EXHIBIT A

ASSIGNED PATENTS AND APPLICATIONS

Title	Identifying Number
DEVELOPING ELECTRONIC DOCUMENTS PROVIDING E-COMMERCE TOOLS	U.S. Patent Application No. 13/963,050 Filed August 9, 2013 U.S. Reissue Patent No. RE45,971 Issued April 12, 2016
RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES	U.S. Patent Application No. 13/946,461 Filed July 19, 2013 U.S. Published Application No. 2013-0305132 Published November 14, 2013
CLIENT SYSTEM DISPLAYING IDENTIFICATION ELEMENTS FOR WEB PAGE	U.S. Patent Application No. 13/946,489 Filed July 19, 2013 U.S. Published Application No. 2013-0311876 Published November 21, 2013

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 05/25/2021

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
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EXAMINER
KOLOSOWSKI-GAGER, KATHERINE

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
05/25/2021	ELECTRONIC

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

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

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

kevin.cuenot@iplawpro.com
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13/946,461	07/19/2013	DISTEFANO, THOMAS L.	8201-0013

Cuenot, Forsythe & Kim
5425 Park Central Court Suite 111
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EXAMINER	
KATHERINE KOLOSOWSKI-GAGER	
ART UNIT	PAPER
3622	20210520

DATE MAILED: _____

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

Commissioner for Patents

See Attached.

/KATHERINE KOLOSOWSKI-GAGER/
Primary Examiner, Art Unit 3622

PTO-90C (Rev.04-03)

Notice of Pre-AIA or AIA Status

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

Notice of Non-Responsive Amendment

The amendment filed on 25 NOV 2020, as well as the communication as filed on 1/19/2021, is not fully responsive to the prior Office Action(s) (Non-Final Rejection dated 25 AUG 2020, Notice to Applicant regarding a non-compliant/non-responsive amendment, as sent on 1/19/2021) because of the following omission(s) or matter(s)

Applicant has canceled elected claims 22-26, 28-36, 38-46, and has added claims 47-66. As such, Applicant has canceled all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03) and has not been entered. The remaining claims are not readable on the elected invention because:

Newly submitted claims 47, 57, recite a method performed within and by a server system configured to modify and serve web pages (claim 47), as well as a server system configured to modify and serve web pages comprising a hardware database system and a hardware system configured to perform (claim 57), receiving from a first client device associated with a first user and via graphical user interface provided by the system, information indicating a selection of a web asset to be used in a first website associated with the first user, receiving from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website; storing within a computer database system of the server system, first information indicating that the first identification was received; receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second hyperlink from the second website to the first website; storing, within the computer database system, second information indicating that the second identification was received; modifying the first website to include the web asset; modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the

second information indicating that the second identification was received; serving, in response to a web page request from a third client device, a first web page of the first website to the third client device, wherein

the second website is associated with a second user, the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system, the first identification is based upon a selection associated with the second website, and the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites displayed within the graphical user interface.

These claims and related dependents are separate and distinct from the previously elected claim set of claims 22-26, 28-36, 38-46, because the previously elected claims recite a completely different invention.

Previously elected claim 22 recites: A method, within and by a computer hardware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising: establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement; including, within the second web page and based upon the reciprocal arrangement, a second link to the first web page and associated with the first entity; and including, within the first web page and based upon the reciprocal arrangement, a first link to the second web page and associated with the second entity.

Previously elected claim 32 recites: A webpage implementation server system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising: a database system storing information associated with the first and second web pages; a computer hardware system configured to perform: storing first input received from the first user into the database system: storing second input received from the second user into the database system: establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement; generating, using the first input received from the first user and the reciprocal arrangement, the first web page: and generating, using the second input received from the second and the reciprocal arrangement, the second web page, wherein the second web page includes based on the reciprocal arrangement, a second link to the first web page and the first web page includes based upon the reciprocal arrangement, a first link to the second web page.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 47-66 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Examiner notes that restriction is proper in that a serious search burden is associated with the newly presented claims, which are completely distinct from the claims previously examine, as noted in the MPEP.

"Where the inventions as claimed are shown to be independent or distinct under the criteria of MPEP § 806.05(c) - § 806.06, the examiner, in order to establish reasons for insisting upon restriction, must explain why there would be a serious burden on the examiner if restriction is not required. Thus the examiner must show by appropriate explanation one of the following:

(A) Separate classification thereof: This shows that each invention has attained recognition in the art as a separate subject for inventive effort, and also a separate field of search. Patents need not be cited to show separate classification.

(B) A separate status in the art when they are classifiable together: Even though they are classified together, each invention can be shown to have formed a separate subject for inventive effort when the examiner can show a recognition of separate inventive effort by inventors. Separate status in the art may be shown by citing patents which are evidence of such separate status, and also of a separate field of search.

(C) A different field of search: Where it is necessary to search for one of the inventions in a manner that is not likely to result in finding art pertinent to the other invention(s) (e.g., searching different classes/subclasses or electronic resources, or employing different search queries, a different field of search is shown, even though the two are classified together. The indicated different field of search must in fact be pertinent to the type of subject matter covered by the claims. Patents need not be cited to show different fields of search.

Examiner respectfully submits that an entirely new and different search would be required in order to examine the claims as filed. In particular, Examiner would be required to execute a different field of search in that the entire claim has been cancelled and re-written, almost doubling the number of limitations and altering crucial orders of limitations in a manner that would require a completely new search.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a shortened statutory period of TWO (2) MONTHS from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE but in no case can any extension carry the date for reply to this letter beyond the maximum period of SIX MONTHS set by statute (35 U.S.C. 133).

Response to Arguments

In the interest of compact prosecution, Examiner notes receipt of Applicant's remarks as filed on 1/19/2021. Examiner finds the remarks unpersuasive and maintains that an election occurred on the part of the Applicant.

Applicant reproduces a portion of a petition decision on page 3, 4; Examiner does not find this case to be particularly relevant as a petition has not been filed, nor is that particular case dispositive of prosecution in *this* particular Application. Examiner finds it somewhat unclear if Applicant is citing to the MPEP for the merits of this particular application, or again simply reproducing the opinion in an unrelated case. Applicant goes on to paraphrase claim limitations – however, Examiner again maintains the position that the claims as currently filed are separate and independent from the prior set of claims, and a serious search burden would exist if these claims were to be examined. That the claims are vaguely existing in the same realm of technology does not excuse the search burden that would be presented to the user in the new set of claims. Applicant continues citing various portions of the MPEP regarding restriction – Examiner has cited to relevant portions above as well for Applicant's benefit.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KATHERINE KOLOSOWSKI-GAGER whose telephone number is (571)270-5920. The examiner can normally be reached on Monday - Friday.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ilana Spar can be reached at 571-270-7537. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see https://ppair-my.uspto.gov/pair/PrivatePair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KATHERINE KOLOSOWSKI-GAGER/
Primary Examiner, Art Unit 3622

To: terry.forsythe@iplawpro.com,kevin.cuenot@iplawpro.com,ptomail@iplawpro.com
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
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May 25, 2021 03:42:23 AM

Dear PAIR Customer:

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109
UNITED STATES

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Application	Document	Mailroom Date	Attorney Docket No.
13946461	NTC.A.NONCPL	05/25/2021	8201-0013

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UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: 9140
Application No.: 13/946,461	:	Group Art Unit: 3622
Filed: July 19, 2013	:	Examiner: K. Kolosowski-Gager

For: GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS

PETITION UNDER 37 C.F.R. § 1.144

Director
Office of Petitions
US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Petition seeks withdrawal of the Examiner's decision, in the Notices of Non-Compliant Amendment dated January 19, 2021 and May 25, 2021, to withdraw claims 47-66 from consideration on the basis that these claims are "directed to a non-elected invention." This Petition is timely filed, pursuant to 37 C.F.R. § 1.144, as being filed "not later than appeal."

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ISSUE PRESENTED

The issue is whether the Examiner made the proper findings to establish that (i) Applicants have claimed "two or more independent and distinct inventions" pursuant to 37 C.F.R. § 1.142(a), and (ii) there is a "serious burden on the examiner if restriction is not required," pursuant to M.P.E.P. 803(I).

STATEMENT OF FACTS

The present application was filed on July 19, 2013. In a Preliminary Amendment dated the same day, Applicant cancelled original claims 1-21 and presented new claims 22-41. In an Amendment dated April 20, 2018, claims 44-46 were added. These claims were subsequently appealed, and on October 18, 2019, the Examiner issued an Examiner's Answer. On December 18, 2019, Applicant filed a petition under 37 C.F.R. §§ 1.181, 41.40, in which Applicant argued that the Examiner's rejection under 35 U.S.C. § 101 contained an undesignated new ground of rejection. On June 2, 2020, this petition was granted. On August 25, 2020, the Examiner reopened prosecution with the new grounds of rejection.

On November 25, 2020, Applicant's representative performed a telephonic interview with the Examiner in which proposed new claims 47-66 were presented. During the interview, the Examiner raised a question as to whether the concept of "Election by Original Presentation"[1] applies to the current claims. In an Amendment filed the same day, Applicant cancelled old claims

[1] See Form ¶ 8.04 found in M.P.E.P. § 821.03.

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22-26, 28-36, and 38-46[2] and presented new claims 47-66, and preemptively addressed the Examiner's question as to whether the new claims are independent and distinct from the old claims.

On January 19, 2021, the Examiner issued a Notice of Non-Compliant Amendment (hereinafter the "First NNCA") in which the Examiner stated that "claims and related dependents are separate and distinct from the previously elected claim set of claims 22-26, 28-36, 38-46 ... [a]ccordingly, claims 47-66 [are] withdrawn from consideration as being directed to a non-elected invention." On January 19, 2021, Applicant filed a Request for Reconsideration in which Applicant argued that the Examiner has not set forth a proper requirement for restriction, and consequently, the Examiner did not establish that the claims are directed to a non-elected invention.

On May 25, 2021, the Examiner issued another Notice of Non-Compliant Amendment (hereinafter the "Second NNCA") that replied to Applicant's Request for Reconsideration.

STATEMENT OF LAW

Under 37 C.F.R. § 1.142(a), "[i]f two or more independent and distinct inventions are claimed in a single application, the examiner in an Office action will require the applicant in the reply to that action to elect an invention to which the claims will be restricted." Additionally, under 37 C.F.R. § 1.142(b), "[c]laims to the invention ... not elected ... are nevertheless withdrawn

[2] Claims 27 and 37 were previously cancelled.

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from further consideration by the examiner by the election, subject however to reinstatement in the event the requirement for restriction is withdrawn or overruled."

Reference is made to the Decision on Petition Under 37 C.F.R. § 1.144 dated December 10, 2018, in U.S. Application No. 13/926,638,[3] which was filed in Tech Center 3600 (hereinafter the Decision). As in the present application, the Examiner in the '638 Application refused to enter new claims asserting that "the invention has been constructively elected by original presentation for prosecution on the merits." Referring to page 2 of the Petition, the Patent Office reproduced the following language from the M.P.E.P.:

MPEP § 803 states:

> **803 Restriction — When Proper [R-08.2017]**
>
> Under the statute, the claims of an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent (MPEP § 802.01, § 806.06, and § 808.01) or distinct (MPEP § 806.05 - § 806.05(j)).
>
> If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.
>
> **I. CRITERIA FOR RESTRICTION BETWEEN PATENTABLY DISTINCT INVENTIONS**
>
> There are two criteria for a proper requirement for restriction between patentably distinct inventions:
>
> (A) The inventions must be independent (see MPEP § 802.01, § 806.06, § 808.01) or distinct as claimed (see MPEP § 806.05 - § 806.05(j)); and
>
> (B) There would be a serious burden on the examiner if restriction is not required (see MPEP § 803.02, § 808, and § 808.02).

