](#)
- [Pausing audience data delivery](#)
- [Changing delivery end dates](#)
- [Managing failed deliveries](#)

Setting the delivery method

You can choose from three methods to deliver audience data:

- [Data delivery platform \(app\)](#)
- [Pixel URL delivery](#)
- [JSON return delivery](#)

; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Apps/apps_index.htm;

■ Amazon

You can deliver first- and third-party desktop and mobile cookie-based audiences from the Oracle Data Cloud platform to Amazon Advertising. Amazon Advertising enables you to reach shoppers on Amazon sites, across the web, and in mobile apps.

	; https://www.forbes.com/sites/jessedamiani/2020/06/19/oracles-bluekai-spilled-billions-of-records-of-web-tracking-data/: BlueKai tracks users around the web through cookies and other proprietary technology. This is not limited to Oracle users. By tracking what websites people visit and which emails they open, BlueKai is able to infer a wide range of information about us—from our interests to our politics to our income. Of course, this is designed for “ideal identity resolution,” ad tech-speak for targeting users with the most optimal ads. Effectively, all these different sources of data merge to form a “unique fingerprint” of a person’s device—which itself can later be linked to other devices. ; https://www.oracle.com/advertising/what-is-data-cloud/: Understand data and the advertising environment Protect your brand Oracle Contextual Intelligence helps advertisers and publishers understand the underlying meaning of the environment where ads are served. This mitigates brand safety risks and identifies content that represent opportunities to make your message more impactful without relying on personal identifiers. Insights to Plan Oracle Data Management Platform (formerly Bluekai) unlocks data-driven, customer-first advertising possibilities for quicker acquisition of higher-value customers while achieving greater ad-spend efficiencies. Personalize online, offline, and mobile marketing campaigns with richer data sets about relevant audiences with both scale and accuracy. https://advertising.amazon.com/resources/whats-new/oracle-data-cloud-custom-predicts
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Oracle Data Cloud - custom predicts

November 16, 2020

What launched?

[Amazon DSP](#) now supports Oracle Data Cloud's (ODC) custom predicts.

Why is it important?

Predicts is a contextual targeting feature that allows brands to capitalize on trending content and the associated inventory in real time, driving greater relevancy and reach. Predicts helps advertisers achieve their reach goals by dynamically expanding static segments in real time, on a daily basis, and receiving impressions as the conversation evolves. This feature is available worldwide for standard display, mobile app, and video line items running on third-party supply sources.

<https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions>:

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What launched?

Amazon Marketing Cloud (AMC) and Amazon DSP are now integrated with Customer Data Platform (CDP) solutions from multiple vendors, including ActionIQ, Adobe, Amperity, Hightouch, Lytics, Relay42, Salesforce, Tealium, and Treasure Data. With the integrations, advertisers who are mutual customers of these CDP vendors and Amazon Ads can easily stream in pseudonymized first-party signals of choice into AMC or/and Amazon DSP, where they can utilize these signals for audience building, campaign execution, performance measurement, and custom insights. Some CDPs also allow advertisers to take additional actions using outputs from Amazon Ads, such as visualizing insights, optimizing segmentation of customers, and informing marketing tactics at advertisers' owned marketing channels.

<https://business.adobe.com/products/audience-manager/real-time-destinations.html>:

Real-time Destinations

Activate dozens of destinations to support real-time transfer of segment information. Ensure customer information is refreshed whenever users visit or take action on your site, so you can always reach customers at the right time.

Exceed your customers' expectations. In real time.

The world moves fast. And customers expect you to move at the same pace — with real-time response and personalization. By qualifying and segmenting users from the start, you can meet these expectations and make the most of any opportunity.

Each time a user visits or takes action on your site, Audience Manager uses server-side connections to send those updated segments to dozens of destinations. With more real-time destinations than any other DMP, you can deliver relevant, up-to-the-minute experiences to more of your customers.

See what makes it work.

Server to server integrations

Adobe Audience Manager builds new traits and segments for targeting as soon the content provider sends data. We support server-to-server transfers of data, both real-time and batch.

Up to date segmentation

By integrating with up to date segmentation that accept real-time transfers, you can ensure your users see content that is relevant to them, and while tailoring campaigns to specific points in the conversion path.

Destination Builder

Create, manage, and delete destinations safely in the Destination Builder interface. This helps reduce the time required for pre-deployment testing, so you can activate faster.