[3] The undersigned prepared the underlying Petition that was the basis for this Decision.

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"two or more independent and distinct inventions"

Referring to M.P.E.P. § 802.01(I), "[t]he term 'independent' (i.e., unrelated) means that there is no disclosed relationship between the two or more inventions claimed, that is, they are unconnected in design, operation, and effect." Referring to M.P.E.P. § 802.01(II), "[r]elated inventions are distinct if the inventions *as claimed* are not connected in at least one of design, operation, or effect (e.g., can be made by, or used in, a materially different process) and wherein at least one invention is PATENTABLE (novel and nonobvious) OVER THE OTHER" (emphasis in original).

Serious Burden

Referring to M.P.E.P. § 808.02, "[w]here the inventions as claimed are shown to be independent or distinct ..., the examiner, in order to establish reasons for insisting upon restriction, must explain why there would be a serious burden on the examiner if restriction is not required" (emphasis added). The three separate ways an Examiner may show a serious burden is: (A) a separate classification thereof, (B) a separate status in the art when they are classifiable together, (C), a different field of search. M.P.E.P. § 808.02 further describes "[a] different field of search as follows:

> (C) **A different field of search**: Where it is necessary to search for one of the inventions in a manner that is not likely to result in finding art pertinent to the other invention(s) (e.g., searching different classes/subclasses or electronic resources, or employing different search queries, a different field of search is shown, even though the two are classified together. The indicated different field of search must in fact be pertinent to the type of subject matter covered by the claims. Patents need not be cited to show different fields of search. (bolding in original)

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Election by Original Prosecution

Reference is made to M.P.E.P. § 821.02(a), entitled "Election By Originally Presented Claims," which states the following:

> Where claims to another invention are properly added and entered in the application before the earlier of the mailing of a first restriction requirement or the mailing of a first Office action on the merits, those claims, along with the ones presented upon filing the application, will be considered originally presented claims for purposes of restriction only.
> The claims originally presented and acted upon by the Office on their merits determine the invention elected by an applicant in the application, and in any request for continued examination (RCE) filed for the application. Subsequently presented claims to an invention other than that acted upon should be treated as provided in MPEP § 821.03. (emphasis added)

M.P.E.P. § 821.03, which is cited in the above-reproduced passage is entitled "Claims for Different Invention Added After an Office Action." This section of the M.P.E.P. also refers to form ¶ 8.04, entitled "Election by Original Presentation." As stated in M.P.E.P. § 821.03, "Claims added by amendment following action by the examiner ... and drawn to an invention other than the one previously claimed, should be treated as indicated in 37 CFR 1.145." Section 1.145 of 37 C.F.R. states the following:

> If, after an office action on an application, the applicant presents claims directed to an invention distinct from and independent of the invention previously claimed, the applicant will be required to restrict the claims to the invention previously claimed if the amendment is entered, subject to reconsideration and review as provided in §§ 1.143 and1.144. (emphasis added)

A requirement for restriction is found in 37 C.F.R. § 1.142, which has already been addressed above.

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ARGUMENT

There are two over-arching errors in the Examiner's improper withdrawal of the claims 20-39 from prosecution. These are as follows:

(A) Failure to establish "two or more independent and distinct inventions"; and

(B) Failure to establish a serious burden.

1. Failure to establish "two or more independent and distinct inventions" pursuant to 37 C.F.R. § 1.142

Referring to the First NNCA, the Examiner did not present any analysis regarding either the (A) criteria or the (B) criteria for establishing a proper requirement for restriction. At most, the Examiner has alleged that "the previously elected claims recite a different invention." However, "a different invention" is not the standard. Rather, the standard stated in 35 U.S.C. § 121 is as follows:

> If two or more independent and distinct inventions are claimed in one application, the Director may require the application to be restricted to one of the inventions. (emphasis added)

Claims are not "independent"

Referring to M.P.E.P. § 802.01(I), "[t]he term 'independent' (i.e., unrelated) means that there is no disclosed relationship between the two or more inventions claimed, that is, they are unconnected in design, operation, and effect." To be clear, the issue does not revolve upon whether the claims are different – *any amendment to claims necessarily introduces some differences between old and new claims*. Rather, the issue is whether there is "no disclosed relationship" such that "they are not connected in at least one of design, operation, and affect."

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Applicant's position is that the claims are connected "in at least one of design, operation, or effect." Consequently, the currently-presented claims are not independent from the previously-presented claims. Generically speaking, both the old claims and the new claims are connected in that they both describe (i) receiving information associated with two different users regarding the creation of hyperlinks between first and second websites respectively associated with these users, (ii) storing information pertaining to (i), and (iii) modifying the first and second websites to include the hyperlinks based upon the stored information.

As to points (i) and (ii) independent claim 44 included the limitations of "storing first input received from the first user into a database system coupled to the computer hardware system; storing second input received from the second user into the database system; establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement." Similarly, newly-presented claim 47 recites "receiving, from the first client device ..., a first identification associated with a second website to create a first hyperlink from the first website to the second website" and "receiving, from a second client device ..., a second identification associated with the first website to create a second hyperlink from the second website to the first website." Thus, information is received regarding the creation of hyperlinks between first and second websites. Claim 47 also recites storing first and second information respectively indicating that the first and second identification was received. As to point (iii), independent claim 22 included the limitations of "including, within the second web page and based upon the reciprocal arrangement, a second link to the first web page and associated with the first entity." Similarly, newly-presented claim

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47 recites "modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received." Therefore, the claims are connected "in at least one of design, operation, or effect." Consequently, had both sets of claims been 'originally presented,' an election requirement between these set of claims would not be proper. Thus, the concept of "Election by Original Presentation" does not apply to the currently-presented claims.

Old claims are not "distinct" from new claims

Reference is made to M.P.E.P. § 806.05, which discusses the meaning of related inventions:

> Where two or more related inventions are claimed, the principal question to be determined in connection with a requirement to restrict or a rejection on the ground of double patenting is whether or not the inventions as claimed are distinct. If they are distinct, restriction may be proper. If they are not distinct, restriction is never proper. If nondistinct inventions are claimed in separate applications or patents, double patenting must be held, except where the additional applications were filed consonant with a requirement to restrict.
>
> Various pairs of related inventions are noted in the following sections. In applications claiming inventions in different statutory categories, only one-way distinctness is generally needed to support a restriction requirement. See MPEP § 806.05(c) (combination and subcombination) and § 806.05(j) (related products or related processes) for examples of when a two-way test is required for distinctness. Related inventions in the same statutory class are considered mutually exclusive, or not overlapping in scope, if a first invention would not infringe a second invention, and the second invention would not infringe the first invention

M.P.E.P. § 806.05(c) refers to a "combination and subcombination" and requires two-way distinctiveness. This also requires a showing of: "(A) does not require the particulars of the subcombination as claimed for patentability (to show novelty and unobviousness), and (B) the

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subcombination can be shown to have utility either by itself or in another materially different combination." Such showings were not articulated by the Examiner.

M.P.E.P. § 806.05(d) refers to "subcombinations usable together" and also requires two-way distinctiveness. This also requires a showing of: "(A) the combination does not require the particulars of the subcombination as claimed for patentability (e.g., to show novelty and unobviousness), and (B) the subcombination can be shown to have utility either by itself or in another materially different combination." Such showings were also not articulated by the Examiner.

M.P.E.P. § 806.05(e) (i.e., "process and apparatus for its practice") does not apply since the old claims already included both process and apparatus claims. M.P.E.P. § 806.05(f) (i.e., "process of making and product made") does not apply since the claims do not recite a "product made." The lack of a claim to a "product made" also precludes M.P.E.P. § 806.05(g) (i.e., "apparatus and product made"), M.P.E.P. § 806.05(h) (i.e., "product and process of using"), M.P.E.P. § 806.05(i) (i.e., "product, processing of making, and process of using"), and M.P.E.P. § 806.05(j) (i.e., "related products; related processes") from applying. Consequently, the fact patterns discussed in these sections of the M.P.E.P. cannot serve as a basis for arguing that the claimed limitations are "related but distinct."

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Examiner's Response – Second NNCA

The Examiner's response to Applicant's arguments is found on page 5 of the Second NNCA and is reproduced below:

> Applicant reproduces a portion of a petition decision on page 3, 4; Examiner does not find this case to be particularly relevant as a petition has not been filed, nor is that particular case dispositive of prosecution in *this* particular Application. Examiner finds it somewhat unclear if Applicant is citing to the MPEP for the merits of this particular application, or again simply reproducing the opinion in an unrelated case. Applicant goes on to paraphrase claim limitations – however, Examiner again maintains the position that the claims as currently filed are separate and independent from the prior set of claims, and a serious search burden would exist if these claims were to be examined. That the claims are vaguely existing in the same realm of technology does not excuse the search burden that would be presented to the user in the new set of claims. Applicant continues citing various portions of the MPEP regarding restriction – Examiner has cited to relevant portions above as well for Applicant's benefit.

The Examiner's assertion that the portion of the petition (also cited above) is not "particular relevant as a petition has not been filed" is misplaced. While the Examiner is correct that this petition is in an "unrelated case," the Examiner fails to appreciate that the same issues are involved. The reproduced portion of the petition is a reproduction of M.P.E.P. § 803 which states the standard for when restriction is proper – i.e., the issue raised by the Examiner in asserting that the "remaining claims are not readable on the elected invention." Notably, the portion of the M.P.E.P. being cited is the standard by which the Examiner determines whether a restriction of claims 47-66 is proper. Consequently, these sections of the M.P.E.P. are relevant.

Next, the Examiner merely repeats the conclusory assertion that "the claims as currently filed are separate and independent from the prior set of claims, and a serious burden would exist if these claims were to be examined."

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The Examiner's only remaining substantive response is to assert "[t]hat the claims are vaguely existing in the same realm of technology does not excuse the serious burden that would be presented to the user [sic] in the new set of claims." Yet again, the Examiner's response is little more than a conclusory assertion unsupported by facts and/or an explanation. Of note, the Examiner has neither explicitly addressed nor refuted Applicant's prior arguments as to why the claims are not independent within the meaning of M.P.E.P. § 802.01. Moreover, the Examiner has neither explicitly addressed nor refuted Applicant's prior arguments as to why the claims are not distinct within the meaning of M.P.E.P. § 802.01.

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2. Failure to establish a serious burden

In the First NNCA, the Examiner made no explicit mention of a "serious burden" on the Examiner if restriction is not required, and this lack of an allegation of a serious burden was identified in Applicant's Request for Reconsideration. On page 4 of Second NNCA, the addressed Appellant's prior arguments the Examiner has presented no analysis regarding a "serious burden." Specifically, after citing portions of the M.P.E.P., the Examiner presented the following allegations:

> Examiner respectfully submits that an entirely new and different search would be required in order to examine the claims as filed. In particular, Examiner would be required to execute a different field of search in that the entire claim has been cancelled and re-written, almost doubling the number of limitations and altering crucial orders of limitations in a manner that would require a completely new search.

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There are multiple problems with the Examiner's assertions. First, they are entirely conclusory -- bereft of factual allegations and explanations. See M.P.E.P. § 808.02 ("the examiner … must explain why there would be a serious burden"). For example, the Examiner asserts that "an entirely new and different search would be required." However, the Examiner does not (i) identify the old search, (ii) identify the new search, and/or (iii) explain why the new search is "entirely new and different." Another problem with the Examiner's analysis is that a "new and different search" is not the standard. Naturally, anytime claim limitations are added during prosecution, a new and different search is performed. However, a "new and different search" does not establish either one of "[s]eparate classification thereof," "[a] separate status in the art," or "[a] different field of search."

The Examiner also asserts that the new claims "almost doubl[ed] the number of limitations." However, the *number of limitations* also does not establish either one of "[s]eparate classification thereof," "[a] separate status in the art," or "[a] different field of search." The Examiner further asserts that the new claims "alter[] crucial orders of limitations." Not only does the Examiner not identify these orders of limitations or explain why this is "crucial," even if such a showing was made, such a showing also does not establish either one of "[s]eparate classification thereof," "[a] separate status in the art," or "[a] different field of search."

A *different field of search* could be shown by identifying "different classes/subclasses or electronic resources" being searched. However, no facts supporting such an allegation were presented by the Examiner. A finding of a *different field of search* ultimately involves a situation where the "search for one of the inventions [is made] in a manner that is not likely to result in

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finding art pertinent to the other invention." However, such a finding cannot be made. Both the old claims and the new claims, as discussed in more detail above, both involve computer-implemented operations for the creation of reciprocal hyperlinks in web pages. While the new claims involve additional details associated with those computer-implemented operations, there is no evidence in the record that a search for those additional details would "not likely to result in finding art pertinent" to the old claims.

Ultimately, the three separate ways an Examiner may show a serious burden is: (A) a separate classification thereof, (B) a separate status in the art when they are classifiable together, (C), a different field of search. Aside from presenting in the Second NNCA the conclusory assertion that a "entirely new and different field of search" exists, the Examiner presents no analysis to support the Examiner's allegations. The Examiner neither indicated the field of search for pre-amendment claims 22-26, 28-36, 38-46 claims 20-39 nor indicated the field of search for post-amendment claims 47-66. Without indicating either field of search, a determination cannot be made whether the "indicated different field of search must in fact be pertinent to the type of subject matter covered by the claims," as required under M.P.E.P. § 808.02. Therefore, the Examiner has not presented an explanation as to why a serious burden exists if restriction is not required, as required under M.P.E.P. § 808.02.

Final Comments

Applicant recognizes that the newly-presented claims add additional claim limitations. However, as argued above, nearly all claim amendments introduce new claim limitations yet the presence of new limitations do not necessarily result in having the new claims being directed to an

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independent and distinct invention within the meaning of 37 C.F.R. § 1.142(a). In this instance, Applicants has shown why the new claims and old claims are connected "in at least one of design, operation, or effect." This showing has not been contested by the Examiner in the Second NNCA. Applicants have also explained why the new claims and old claims are not "distinct." Again, this is a showing that has not been contested by the Examiner in the Second NNCA. Additionally, the Examiner's new assertions in the Second NNCA regarding a "serious burden" are conclusory and unsupported by analysis. Therefore, Applicant respectfully submit that the Examiner has not established that old claims and the new claims are independent and distinct inventions within the meaning of 37 C.F.R. § 1.142(a) so as to justify the Examiner's restriction of new claims 47-66.

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PRAYER FOR RELIEF

Applicant respectfully requests that the Examiner's withdrawal of claims 47-66 be overruled and these claims be reinstated pursuant to 37 C.F.R. § 1.142(b).

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: June 4, 2021

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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Electronic Acknowledgement Receipt	
EFS ID:	42901487
Application Number:	13946461
International Application Number:	
Confirmation Number:	9140
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO
Customer Number:	55246
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8201-0013
Receipt Date:	04-JUN-2021
Filing Date:	19-JUL-2013
Time Stamp:	13:36:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	8201-0013_Petition_Under_1_144_06-04-2021.pdf	535689 299c604da93740cac94d47b51f36c565440bb9e9	no	16

Warnings:

Information:	
Total Files Size (in bytes):	535689

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 09/15/2021

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109

EXAMINER	
KOLOSOWSKI-GAGER, KATHERINE	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
09/15/2021	ELECTRONIC

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

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

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

kevin.cuenot@iplawpro.com
ptomail@iplawpro.com
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Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples FL 34109

In re Application of	:	
Thomas L. Distefano, III	:	DECISION ON PETITION
Application No. 13/946,461	:	UNDER 37 CFR 1.144
Filed: July 19 2013	:	
For: RECIPROCAL INSERTION OF	:	
IDENTIFICATION ELEMENTS FOR WEB PAGES	:	

This is a decision on the petition filed June 4, 2021 under 37 CFR § 1.144 requesting withdrawal of the restriction requirement set forth in the Notice to the Applicant Regarding a Non-Compliant or Non-Responsive Amendment mailed on May 25, 2021.

The petition is **GRANTED.**

A review of the relevant portion of the record shows that:

- On October 31, 2017, the Applicant filed an Appeal Brief. The Claims Appendix in the Appeal Brief presents claims 22-26, 28-36, and 38-41, which are presentative of the originally-examined invention.
- The Examiner reopened prosecution by issuing a Non-Final office action on December 21, 2017
- On April 20, 2018, the Applicant filed a response with amendments and arguments and added new claims 42-46.
- On August 10, 2018, the Examiner issued a Final office action, rejecting claims 22-26, 28-36 and 38-46.
- On July 5, 2019, the Applicant filed an Appeal Brief. The Claims Appendix in the Appeal Brief presents claims 22-26, 28-36, and 38-46.
- On October 18, 2019, the Examiner issued an Examiner's Answer to Appeal Brief with an updated 101 rejection incorporating the 2019 Revised Patent Subject Matter.

- On December 18, 2019, the Applicant filed a Petition under 37 CFR 1.181 requesting that the Examiner's Answer designate a new grounds of rejection.
- On June 2, 2020, the Petition was granted.
- On August 25, 2020, the Examiner reopened prosecution by issuing a Non-Final office action with an updated 101 rejection and a 102(a)/(e) on claims 22-26, 28-36, and 38-46.
- On November 25, 2020, the Applicant filed a response cancelling claims 1-46 and adding claims 47-66.
- On January 19, 2021, the Examiner issued a Notice to the Applicant Regarding a Non-Compliant or Non-Responsive Amendment explaining that the Applicant had cancelled all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention and that the remaining claims were not readable on the elected invention because claims 47 and 57 and related dependents were separate and distinct form the previously elected claim set of claims 22-26, 28-36, and 38-46 because the previously elected claims recite a completely different invention.
- On January 19, 2021, the Applicant filed a request for reconsideration that stated that the Examiner had not set forth any reasoning for invoking the principle of Election by Original Presentation and that the Examiner presented unsupported and conclusory assertions.
- On May 25, 2021, the Examiner issued another Notice to the Applicant Regarding a Non-Compliant or Non-Responsive Amendment restricting by original presentation claims 47-66.
- On June 4, 2021, the Applicant filed a Petition to reinstate claims 47-66.

DISCUSSION AND ANALYSIS

MPEP § 803 states:

803 Restriction - When Proper [R-08.2017]

Under the statute, the claims of an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent (MPEP § 802.01, § 806.06, and § 808.01) or distinct (MPEP § 806.05 - § 806.05(j)).

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

I. CRITERIA FOR RESTRICTION BETWEEN PATENTABLY DISTINCT INVENTIONS

There are two criteria for a proper requirement for restriction between patentably distinct inventions:

(A) The inventions must be independent (see MPEP § 802.01, § 806.06, § 808.01) or distinct as claimed (see MPEP § 806.05 - § 806.05(j)); and

(B) There would be a serious burden on the examiner if restriction is not required (see MPEP § 803.02, § 808, and § 808.02).

II. GUIDELINES

Examiners must provide reasons and/or examples to support conclusions, but need not cite documents to support the restriction requirement in most cases.

Where plural inventions are capable of being viewed as related in two ways, both applicable criteria for distinctness must be demonstrated to support a restriction requirement.

If there is an express admission that the claimed inventions would have been obvious over each other within the meaning of 35 U.S.C. 103, restriction should not be required. In re Lee, 199 USPQ 108 (Comm'r Pat. 1978).

For purposes of the initial requirement, a serious burden on the examiner may be prima facie shown by appropriate explanation of separate classification, or separate status in the art, or a different field of search as defined in MPEP § 808.02. That prima facie showing may be rebutted by appropriate showings or evidence by the applicant. Insofar as the criteria for restriction practice relating to Markush claims is concerned, the criteria is set forth in MPEP § 803.02. Insofar as the criteria for restriction or election practice relating to claims to genus-species, see MPEP § 806.04 - § 806.04(i) and § 808.01(a).

A review of the relevant record reveals that, in Applicant's response filed on January 19, 2021 and the Petition filed on June 4, 2021, the Applicant sets forth two main reasons with the restriction requirement.

Applicant states, "There are two over-arching errors in the Examiner's improper withdrawal of the claims 20-39 from prosecution. These are as follows:

(A) Failure to establish 'two or more independent and distinct inventions'; and

(B) Failure to establish a serious burden (Page 7, lines 3-6).

In order to determine whether or not the restriction requirement set forth in the notice of non-compliant or non-responsive letter dated January 19, 2021 is proper, claims 47-66 of the November 25, 2020 amendment will be compared to the claims of April 20, 2018.

The following chart compares claim language of the independent claims:

Claim 32 of April 20, 2018	Claim 47 of November 25, 2020
A webpage implementation ***server system*** that is ***configured to serve*** a ***first web page associated with a first user and a second web page associated with a second user***, comprising:	A method performed within and by a ***server system configured to*** modify and ***serve web pages***, comprising:
	receiving, from a first client device associated with ***a first user*** and via a graphical user interface provided by the server system, ***information indicating a selection of a web asset to be used in a first website associated with the first user***;
	receiving, from the first client device and via the graphical user interface, ***a first identification associated with a second website to create a first hyperlink from the first website to the second website***;
a database system storing information associated with the first and second web pages;	***storing, within a computer database system of the server system, first information indicating that the first identification was received***;
a computer hardware system configured to perform:	
storing first input received from the first user into the database system;	receiving, from a second client device associated with the second website, ***a second identification associated with the first website to create a second hyperlink from the second website to the first website***;
storing second input received from the second user into the database system;	
	storing, within the computer database system, second information indicating that the second identification was received;
establishing a reciprocal arrangement between the first web page and the second web page based upon both the	

first and second users opting to participate in the reciprocal arrangement; ***generating, using the first input received from the first user*** and the reciprocal arrangement, ***the first web page***; and ***generating, using the second input received from the second*** and the reciprocal arrangement, ***the second web page, wherein the second web page includes***, based upon the reciprocal arrangement, ***a second link to the first web page***; and ***the first web page includes***, based upon the reciprocal arrangement, ***a first link to the second web page***.	modifying the first website to include the web asset; modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and ***modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received***; serving, in response to a web page request from a third client device, a first web page of the first website to the third client device, wherein the second website is associated with a second user, the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system, the first identification is based upon a selection associated with the second website, and the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites displayed within the graphical user interface.

A comparison between claim 32 and claim 47 reveals that claim 32 is fully encompassed by Claim 47. There is substantial overlap in scope between claims 32 and 47, where claim 32 is broader in scope than claim 47. Therefore, claims 32 and 47 are not patentably distinct from each other.