; <https://advertising.amazon.com/blog/programmatic-buying-lp>:

Improvements to make your advertising more efficient:

- **Advertiser audiences lookalikes:** If you're in the United States or Canada, you can now use the advertiser audiences tool to discover overlap between your anonymized customer lists, DMP segments, pixel-based audiences, and Amazon lifestyle and in-market segments. This in turn helps you extend campaign reach by finding shoppers who exhibit similar behaviors to your existing audiences.
- **Data Management Platform (DMP) integrations:** We now support audience ingestion from Adobe Audience Manager and Salesforce DMP (formerly known as Krux), enabling you to use your existing DMP audiences when creating campaigns via our programmatic buying solution.

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(b) automatically with the computer system electronically adding the received partial profile to a maintained profile believed to be related to the same entity;

Amazon's Accused Instrumentalities, automatically with the computer system, electronically add the received partial profile to a maintained profile believed to be related to the same entity.

For example, the received partial profile (including one or more profile attributes) are added to a maintained profile of attributes for use in targeting advertisements to the website visitor.

See, e.g., <https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/AudienceDataMarketplace/AudienceDataMarketplace.html>:

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; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Audiences/deliver_audience_newflow.htm:

Delivering Audiences

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In this topic

- Setting the delivery method
- Specifying advanced settings
- Pausing audience data delivery
- Changing delivery end dates
- Managing failed deliveries

Setting the delivery method

You can choose from three methods to deliver audience data:

- Data delivery platform (app)
- Pixel URL delivery
- JSON return delivery

Changing delivery end dates

You can change delivery end dates for up to 50 audiences at the same time without having to edit their full delivery details. For example, suppose you originally scheduled delivery for several audiences to end on March 31 but later decide that you want to extend that period. Instead of opening each audience separately, you can select them as a group and then specify a new end date.

You can change delivery end dates only for active audiences. If an audience began delivery in the past, the new end date cannot be more than one year in the future from today. If an audience has not yet started delivery, the new end date cannot be more than one year from the scheduled start date.

; https://docs.oracle.com/en/cloud/saas/data-cloud/data-cloud-help-center/Platform/Audiences/create_audience.html:

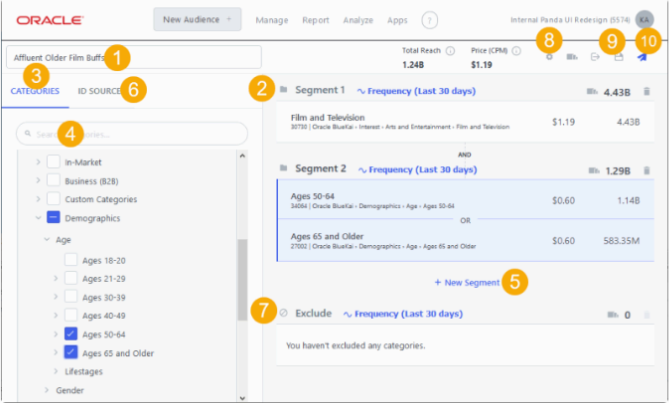
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Creating Audiences

The Oracle Data Cloud Platform enables you to create, configure, and deliver audiences in a single, straightforward workflow. You can configure audiences to target exactly the users you want and then select delivery platforms to deliver the audiences to media execution partners. The modern, intuitive user interface makes the process fast and simple.

Understanding the audience builder interface

The following illustration shows the audience builder page populated with example data. A table follows to explain the features of the page called out in the illustration.



<https://business.adobe.com/products/audience-manager/real-time-destinations.html>:

Real-time Destinations

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Exceed your customers' expectations. In real time.