The step of "establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement" recited in claim 32 is encompassed by claim 47 because claim 47 recites two separate client devices, "a first client device associated with a first user" and "a second client device associated with the second website". The first and second client devices establish a reciprocal arrangement between the first web page and the second web page based upon both the first and second users option to participate in reciprocal arrangement in order for the modification of the respective web pages as recited in the step in claim 47 of: "modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received".

Therefore, in view of the comparison of the independent claims above, a review of the most recent pending claims reveals that the restriction requirement set forth in the non-compliant letter was improper since the claims have substantial overlap in claim scope. The withdrawal of claims 47-66 as being directed to a non-elected invention is improper.

On page 2 of the Notice to the Applicant Regarding a Non-Compliant or Non-Responsive Amendment (mailed on January 19, 2021), the Examiner set forth the rational for the restriction requirement as follows:

"Applicant has canceled elected claims 22-26, 28-36, 38-46, and has added claims 47-66. As such, Applicant has canceled all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03) and has not been entered. The remaining claims are not readable on the elected invention because:

Newly submitted claims 47, 57, recite a method performed within and by a server system configured to modify and serve web pages (claim 47), as well as a server system configured to modify and serve web pages comprising a hardware database system and a hardware system configured to perform (claim 57), receiving from a first client device associated with a first user and via graphical user interface provided by the system, information indicating a selection of a web asset to be used in a first website associated with the first user, receiving from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website; storing with in a computer data base system of the server system, first information indicating that the first identification was received; receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second

hyperlink from the second website to the first website; storing, within the computer data base system, second information indicating that the second identification was received; modifying the first website to include the web asset; modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and modifying the second website to include the second hyper link to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; serving, in response to a web page request from a third client device, a first web page of the first website to the third client device, wherein the second website is associated with a second user, the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system, the first identification is based upon a selection associated with the second website, and the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites displayed within the graphical user interface.

These claims and related dependents are separate and distinct from the previously elected claim set of claims 22-26, 28-36, 38-46, because the previously elected claims recite a different invention.

Previously elected claim 22 recites: A method, within and by a computer hard ware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising: establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement; including, within the second web page and based upon the reciprocal arrangement, a second l ink to the first web page and associated with the first entity; and including, within the first web page and based upon the reciprocal arrangement, a first l ink to the second web page and associated with the second entity.

Previously elected claim 32 recites: A web page implementation server system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising: a data base system storing information associated with the first and second web pages; a computer hardware system configured to perform: storing first input received from the first user into the database system: storing second input received from the second user into the data base system: establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement; genera ting, using the first input received from the first user and the reciprocal arrangement, the first web page: and generating, using the second input received from the second and the reciprocal arrangement, the second web page, wherein the second web page includes based on the reciprocal arrangement, a second l ink to the first web page and the first web page includes based upon the reciprocal arrangement, a first l ink to the second web page.

including, within the second web page includes, [[and]] based upon the reciprocal arrangement, a second link to the first web page and associated with the first entity; and including, with in the first web page includes, [[and]] based upon the reciprocal arrangement, a first l ink to the second web page and associated with the second entity."

In response to Applicant's traversal of the restriction requirement filed on January 19, 2021, the Examiner reproduced the same wording as the previous Notice (mailed on January 19, 2021), and quoted MPEP § 806 and added the following statements:

"Examiner respectfully submits that an entirely new and different search would be required in order to examine the claims as filed. In particular, Examiner would be required to execute a different field of search in that the entire claim has been cancelled and re-written, almost doubling the number of limitations and altering crucial orders of limitations in a manner that would require a completely new search."

In response to the Applicant's traversal of the restriction requirement filed on January 19, 2021, the Examiner also addressed Applicant's arguments with the following rebuttal (on pages 2-3 of the Notice to the Applicant Regarding a Non-Compliant or Non-Responsive Amendment mailed on May 25, 2021):

"In the interest of compact prosecution, Examiner notes receipt of Applicant's remarks as filed on 1/19/2021. Examiner finds the remarks un-persuasive and maintains that an election occurred on the part of the Applicant.

Applicant reproduces a portion of a petition decision on page 3,4; Examiner does not find this case to be particularly relevant as a petition has not been filed, nor is that particular case dispositive of prosecution in *this* particular Application. Examiner finds it somewhat unclear if Applicant is citing to the MPEP for the merits of this particular application, or a gain simply reproducing the opinion in an unrelated case. Applicant goes on to paraphrase claim I imitations - however, Examiner again maintains the position that the claims as currently filed are separate and independent from the prior set of claims, and a serious search burden would exist if these claims were to be examined. That the claims are vaguely existing in the same realm of technology does not excuse the search burden that would be presented to the user in the new set of claims. Applicant continues citing various portions of the MPEP regarding restriction - Examiner has cited to relevant portions above as well for Applicant's benefit."

After reviewing the non-compliant letters, the following is noted:

1. The Examiner asserted that "a serious search burden would exist if these claims were to be examined." However, no classification by class/subclass for each invention was identified by the Examiner. Therefore, the examiner has not set forth a

prima facie case that the claims are restrictable in accordance with MPEP 803 above.

2. The Examiner asserted, "These claims and related dependents are separate and distinct from the previously elected claim set of claims 22-26, 28-36, 38-46, because the previously elected claims recite a different invention." However, no reasoning or explanation as to why the new claims were "separate and distinct" were provided by the Examiner besides provided the claim language of cancelled independent claims 22 and 33, and new independent claims 47 and 57. In addition, the examiner has not indicated how the claims 22-26, 28-36 and 38-46 are to be grouped compared to claims 47-66. For example, the restriction did not indicate whether the claims are directed to subcombinations usable together or process and apparatus.

   Regarding determination of distinctness or independence of claimed inventions, MPEP § 806 explains:

   The general principles relating to distinctness or independence may be summarized as follows:

   (A) Where inventions are independent (i.e., no disclosed relation therebetween), restriction to one thereof is ordinarily proper, MPEP § 806.06.

   (B) Where inventions are related as disclosed but are distinct as claimed, restriction may be proper.

   (C) Where inventions are related as disclosed but are not distinct as claimed, restriction is never proper.

   (D) A reasonable number of species may be claimed when there is an allowable claim generic thereto. 37 CFR 1.141, MPEP § 806.04.

3. A comparison of claims 22-26, 28-36, and 38-46, as filed by Applicant on April 20, 2018 and examined by the Examiner in the Non-Final office action issued on January 25, 2020, with the newly-presented (currently non-elected) claims reveals that the core concepts recited in claims 22-26, 28-36, and 38-46, as filed by Applicant on April 20, 2018, continue to be presented in the newly-presented claims. The newly-presented claims are not seen to be completely independent of claims 22-26, 28-36, and 38-46, as filed by Applicant on April 20, 2018. The Examiner has not explained how the identified inventions may be related, but distinct in relation to each other. The Examiner's statement that "[t]hese claims and related dependents are separate and distinct from the previously elected claim set of claims 22-26, 28-36, 38-46, because the previously elected claims recite a different invention" is alone insufficient to establish that the two inventions are necessarily independent and/or

distinct from each other. Both identified inventions modify and serve a first webpage/website and a second webpage/website to include a link. Both identified inventions include a web asset in a webpage/website. Both identified inventions have varying scope and seem reasonably related.

4. The Examiner has not properly made a prima facie case of restriction. The Examiner has not set forth that the invention presented in new claims 47-66 is independent or distinct from claims 22-26, 28-36, and 38-46, as filed by Applicant on April 20, 2018. The Examiner has not provided any specific evidence in the restriction requirement to demonstrate how examination of the newly-presented claims poses a serious burden to the Examiner.

Conclusion

In summary, the restriction requirement set forth May 25, 2021 is improper and herein withdrawn. Accordingly, claims 47-66 are rejoined for consideration. The requested withdrawal of the restriction requirement will be granted. The application is being forwarded to the Supervisory Patent Examiner of Art Unit 3622 for consideration of the amendment filed on 11/25/2020. Any questions regarding this communication should be directed to Marc Jimenez, Quality Assurance Specialist, at (571) 272-4530.

The Petition is **GRANTED**.

/TARIQ R HAFIZ/

Tariq Hafiz
Technology Center 3600
(571) 272-6729

/MJ/ 8/9/21

To: terry.forsythe@iplawpro.com,kevin.cuenot@iplawpro.com,ptomail@iplawpro.com
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 55246

Sep 16, 2021 04:14:11 AM

Dear PAIR Customer:

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109
UNITED STATES

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Application	Document	Mailroom Date	Attorney Docket No.
13946461	PETDEC	09/15/2021	8201-0013

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Thank you for prompt attention to this notice,

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

UNITED STATES PATENT AND TRADEMARK OFFICE

USPTO Automated Interview Request (AIR)

Nov 15 2021

This paper requesting to schedule and/or conduct an interview is appropriate because:

This submission is requested to be accepted as an authorization for this interview to communicate via the internet. Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with the undersigned concerning scheduling of the interview via video conference, instant messaging, or electronic mail, and to conduct the interview in accordance with office practice including video conferencing.

Name(s):
SCOTT D. PAUL

S-signature:
/SCOTT PAUL/

Registration Number:
42984

U.S. Application Number:
13946461

Confirmation Number:
9140

E-mail Address:
Alaine.allison@iplawpro.com

Phone Number:
+1 5618017700 ext 1209

Proposed Time of Interview:
11-23-2021 11:00 AM ET

Alternative Proposed Time(s) of Interview:
11-24-2021 11:00 AM ET

Alternative Proposed Time(s) of Interview:
11-22-2021 10:30 AM ET

Prefered Interview Type:
Telephonic

I am the applicant or applicant's representative for this application.

Topic for Discussion:
CLAIM AMENDMENTS

uspto UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: 9140
Application No.: 13/946,461	:	Group Art Unit: 3622
Filed: July 19, 2013	:	Examiner: K. Kolosowski-Gager

For: SERVER SYSTEM CONFIGURED TO PROVIDE GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS (as amended)

SUPPLEMENTAL AMENDMENT

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

Sir:

The following Amendment and Remarks are submitted in response to the Office Action dated August 25, 2020, and supplemental to the Amendment dated November 25, 2020.

AMENDMENTS TO THE SPECIFICATION

Please amend the Title of the Invention as follows:

SERVER SYSTEM CONFIGURED TO PROVIDE GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS

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AMENDMENTS TO THE CLAIMS

Claims 1-46 (Cancelled)

47. (Currently Amended) A method performed within and by a server system configured to modify and serve web pages, comprising:

receiving, from a first client device associated with a first user and via a graphical user interface provided by the server system, information indicating a selection of a web asset to be used in a first website associated with the first user;

receiving, from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website;

storing, within a computer database system of the server system, first information indicating that the first identification was received;

receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second hyperlink from the second website to the first website;

storing, within the computer database system, second information indicating that the second identification was received;

modifying the first website to include the web asset;

modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and

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modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received;

serving, in response to a web page request from the first ~~a third~~ client device, a first web page of the first website to the first [[third]] client device, wherein

the second website is associated with a second user,

the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,

the first identification is based upon a selection associated with the second website, and

the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites associated with the identifiers displayed within the graphical user interface.

48. (Previously Presented) The method of claim 47, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field box.

49. (Currently Amended) The method of claim 47, wherein

the graphical user interface is configured to present respective graphical widgets ~~selection boxes~~ adjacent the identifiers respectively associated with the plurality of the previously-created websites, and

the respective graphical widgets are each configured to receive a user-initiated selection.

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50. (Previously Presented) The method of claim 47, wherein

the server system is configured to identify the plurality of the previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for suggested linking locations for the first website.

51. (Currently Amended) The method of claim 47, wherein

the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the plurality of the previously-created websites associated with the identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

52. (Currently Amended) The method of claim 51, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select the plurality of the previously-created websites associated with the identifiers includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

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53. (Currently Amended) The method of claim 51, wherein

the server system is configured to select the plurality of the previously-created websites associated with the identifiers by searching other user information previously-supplied by the other users and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

54. (Currently Amended) The method of claim 51, wherein

the server system is configured to validate the user information provided within the at least one information collection field of the graphical user interface.

55. (Previously Presented) The method of claim 47, wherein

the first website of the first user includes a plurality of web pages including the first web page.

56. (Previously Presented) The method of claim 47, wherein

the graphical user interface includes:

a primary display screen in which the web asset is displayed, and

an editing platform in a secondary display screen and configured to

edit the web asset and

display an edited version of the web asset.

57. (Currently Amended) A server system configured to modify and serve web pages, comprising:

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a hardware database system, and

a hardware system configured to perform:

receiving, from a first client device associated with a first user and via a graphical user interface provided by the server system, information indicating a selection of a web asset to be used in a first website associated with the first user;

receiving, from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website;

storing, within the hardware database system, first information indicating that the first identification was received;

receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second hyperlink from the second website to the first website;

storing, within the hardware database system, second information indicating that the second identification was received;

modifying the first website to include the web asset;

modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and

modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received;

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serving, in response to a web page request from the first ~~a third~~ client device, a first web page of the first website to the first [[third]] client device, wherein

the second website is associated with a second user,

the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,

the first identification is based upon a selection associated with the second website, and

the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites associated with the identifiers displayed within the graphical user interface,.

58. (Previously Presented) The server system of claim 57, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field box.

59. (Currently Amended) The server system of claim 57, wherein

the graphical user interface is configured to present respective graphical widgets ~~selection boxes~~ adjacent the identifiers respectively associated with the plurality of the previously-created websites, and

the respective graphical widgets are each configured to receive a user-initiated selection.

60. (Previously Presented) The server system of claim 57, wherein

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the hardware system is configured to identify the plurality of the previously-created websites based upon a receipt, by the hardware system, of a request generated by the graphical user interface for suggested linking locations for the first website.

61. (Currently Amended) The server system of claim 57, wherein

the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the plurality of the previously-created websites associated with the identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

62. (Currently Amended) The server system of claim 61, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select the plurality of the previously-created websites associated with the identifiers includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

63. (Currently Amended) The server system of claim 61, wherein

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the server system is configured to select the plurality of the previously-created websites associated with the identifiers by searching other user information previously-supplied by the other users and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

64. (Currently Amended) The server system of claim 61, wherein

the server system is configured to validate the user information provided within the at least one information collection field of the graphical user interface.

65. (Previously Presented) The server system of claim 57, wherein

the first website of the first user includes a plurality of web pages including the first web page.

66. (Previously Presented) The server system of claim 57, wherein

the graphical user interface includes:

a primary display screen in which the web asset is displayed, and

an editing platform in a secondary display screen and configured to

edit the web asset and

display an edited version of the web asset.

67. (New) The method of claim 55, further comprising:

serving, in response to a second web page request from a third client device, one of the plurality of web pages of the first website to the third client device.

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68. (New) The server system of claim 65, wherein the hardware system is further configured to perform:

serving, in response to a second web page request from a third client device, one of the plurality of web pages of the first website to the third client device.

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REMARKS

In the Amendment dated November 25, 2020, claims 22-26, 28-36, and 38-46 were cancelled, and new claims 47-66 were added. Applicant has amended certain of the claims to address clarity issues. The Remarks presented in the Amendment dated November 25, 2020 have not been substantially impacted by those amendments.

As discussed in a telephonic interview conducted with Examiner Kolosowski-Gager on November 25, 2020, Applicant intends to file a Petition under 37 C.F.R. § 1.182 and M.P.E.P. § 1490(VIII)[1] to withdraw the Terminal Disclaimer that was filed on August 27, 2013, as to U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259.[2] In past petitions, a determination by the Examiner that a previously-filed terminal disclaimer did not apply to the currently-amended claims was a factor in granting the petition. For example, in U.S. Application No. 11/011,176, the following was written:

> The petition is **GRANTED**.
>
> The examiner responsible for the above-identified application has indicated that the terminal disclaimer filed June 30, 2009 does not apply to any of the claims as currently amended. Accordingly, on petition the terminal disclaimer is withdrawn.

Similarly, in U.S. Application No. 10/753,066, the following was written:

> The petition is **granted**.
>
> Examiner Phylesha Dabney has determined that it is appropriate for the terminal disclaimer filed June 29, 2006, to be withdrawn[1]. The terminal disclaimer is withdrawn, accordingly.

[1] "If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent."

[2] U.S. Patent No. 7,996,259 has been reissued as U.S. Patent No. RE45,971.

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Another example is found in U.S. Application No. 08/487,081, in which the following was written:

> The petition is granted.
>
> Petitioners assert that the Terminal Disclaimer filed on 15 June, 2004, does not apply to any claim currently of record and was erroneously submitted.
>
> As the examiner has concurred that the Terminal Disclaimer does not apply to any claim currently of record, the request can be favorably considered.

In this instance, the currently-amended claims recite, in part, the following limitations:

> the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,
>
> the first identification is based upon a selection associated with the second website, and
>
> the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites associated with the identifiers displayed within the graphical user interface.

These limitations, describing specific aspects of the graphical user interface, had not been previously-claimed in any of U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259. Moreover, Applicant's position is that these claim limitations are not obvious in view of the claims contained within these patents. Consequently, consistent with the Petition decisions described above, the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims. So as to expedite prosecution, Applicant respectfully requests that the Examiner review the previously-disclaimed patents and to confirm, in the written record, Applicant's position that the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims.

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35 U.S.C. § 102 – Horstmann

The previously-presented claims were rejected under 35 U.S.C. § 102 based upon Horstmann, U.S. Patent No. 5,995,099. Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020.

---

35 U.S.C. § 101

Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020. In addition, Applicant presents the following additional arguments. Turning to page 3 of the Office Action dated August 25, 2020, the Examiner asserted the following:

> which is a statutory category of invention. Claims 2-26, 28-36, 38-46 are directed further to establishing a reciprocal agreement between a first user and a second user opting to participate in the reciprocal agreement, and including elements of the agreement on pages associated with each of the users. These claim elements are considered to be abstract idea(s) because they are directed to a) a method of organizing human activity which include commercial or legal interaction, including agreements in the form of contracts, as well as advertising, marketing or sales activities or behaviors, and business relationships, as well as managing personal behavior or relationships.

The Examiner asserts that "establishing a reciprocal agreement between a first user and a second user opting to participate in the reciprocal agreement" is a "method of organizing human activity." Although the phrase "reciprocal agreement" is not found within the current claims, Applicant will assume, *for sake of argument*, that the Examiner can find something in the current claims that recite the "establish[ment of] a reciprocal agreement" and this is a judicial exception within the meaning of 35 U.S.C. § 101.

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Prong Two of Step 2A

Referring to page 18 of *2019 PEG* and as Prong Two of Step 2A, the Examiner is asked to perform the following:

> In Prong Two, examiners should evaluate whether the claim as a whole integrates the recited judicial exception into a practical application of the exception. A claim that integrates a judicial exception into a practical application will apply, rely on, or use the judicial exception in a manner that imposes a meaningful limit on the judicial exception, such that the claim is more than a drafting effort designed to monopolize the judicial exception. When the exception is so integrated, then the claim is not directed to a judicial exception (Step 2A: NO) and is eligible. (Emphasis added)

Exemplary considerations indicative that additional elements (or combinations thereof) have integrated the judicial exception into a practical application are found on pages 19 and 20 of the *2019 PEG* and include the following:

- an additional element applies or uses the judicial exception in some other meaningful way beyond generally linking the use of the judicial exception to a particular technological environment, such that the claim as a whole is more than a drafting effort designed to monopolize the exception.[29]

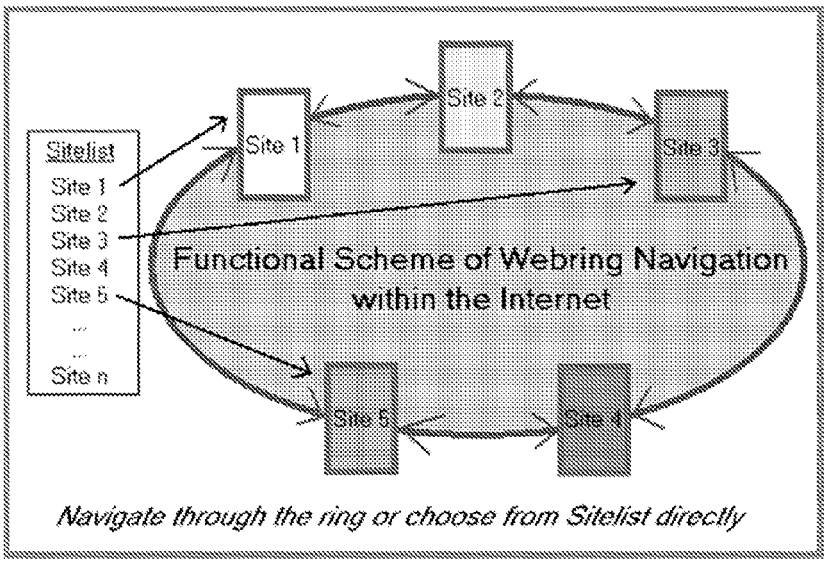
Applicant's position is that the claimed invention integrates the alleged judicial exception in a practical application under this consideration.

No monopolization of alleged judicial exception – reciprocal links are not novel

Reciprocal hyperlinks existed prior to the earliest priority date of the claimed invention. The technologies for creating reciprocal links include Webrings, link exchanges, and the particular technology described by Horstmann.

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An illustration[3] of a Webring is as follows:



While a webring includes reciprocal links (e.g., Site 1 is linked to Site 5 and vice versa), the method by which these links are created differ from the claimed invention.

Informal/formal link exchanges are also a common way of creating reciprocal links. An informal approach is described in U.S. Patent No. 7,818,399 (hereinafter DDR Holdings), which describes the following:

> In the early stages, website programmers increased visitor traffic by placing "links" within their websites to other websites, usually related in content or function, in exchange for a reciprocal link.
> ...
> In these early days, the Web was mostly trafficked by programmers and "techies," and a commune-type "share and share alike" mindset prevailed. As a result, people were happy to litter their sites with links, knowing that, odds were, others would do the same for them and the traffic gain/loss would probably balance out. So, despite the fact that by including and promoting a "links" page, website operators were effectively encouraging people to leave their website, link sharing developed into a standard practice.

[3] Retrieved from https://web.archive.org/web/20171124135612/http://www.webringworld.org/.

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Formal link exchanges are described in U.S. Patent No. 7,386,555 (hereinafter Vilcauskas) as follows:

> A link exchange is an arrangement whereby a first Web site puts a link on its site to a second Web site. In exchange, the second Web site places a link on its site to the first Web site.