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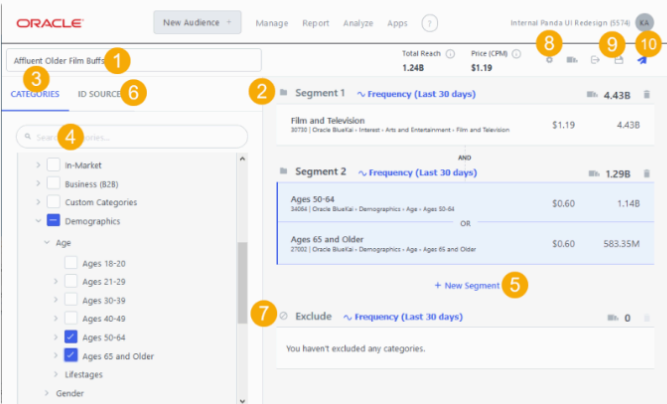
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	https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions: What launched? Amazon Marketing Cloud (AMC) and Amazon DSP are now integrated with Customer Data Platform (CDP) solutions from multiple vendors, including ActionIQ, Adobe, Amperity, Hightouch, Lytics, Relay42, Salesforce, Tealium, and Treasure Data. With the integrations, advertisers who are mutual customers of these CDP vendors and Amazon Ads can easily stream in pseudonymized first-party signals of choice into AMC or/and Amazon DSP, where they can utilize these signals for audience building, campaign execution, performance measurement, and custom insights. Some CDPs also allow advertisers to take additional actions using outputs from Amazon Ads, such as visualizing insights, optimizing segmentation of customers, and informing marketing tactics at advertisers' owned marketing channels. ; https://advertising.amazon.com/library/guides/dsp-ssp-dmp-difference: What is a Data Management Platform (DMP)? A data management platform (DMP) is software that gives advertisers, marketers, brands, and agencies a place to store collected insights in order to use it to inform ad campaigns. Amazon DSP allows for advertisers to use their own DMP audiences when creating programmatic buying campaigns. What is Real Time Bidding (RTB)? Real Time Bidding (RTB) is a way to buy ads programmatically. With RTB, advertisers can participate in an auction when an impression becomes available. If their bid wins the auction, their ad is displayed on the publisher's site. RTB is not only efficient, but it helps advertisers focus on the most relevant inventory. Through RTB, publishers and advertisers are able to sell and buy ads facilitated by an SSP.
(d) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.	In the method performed by Amazon's Accused Instrumentalities, the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network. For example, the maintained profile (including the added partial profile and profile attribute or attributes it includes) is used to target advertisements for third parties (such as Amazon's advertising customers) to the website visitor over the Internet.

See, e.g., <https://advertising.amazon.com/resources/whats-new/amazon-marketing-cloud-and-amazon-dsp-are-integrated-with-customer-data-platform-solutions>:

What launched?

Amazon Marketing Cloud (AMC) and Amazon DSP are now integrated with Customer Data Platform (CDP) solutions from multiple vendors, including ActionIQ, Adobe, [Amperity](#), [Hightouch](#), [Lytics](#), [Relay42](#), Salesforce, [Tealium](#), and [Treasure Data](#). With the integrations, advertisers who are mutual customers of these CDP vendors and Amazon Ads can easily stream in pseudonymized first-party signals of choice into AMC or/and Amazon DSP, where they can utilize these signals for audience building, campaign execution, performance measurement, and custom insights. Some CDPs also allow advertisers to take additional actions using outputs from Amazon Ads, such as visualizing insights, optimizing segmentation of customers, and informing marketing tactics at advertisers' owned marketing channels.

; <https://advertising.amazon.com/blog/programmatic-buying-lp>:

Improvements to make your advertising more efficient:

- **Advertiser audiences lookalikes:** If you're in the United States or Canada, you can now use the advertiser audiences tool to discover overlap between your anonymized customer lists, DMP segments, pixel-based audiences, and Amazon lifestyle and in-market segments. This in turn helps you extend campaign reach by finding shoppers who exhibit similar behaviors to your existing audiences.
- **Data Management Platform (DMP) integrations:** We now support audience ingestion from Adobe Audience Manager and Salesforce DMP (formerly known as Krux), enabling you to use your existing DMP audiences when creating campaigns via our programmatic buying solution.

; <https://advertising.amazon.com/library/guides/dsp-ssp-dmp-difference>:

What is a Data Management Platform (DMP)?

A data management platform (DMP) is software that gives advertisers, marketers, brands, and agencies a place to store collected insights in order to use it to inform ad campaigns. Amazon DSP allows for advertisers to use their own DMP audiences when creating programmatic buying campaigns.

What is Real Time Bidding (RTB)?