A further description of a link exchange[4] is as follows:

> A link exchange is a confederation of websites that operates similarly to a web ring. Webmasters register their web sites with a central organization, that runs the exchange, and in turn receive from the exchange HTML code which they insert into their web pages. In contrast to a web ring, where the HTML code simply comprises simple circular ring navigation hyperlinks, in a link exchange the HTML code causes the display of banner advertisements, for the sites of other members of the exchange, on the member web sites, and webmasters have to create such banner advertisements for their own web sites.

A discussion of what could be considered a link exchange is also found within the Background of the Invention of the present Application.

Yet another approach to creating reciprocal links is described in Horstmann, which was extensively discussed in the Amendment dated November 25, 2020.

Since all of these technologies existed prior to the claimed invention, the Examiner's alleged judicial exception is not monopolized – neither in its entirety or as part of a particular technological environment. As part of determining whether the claim is "more than a drafting effort designed to monopolize the exception" a determination is made whether the "additional

[4] See https://en.wikipedia.org/wiki/Link_exchange.

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element applies or uses the judicial exception in some other meaningful way beyond generally linking the use of the judicial exception to a particular technological environment."

Since all of the known technology, which also describe the Examiner's alleged judicial exception, involve the same "particular technology environment" of server systems and client devices, the additional elements ("beyond the judicial exception(s)") of the present claims must be something other than the claimed "server system," "first client device," "second client device," and "computer database system." Additionally, these additional elements do more than ***generally link*** the alleged judicial exception to the particular technology environment, since the general linking is already accomplished by the claimed "server system," "first client device," "second client device," and "computer database system."

An incomplete listing of these additional limitations include the following:

> receiving, from a first client device associated with a first user and via a graphical user interface provided by the server system, information indicating a selection of a web asset to be used in a first website associated with the first user;
>
> modifying the first website to include the web asset;
>
> serving, in response to a web page request from the first client device, a first web page of the first website to the first client device, wherein
>
> the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,
>
> the first identification is based upon a selection associated with the second website, and
>
> the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites associated with the identifiers displayed within the graphical user interface.

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These limitations neither recite the alleged judicial exception nor are required to implement the alleged judicial exception. Additionally, as argued above, these limitations do not merely generally link the judicial exception to a particular technological environment. Consequently, the additional elements, individually and as a whole, impose a meaningful limit on the alleged judicial exception. Consequently, the alleged judicial exception is integrated into a practical application and the claims are patent eligible under 35 U.S.C. § 101.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: March 22, 2022

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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Electronic Patent Application Fee Transmittal	
Application Number:	13946461
Filing Date:	19-Jul-2013
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO
Filer:	Scott David Paul/Alaine Allison
Attorney Docket Number:	8201-0013
Filed as Small Entity	
Filing Fees for Utility under 35 USC 111(a)	

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	2202	2	50	100
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**100**

Electronic Acknowledgement Receipt	
EFS ID:	45278194
Application Number:	13946461
International Application Number:	
Confirmation Number:	9140
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO
Customer Number:	55246
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8201-0013
Receipt Date:	21-MAR-2022
Filing Date:	19-JUL-2013
Time Stamp:	16:16:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$100
RAM confirmation Number	E20223KG16410109
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		8201-0013_Supplemental_Amendment_03-21-2022.pdf	817069 25075f5e<ee3721c42e58b70be8a24f08dc3174e	yes	20

Multipart Description/PDF files in .zip description

Document Description	Start	End
Supplemental Response or Supplemental Amendment	1	1
Specification	2	2
Claims	3	11
Applicant Arguments/Remarks Made in an Amendment	12	20

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	37840 6b4cc4188f979c8986a4ff893e9a1194a2ec2a16	no	2

Warnings:

Information:

Total Files Size (in bytes):	854909

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New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/946,461	Filing Date 07/19/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $210 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

AMENDMENT	03/21/2022	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 22	Minus	** 23	= 0		x $50 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

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

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

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

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

Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: 9140
Application No.: 13/946,461	:	Group Art Unit: 3622
Filed: July 19, 2013	:	Examiner: K. Kolosowski-Gager

For: SERVER SYSTEM CONFIGURED TO PROVIDE GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS (as amended)

SECOND SUPPLEMENTAL AMENDMENT

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

Sir:

The following Amendment and Remarks are submitted in response to the Office Action dated August 25, 2020, and supplemental to the Amendment dated March 21, 2022.

AMENDMENTS TO THE CLAIMS

Claims 1-68 (Cancelled)

69. (New) A method performed within and by a server system configured to modify and serve web pages, comprising:

receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website;

receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;

generating, based upon the instruction, the edited web asset;

forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website;

storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system;

modifying, based upon the instruction, the first website to include the edited web asset;

modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink;

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modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein

the server system is configured to host the first website and the second website,

the editing screen is configured to display the web asset, and

the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

70. (New) The method of claim 69, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

71. (New) The method of claim 69, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

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72. (New) The method of claim 69, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection of the second website is based upon the user-initiated selection.

73. (New) The method of claim 69, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

74. (New) The method of claim 69, wherein

the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

75. (New) The method of claim 74, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

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a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

76. (New) The method of claim 74, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

77. (New) The method of claim 74, wherein

the first user and the second user are registered users of the server system.

78. (New) The method of claim 77, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

79. (New) The method of claim 69, wherein

the first website of the first user includes a plurality of web pages including a first web page.

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80. (New) The method of claim 79, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

81. (New) The method of claim 79, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

82. (New) A server system configured to modify and serve web pages, comprising:

a computer database system, and

a hardware system configured to perform:

receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website;

receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;

generating, based upon the instruction, the edited web asset;

forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

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receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website;

storing, within the computer database system of the server system, first information indicating that the first identification was received by the server system;

modifying, based upon the instruction, the first website to include the edited web asset;

modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink;

modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein

the server system is configured to host the first website and the second website,

the editing screen is configured to display the web asset, and

the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

83. (New) The server system of claim 82, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first

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website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

84. (New) The server system of claim 82, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

85. (New) The server system of claim 82, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection of the second website is based upon the user-initiated selection.

86. (New) The server system of claim 82, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

87. (New) The server system of claim 82, wherein

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the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

88. (New) The server system of claim 87, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

89. (New) The server system of claim 87, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

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90. (New) The server system of claim 87, wherein

the first user and the second user are registered users of the server system.

91. (New) The server system of claim 90, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

92. (New) The server system of claim 82, wherein

the first website of the first user includes a plurality of web pages including a first web page.

93. (New) The server system of claim 92, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

94. (New) The server system of claim 92, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

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REMARKS

Applicant has cancelled claims 47-68 and added new claims 69-94. Applicant respectfully submits that the present amendment does not generate any new matter issue.

As discussed in a telephonic interview conducted with Examiner Kolosowski-Gager on November 25, 2020, Applicant intends to file a Petition under 37 C.F.R. § 1.182 and M.P.E.P. § 1490(VIII)[1] to withdraw the Terminal Disclaimer that was filed on August 27, 2013, as to U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259.[2] In past petitions, a determination by the Examiner that a previously-filed terminal disclaimer did not apply to the currently-amended claims was a factor in granting the petition.

In this instance, the currently-presented claims recite, in part, the following limitations:

> forwarding, to the first client device to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;
>
> receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website.

These limitations, describing specific aspects of the graphical user interface, have not been previously-claimed in any of U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259. Moreover, Applicant's position is that these claim limitations are not obvious in view of the claims contained within these patents. Consequently, consistent with the

[1] "If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent."

[2] U.S. Patent No. 7,996,259 has been reissued as U.S. Patent No. RE45,971.

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petition decisions alluded to above, the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims. So as to expedite prosecution, Applicant respectfully requests that the Examiner review the previously-disclaimed patents and to confirm, in the written record, Applicant's position that the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims.

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35 U.S.C. § 102 – Horstmann

The previously-presented claims were rejected under 35 U.S.C. § 102 based upon Horstmann, U.S. Patent No. 5,995,099. Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020.

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35 U.S.C. § 101

Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020, and in the Supplemental Amendment dated March 21, 2022.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: May 20, 2022

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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Electronic Acknowledgement Receipt	
EFS ID:	45760743
Application Number:	13946461
International Application Number:	
Confirmation Number:	9140
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO
Customer Number:	55246
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8201-0013
Receipt Date:	20-MAY-2022
Filing Date:	19-JUL-2013
Time Stamp:	00:18:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		8201-0013_SupplementalAmendment_05-20-2022.pdf	95923 68d528627175a3c0c68a1c892022cfdf220113b6	yes	13

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Supplemental Response or Supplemental Amendment	1	1
	Claims	2	10
	Applicant Arguments/Remarks Made in an Amendment	11	13
Warnings:			
Information:			
	Total Files Size (in bytes):	95923	

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

Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: 9140
Application No.: 13/946,461	:	Group Art Unit: 3622
Filed: July 19, 2013	:	Examiner: K. Kolosowski-Gager

For: SERVER SYSTEM CONFIGURED TO PROVIDE GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS

PETITION TO WITHDRAW TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.182

Director
Office of Petitions
US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions to withdraw from the above-identified U.S. Patent Application No. 13/946,461 (hereinafter the "Present Application") the Terminal Disclaimer filed on August 27, 2013 with regard to U.S. Patent Nos. 7,996,259, 8,335,713, 8,417,567, 8,442,860, 8,412,570, and 8,423,399.

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STATEMENT OF FACTS

On July 19, 2013, the Present Application was filed. On the same day, a Preliminary Amendment was filed in which claims 1-21 were cancelled and new claims 22-41 were presented (Attachment A).

On August 27, 2013, a Terminal Disclaimer was filed with regard to U.S. Patent Nos. 7,996,259, 8,335,713, 8,417,567, 8,442,860, 8,412,570, and 8,423,399 (Attachment B).

After filing an Appeal Brief on July 5, 2019, Examiner Kolosowski-Gager issued an Examiner's Answer on October 18, 2019. In response to the Examiner's Answer, on November 25, 2020, Applicant filed an Amendment in which previously-presented claims 21-46 were cancelled and new claims 47-66 were presented (Attachment C).

In related U.S. Patent Application No. 13/946,489 (hereinafter the '489 Application), from April 27-29th of 2022, a series of discussions between Applicant's representative and Examiner Cirnu were conducted both telephonically and via email, in which a new set of claims were proposed. Additionally, Applicant raised the issue of the propriety of obviousness-type double patenting rejections with regard to a number of issued patents within the same patent family, which Examiner Cirnu addressed. A copy of the email is included as Attachment D.

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In the related '489 Application, on April 29, 2022, Applicant filed an amendment in which old claims 41-58 were cancelled and new claims 59-73 were presented consistent with the proposed claims previously-presented to Examiner Cirnu (Attachment E).

On May 20, 2022, in the Present Application, Applicant filed a Second Supplemental Amendment in which old claims 47-68 were cancelled and new claims 69-94 were presented (Attachment F).

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STATEMENT OF LAW

Reference is made to MPEP 1490(VIII), entitled "WITHDRAWING A RECORDED TERMINAL DISCLAIMER," the relevant portion of which is reproduced below:

> If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent, or if a terminal disclaimer is filed in a reexamination proceeding, before the reexamination certificate issues. After a patent or reexamination certificate issues, a recorded terminal disclaimer will not be nullified.
>
> A. Before Issuance of Patent or Reexamination Certificate
> While the filing and recordation of an unnecessary terminal disclaimer has been characterized as an "unhappy circumstance" in *In re Jentoft*, 392 F.2d 633, 157 USPQ 363 (CCPA 1968), there is no statutory prohibition against nullifying or otherwise canceling the effect of a recorded terminal disclaimer which was erroneously filed before the patent issues. Likewise, a terminal disclaimer that was erroneously filed in a reexamination proceeding may be withdrawn before issuance of the reexamination certificate. Because the terminal disclaimer would not take effect until the patent is granted (or the reexamination certificate is published), and the public has not had the opportunity to rely on the terminal disclaimer, relief from this unhappy circumstance may be available by way of petition or by refiling the application (other than by refiling it as a CPA).
>
> Under appropriate circumstances, consistent with the orderly administration of the examination process, the nullification of an erroneously filed recorded terminal disclaimer may be addressed by filing a petition under 37 CFR 1.182 requesting withdrawal of the recorded terminal disclaimer. Petitions seeking to reopen the question of the propriety of the double patenting rejection that prompted the filing of the terminal disclaimer have not been favorably considered. The filing of a continuing application other than a CPA, while abandoning the application in which the terminal disclaimer has been filed, will typically nullify the effect of a terminal disclaimer. The filing of a Request for Continued Examination (RCE) of an application under 37 CFR 1.114 will not nullify the effect of a terminal disclaimer, because a new application has not been filed, but rather prosecution has been continued in the existing application.

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ARGUMENT

Applicant's position is that the new claims presented in the Second Supplemental Amendment dated May 20, 2022 (Attachment F) are substantially different than the claims originally presented for prosecution in the Preliminary Amendment dated July 19, 2013 (Attachment A). Because of this substantial difference, the Terminal Disclaimer filed on August 27, 2013 (Attachment B) with regard to U.S. Patent Nos. 7,996,259, 8,335,713, 8,417,567, 8,442,860, 8,412,570, and 8,423,399 involving the claims originally presented for prosecution are unnecessary as to the currently-presented claims.

Applicant is not requesting that the previously-filed Terminal Disclaimer be withdrawn for the purpose of reopening any question of the propriety of a prior double patenting rejection.[1] Consistent with the facts indicated above, the claims at issue when the previously-filed Terminal Disclaimer was filed on August 27, 2013, have been cancelled and substantially new claims have been presented. A side-by-side listing of the previously-presented independent claim subject to the Terminal Disclaimer and the new independent claim is found in Attachment G. Applicant's position is that the new and currently-presented claims have obviated the need for the previously-filed Terminal Disclaimer.[2]

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[1] The Terminal Disclaimer was filed prior to any Office Action being issued, and consequently, the Terminal Disclaimer could not have been responsive to a double-patenting rejection.

[2] See the Decision on Petition dated March 11, 2005, in U.S. Application No. 09/938,669, in which a petition to withdrawal previously filed Terminal Disclaimers was granted where "petition alleges ...claims previously covered by those Terminal Disclaimers have been cancelled." See also the Decision on Petition dated December 22, 2009, in U.S. Application No. 11/593,426, in which petition to withdrawal a previously-filed Terminal Disclaimer was granted where "Petitioner asserts that[] amendments made in this application obviate the necessity for the terminal disclaimer filed in the instant application."

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'489 Application

The present Petition is being filed concurrently with a Petition in related U.S. Application No. 13/946,489 (hereinafter the '489 Application).[3] The '489 Application is related to the Present Application with substantially-similar claims. A comparison of the currently-pending independent claims found in the the Present Application and the '489 Application is provided in Attachment H.

Referring to a discussion between Applicant's representative and Examiner Cirnu found in Attachment D, Examiner Cirnu indicated that the new and currently-presented claims would overcome the previously-pending rejection under 35 U.S.C. § 101. Examiner Cirnu[4] also indicated that he "do[es] not see any obviousness-type double patenting issues regarding any of Patents 1-14 that you have listed in your email," which includes U.S. Patent Nos. 7,996,259 (#12), 8,335,713 (#11), 8,417,567 (#9), 8,442,860 (#7), 8,412,570 (#10),and 8,423,399 (#8),[5] which are all of the patents subject to the Terminal Disclaimer filed on August 27, 2013.

While directed to different inventions, both applications share many of the same limitations (see Attachment H), and the arguments presented in the Petition in the '489 Application are substantially similar to the arguments presented in the present Petition of the Present Application. Accordingly, Applicant respectfully submits that both petitions in the Present Application and the '489 Application be granted for substantially the same reasons.

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[3] The '489 Application is currently being examined by Examiner Cirnu.

[4] Examiner Cirnu was the fourth examiner to examine the Present Application and apparently acted to ensure that nothing was missed by the past examiners by relooking at all of the related applications to determine if any obviousness-type double patenting issues existed as to the present claims.

[5] The numbers after each patent correspond to the number of the Patents listed in the email contained in Attachment D.

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In the Amendment dated November 25, 2020, Applicant referenced an interview with Examiner Kolosowski-Gager regarding Applicant's intent to file the present Petition. Applicant also explicitly requested that "the Examiner review the previously-disclaimed patents and to confirm, in the written record, Applicant's position that the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims." Similar requests were presented in the Supplemental Amendment dated March 21, 2022, and Second Supplemental Amendment dated May 20, 2022.

Granting the Withdrawal is consistent "with the orderly administration of the examination process"

Referring to the Petition Decision dated March 10, 2009, in U.S. Patent Application No. 29/271, 203, the Patent Office stated the following:

> In this case, petitioner could clearly file a continuing application in order to indirectly nullify the terminal disclaimer. However, such an action would not only place a burden on petitioner, but would burden the Office by forcing the Office to devote limited resources to the processing of a brand new application, docketing the new application, and taking similar steps. Therefore, granting the instant petition would be "consistent with the orderly administration of the examination process."

Similarly, while Applicant could file a Continuation Application in the Present Application to nullify the Terminal Disclaimer, this would unnecessarily burden Applicant and unnecessarily burden the Patent Office in processing this new Continuation Application. The Present Application has already been substantively examined. Thus, granting the instant petition is consistent with the Patent Office's orderly administration of the examination process.

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PRAYER FOR RELIEF

Consistent with the guidance found in MPEP 1490(VIII), Applicant respectfully requests that the present Petition be granted and the Terminal Disclaimer filed on August 27, 2013, be withdrawn in the Present Application.

Please charge any shortage in fees due, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: May 20, 2022

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: Not yet assigned
Application No.: Not yet assigned	:	Group Art Unit: Not yet assigned
Filed: July 19, 2013	:	Examiner: Not yet assigned

For: RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES (as amended)

PRELIMINARY AMENDMENT

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

Sir:

The following Amendment and Remarks are submitted herewith.

Application No.:

AMENDMENTS TO THE SPECIFICATION

Please amend the Title of the Invention as follows:

~~METHOD FOR DEVELOPING ELECTRONIC DOCUMENTS PROVIDING E-COMMERCE TOOLS~~ RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES

Please insert the following paragraph prior to the "BACKGROUND OF THE INVENTION" on page 1 of the specification.

CROSS-REFERENCE TO RELATED APPLICATIONS

[0000.1] This application is a Continuation of U.S. Patent No. 13/763,128, filed on February 8, 2013, which is a Continuation of U.S. Patent No. 13/669,027, filed on November 5, 2012 (now U.S. Patent No. 8,423,399), which is a Continuation of U.S. Application No. 13/206,483 (now U.S. Patent No. 8,335,713), filed on August 9, 2011, which is a Continuation of U.S. Application No. 09/589,551 (now U.S. Patent No. 7,996,259), filed on June 7, 2000.

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Application No.:

Please delete the Abstract and insert therefore:

A method, within and by a computer hardware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, includes the following. A reciprocal arrangement is established between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement. A second functional identification element associated with the first entity is included within the second web page and based upon the reciprocal arrangement. A first functional identification element associated with the second entity is included within the first web page and based upon the reciprocal arrangement. The second functional identification element includes a link to the first web page, and the first functional identification element includes a link to the second web page.

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Application No.:

AMENDMENTS TO THE CLAIMS

Claims 1-21 (Cancelled)

22. (New) A method, within and by a computer hardware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising:

establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement;

including, within the second web page and based upon the reciprocal arrangement, a second functional identification element associated with the first entity; and

including, within the first web page and based upon the reciprocal arrangement, a first functional identification element associated with the second entity, wherein

the second functional identification element includes a link to the first web page, and

the first functional identification element includes a link to the second web page.

23. (New) The method of claim 22, wherein

the first web page is stored in a database; and

the second web page is stored in the database.

24. (New) The method of claim 22, further comprising

receiving, from a third user, a request for the first web page;

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dynamically generating, using a database, the first web page; and

serving, to the third user, the dynamically-generated first web page.

25. (New) The method of claim 22, wherein

the first web page includes one or more web pages.

26. (New) The method of claim 22, further comprising

including, within the first web page, a web asset provided by a third party separate from the computer hardware system.

27. (New) The method of claim 26, further comprising

causing, based upon the web asset being included within the first web page site, the third party to be compensated.

28. (New) The method of claim 26, wherein

the web asset is a functional application.

29. (New) The method of claim 22, further comprising

providing, to the first user, at least one recommended web page, associated with the computer hardware system, into which the second functional identification element is to be included.

30. (New) The method of claim 22, wherein

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the second functional identification element includes an image.

31. (New) The method of claim 30, further comprising

receiving, from the first user, the image.

32. (New) A webpage implementation server system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising:

a database storing information associated with the first and second web pages;

a computer hardware system configured to perform:

establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement;

including, within the second web page and based upon the reciprocal arrangement, a second functional identification element associated with the first entity; and

including, within the first web page and based upon the reciprocal arrangement, a first functional identification element associated with the second entity, wherein

the second functional identification element includes a link to the first web page, and

the first functional identification element includes a link to the second web page.

33. (New) The server system of claim 32, wherein

the first web page is stored in the database; and

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the second web page is stored in the database.

34. (New) The server system of claim 32, wherein the computer hardware system is further configured to perform

receiving, from a third user, a request for the first web page;

dynamically generating, using the database, the first web page; and

serving, to the third user, the dynamically-generated first web page.

35. (New) The server system of claim 32, wherein

the first web page includes one or more web pages.

36. (New) The server system of claim 32, wherein the computer hardware system is further configured to perform

including, within the first web page, a web asset provided by a third party separate from the computer hardware system.

37. (New) The server system of claim 36, wherein the computer hardware system is further configured to perform

causing, based upon the web asset being included within the first web page site, the third party to be compensated.

38. (New) The server system of claim 36, wherein

the web asset is a functional application.

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39. (New) The server system of claim 32, wherein the computer hardware system is further configured to perform:

providing, to the first user, at least one recommended web page, associated with the computer hardware system, into which the second functional identification element is to be included.

40. (New) The method of claim 32, wherein

the second functional identification element includes an image.

41. (New) The method of claim 40, wherein the computer hardware system is further configured to perform

receiving, from the first user, the image.

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Application No.:

REMARKS

Applicant has cancelled claims 1-21 to remove these claims from further consideration in this application. Applicant is not conceding in this application that those claims are not patentable over the prior art cited by the Examiner, as the present claim cancellations are only for facilitating expeditious prosecution of the present application. Applicant respectfully reserves the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicant has introduced new claims 22-41, and Applicant respectfully submits that the present Amendment does not generate any new matter issue.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: July 19, 2013

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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Doc Code: DIST.E.FILE **Document Description: Electronic Terminal Disclaimer - Filed**	PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT**
Application Number	13946461
Filing Date	19-Jul-2013
First Named Inventor	THOMAS DISTEFANO
Attorney Docket Number	8201-0013
Title of Invention	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES

☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action

☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.