[Real Time Bidding \(RTB\)](#) is a way to buy ads programmatically. With RTB, advertisers can participate in an auction when an impression becomes available. If their bid wins the auction, their ad is displayed on the publisher's site. RTB is not only efficient, but it helps advertisers focus on the most relevant inventory. Through RTB, publishers and advertisers are able to sell and buy ads facilitated by an SSP.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

ALMONDNET, INC. and DATONICS LLC

(b) County of Residence of First Listed Plaintiff Queens County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Reza Mirzaie

RUSS AUGUST & KABAT

12424 Wilshire Blvd. 12th Floor Los Angeles, CA 90025

DEFENDANTS

AMAZON.COM, INC., AMAZON.COM SERVICES LLC, and
AMAZON WEB SERVICES, INC.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance	☐ 310 Airplane	☐ 625 Drug Related Seizure of Property 21 USC 881	☐ 422 Appeal 28 USC 158	☐ 375 False Claims Act
☐ 120 Marine	☐ 315 Airplane Product Liability	☐ 690 Other	☐ 423 Withdrawal 28 USC 157	☐ 376 Qui Tam (31 USC 3729(a))
☐ 130 Miller Act	☐ 320 Assault, Libel & Slander		PROPERTY RIGHTS	☐ 400 State Reapportionment
☐ 140 Negotiable Instrument	☐ 330 Federal Employers' Liability		☒ 820 Copyrights	☐ 410 Antitrust
☐ 150 Recovery of Overpayment & Enforcement of Judgment	☐ 340 Marine		☐ 830 Patent	☐ 430 Banks and Banking
☐ 151 Medicare Act	☐ 345 Marine Product Liability		☐ 835 Patent - Abbreviated New Drug Application	☐ 450 Commerce
☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)	☐ 350 Motor Vehicle	LABOR	☐ 840 Trademark	☐ 460 Deportation
☐ 153 Recovery of Overpayment of Veteran's Benefits	☐ 355 Motor Vehicle Product Liability	☐ 710 Fair Labor Standards Act	☐ 880 Defend Trade Secrets Act of 2016	☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 160 Stockholders' Suits	☐ 360 Other Personal Injury	☐ 720 Labor/Management Relations	SOCIAL SECURITY	☐ 480 Consumer Credit (15 USC 1681 or 1692)
☐ 190 Other Contract	☐ 362 Personal Injury - Medical Malpractice	☐ 740 Railway Labor Act	☐ 861 HIA (1395ff)	☐ 485 Telephone Consumer Protection Act
☐ 195 Contract Product Liability		☐ 751 Family and Medical Leave Act	☐ 862 Black Lung (923)	☐ 490 Cable/Sat TV
☐ 196 Franchise		☐ 790 Other Labor Litigation	☐ 863 DIWC/DIWW (405(g))	☐ 850 Securities/Commodities/Exchange
		☐ 791 Employee Retirement Income Security Act	☐ 864 SSID Title XVI	☐ 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	IMMIGRATION	☐ 865 RSI (405(g))	☐ 891 Agricultural Acts
☐ 210 Land Condemnation	☐ 440 Other Civil Rights	☐ 462 Naturalization Application	FEDERAL TAX SUITS	☐ 893 Environmental Matters
☐ 220 Foreclosure	☐ 441 Voting	☐ 465 Other Immigration Actions	☐ 870 Taxes (U.S. Plaintiff or Defendant)	☐ 895 Freedom of Information Act
☐ 230 Rent Lease & Ejectment	☐ 442 Employment		☐ 871 IRS—Third Party 26 USC 7609	☐ 896 Arbitration
☐ 240 Torts to Land	☐ 443 Housing/Accommodations			☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
☐ 245 Tort Product Liability	☐ 445 Amer. w/Disabilities - Employment			☐ 950 Constitutionality of State Statutes
☐ 290 All Other Real Property	☐ 446 Amer. w/Disabilities - Other			
	☐ 448 Education			
		PRISONER PETITIONS		
		Habeas Corpus:		
		☐ 463 Alien Detainee		
		☐ 510 Motions to Vacate Sentence		
		☐ 530 General		
		☐ 535 Death Penalty		
		Other:		
		☐ 540 Mandamus & Other		
		☐ 550 Civil Rights		
		☐ 555 Prison Condition		
		☐ 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
35 U.S.C. § 1 et seq.Brief description of cause:
Patent Infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Albright

DOCKET NUMBER See Notice of Related Cases

DATE

5/3/2024

SIGNATURE OF ATTORNEY OF RECORD

/s/ Reza Mirzaie

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.