Owner	Percent Interest
PT 259, LLC	100%

The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s)

8423399

8412570

8442860

8417567

8335713

7996259

as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

(◉) Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.

( ) I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.

( ) Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

( ) Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

(◉) Applicant(s) status remains as SMALL ENTITY.

( ) Applicant(s) status remains as other than SMALL ENTITY.

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

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

(◉) An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application

Registration Number 42984

( ) A sole inventor

( ) A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors

( ) A joint inventor; all of whom are signing this request

( ) The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/SCOTT D. PAUL/
Name	SCOTT D. PAUL

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

Application No.: 13/946,461

AMENDMENTS TO THE CLAIMS

Claims 1-46 (Cancelled)

47. (New) A method performed within and by a server system configured to modify and serve web pages, comprising:

receiving, from a first client device associated with a first user and via a graphical user interface provided by the server system, information indicating a selection of a web asset to be used in a first website associated with the first user;

receiving, from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website;

storing, within a computer database system of the server system, first information indicating that the first identification was received;

receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second hyperlink from the second website to the first website;

storing, within the computer database system, second information indicating that the second identification was received;

modifying the first website to include the web asset;

modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and

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modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received;

serving, in response to a web page request from a third client device, a first web page of the first website to the third client device, wherein

the second website is associated with a second user,

the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,

the first identification is based upon a selection associated with the second website, and

the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites displayed within the graphical user interface.

48. (New) The method of claim 47, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field box.

49. (New) The method of claim 47, wherein

the graphical user interface is configured to present respective selection boxes adjacent the identifiers respectively associated with the plurality of the previously-created websites.

50. (New) The method of claim 47, wherein

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the server system is configured to identify the plurality of the previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for suggested linking locations for the first website.

51. (New) The method of claim 47, wherein

the graphical user interface is configured to receive information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the plurality of the previously-created websites to be displayed to the first user based upon the information supplied by the first user within the at least one information collection field of the graphical user interface.

52. (New) The method of claim 51, wherein

the information supplied by the first user within the at least one information collection field of the graphical user interface and used to select the plurality of the previously-created websites includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

53. (New) The method of claim 51, wherein

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the server system is configured to select the plurality of the previously-created websites by searching information previously-supplied by the other users and stored within the server system, and

the searching is performed by a search engine using the information supplied by the first user within the at least one information collection field of the graphical user interface.

54. (New) The method of claim 51, wherein

the server system is configured to validate the information provided within the at least one information collection field of the graphical user interface.

55. (New) The method of claim 47, wherein

the first website of the first user includes a plurality of web pages including the first web page.

56. (New) The method of claim 47, wherein

the graphical user interface includes:

a primary display screen in which the web asset is displayed, and

an editing platform in a secondary display screen and configured to

edit the web asset and

display an edited version of the web asset.

57. (New) A server system configured to modify and serve web pages, comprising:

a hardware database system, and

a hardware system configured to perform:

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receiving, from a first client device associated with a first user and via a graphical user interface provided by the server system, information indicating a selection of a web asset to be used in a first website associated with the first user;

receiving, from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website;

storing, within the hardware database system, first information indicating that the first identification was received;

receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second hyperlink from the second website to the first website;

storing, within the hardware database system, second information indicating that the second identification was received;

modifying the first website to include the web asset;

modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and

modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received;

serving, in response to a web page request from a third client device, a first web page of the first website to the third client device, wherein

the second website is associated with a second user,

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the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,

the first identification is based upon a selection associated with the second website, and

the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites displayed within the graphical user interface,.

58. (New) The server system of claim 57, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field box.

59. (New) The server system of claim 57, wherein

the graphical user interface is configured to present respective selection boxes adjacent the identifiers respectively associated with the plurality of the previously-created websites.

60. (New) The server system of claim 57, wherein

the hardware system is configured to identify the plurality of the previously-created websites based upon a receipt, by the hardware system, of a request generated by the graphical user interface for suggested linking locations for the first website.

61. (New) The server system of claim 57, wherein

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the graphical user interface is configured to receive information supplied by the first user within at least one information collection field of the graphical user interface, and

the hardware system is configured to select the plurality of the previously-created websites to be displayed to the first user based upon the information supplied by the first user within the at least one information collection field of the graphical user interface.

62. (New) The server system of claim 61, wherein

the information supplied by the first user within the at least one information collection field of the graphical user interface and used to select the plurality of the previously-created websites includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

63. (New) The server system of claim 61, wherein

the hardware system is configured to select the plurality of the previously-created websites by searching information previously-supplied by the other users and stored within the server system, and

the searching is performed by a search engine using the information supplied by the first user within the at least one information collection field of the graphical user interface.

64. (New) The server system of claim 61, wherein

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the hardware system is configured to validate the information provided within the at least one information collection field of the graphical user interface.

65. (New) The server system of claim 57, wherein

the first website of the first user includes a plurality of web pages including the first web page.

66. (New) The server system of claim 57, wherein

the graphical user interface includes:

a primary display screen in which the web asset is displayed, and

an editing platform in a secondary display screen and configured to

edit the web asset and

display an edited version of the web asset.

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Scott Paul

From: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Sent: Monday, May 2, 2022 1:41 PM
To: Scott Paul
Subject: RE: US Appln. 13/946,489

No problem, I will look into it shortly.

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Monday, May 2, 2022 11:43 AM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

FYI – we filed a RCE & Amendment on Friday.

Thanks again for your help!!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Friday, April 29, 2022 11:37 AM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

This includes the pending application 13/946,461. Ive looked at that one as well.

From: Cirnu, Alexandru <>
Sent: Friday, April 29, 2022 11:33 AM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

I do not see any obviousness-type double patenting issues regarding any of Patents 1-14 that you have listed in your email.

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Friday, April 29, 2022 10:05 AM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Alex:

I have attached a revision with the one change that you mentioned below. This is a list of the issued US patents in the extended family.

1	10,878,178	Modifying web pages to be served by computer server system
2	RE45,971	Developing electronic documents providing E-commerce tools
3	8,996,398	Reciprocal insertion of links for web pages
4	8,781,890	Access rights modification within webpage implementation server system
5	8,650,076	Third party authored web assets within webpage implementation server system
6	8,589,222	User uploaded image within webpage implementation server system
7	8,442,860	Client system displaying reciprocal link
8	8,423,399	Third party payments in reciprocal link system
9	8,417,567	Webpage implementation system with reciprocal links
10	8,412,570	Providing recommendations for reciprocal links in website creation system
11	8,335,713	Providing reciprocal links in webpage development system
12	7,996,259	Method for developing electronic documents providing e-commerce tools
13	7,353,199	Method of moderating external access to an electronic document authoring development and distribution system
14	6,771,291	Method for developing electronic documents employing multiple display regions

There is also one pending application (U.S. Patent Application No. 13/946,461).

I believe that the current claims are not obvious in view of the claims in Patents 2-14 listed above. Patent 1 is a closer call. As such, please confirm the following:

1) the current proposed claims are (or are not) obvious in view of the claims USP 10,878,178 (i.e., subject to an obviousness-type double patenting rejection).
2) that you have reviewed the current proposed claims against the claims of each of Patents 2-14 listed above and determined there are no obviousness-type double patenting issues regarding any of Patents 2-14.

Thank you again very much for your time and assistance!

Scott Paul

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Friday, April 29, 2022 9:03 AM
To: Scott Paul <scott.paul@inlawpro.com>
Subject: RE: US Appln. 13/946,489

Hello again,
I had a chance to review the document.

It looks ok – in terms of 101, and I did not notice any double patenting issues.

The only thing that I noticed was in the independent claims- the "receiving, via the editing screen, an instruction to modify" step, there's a "to" missing - in front of "generate an edited web asset".

Other than that, it looks ok to me.

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Thursday, April 28, 2022 6:51 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

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Alex:

I've attached the new claim set. There are some very minor changes to the independent claim, but the substantial change is to add the following language: "generate, based upon the instruction, the edited web asset," which I believe is consistent with what you are looking for.

As for any potential double patenting rejection, what I suggest is the following.
1) I'll identify all of the issued patents (there is one pending application) in this family that are relevant to the current claims.
2) I'll provide you a document that has all of the claims from all of those issued patents (and pending application) that I identified. I'll also provide you with the claim language in the current claims that I believe is not disclosed and/or not obvious in view of the claims of the issued patents/pending application.
3) We can have a phone discussion sometime early next week – my guess is that it'll take less than 15 minutes to discuss the document I provided to you and the differences I identified.

Assuming we come to an agreement regarding all of this, I will prepare a response with RCE that can be filed sometime later next week.

Let me know what you think.

Thanks!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Thursday, April 28, 2022 6:12 AM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

That sounds good.

Regards,
Alex

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Wednesday, April 27, 2022 4:23 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

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Alex:

Thank you very much for the input. I'm pretty sure I can put together something that addresses what you are looking for. I'm going to put together a full set of claims as well. After that point, we can perhaps have a phone conversation about double patenting issues. I am very familiar with the patent family. Assuming we come to an agreement, I can file a new set of claims with an RCE – as opposed to an Examiner's Amendment.

Thanks for your help!!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Wednesday, April 27, 2022 3:40 PM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

Hello Mr Paul

If you were to add a step that positively recites the generation of the edited web asset, following the "receiving, ...an instruction to generate an edited web asset" limitation, that would overcome the 101 rejection. It could be as simple as "generating the edited web asset based on received instruction", for example.

I haven't looked at any potential double patenting issues yet – I know there are many applications in this family.

But if you were to make this change, at that point the 101 would be overcome, and then I could take another look at the whole family, and let you know if I see any potential double patenting issues.

Alex

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Wednesday, April 27, 2022 1:47 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: US Appln. 13/946,489

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Examiner Cirnu:

The attached file contains a proposed new claim. Please let me know what you think.

Thanks!!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Thursday, November 18, 2021 10:15 AM
To: Scott Paul <scott.paul@iplawpro.com>
Cc: Alaine Allison <alaine.allison@iplawpro.com>
Subject: RE: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

Would Dec.1 or Dec2, at 2 PM EST work for you?

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Thursday, November 18, 2021 10:05 AM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Cc: alaine.allison@iplawpro.com
Subject: RE: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

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My schedule is fairly open. The same time (Monday at 2PM) would work for me.

Let me know.

Thanks,
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Thursday, November 18, 2021 10:03 AM
To: Alaine Allison <alaine.allison@iplawpro.com>
Cc: Scott Paul <scott.paul@iplawpro.com>; Alaine Allison <alaine.allison@iplawpro.com>
Subject: RE: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

Good morning,

Due to unexpected events on my end, I have to re-schedule our interview that we have scheduled on Monday Nov22, for about a week or so.

Please let me know your availability for the week of Nov.29.

Regards,

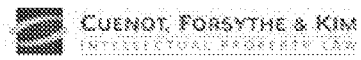
Alexandru Cirnu, Primary Patent Examiner
Art Unit 3622
571-272-7775
Alexandria, VA (EST)
Alexandru.Cirnu@uspto.gov

From: Alaine Allison <alaine.allison@iplawpro.com>
Sent: Wednesday, November 17, 2021 3:11 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Cc: Scott Paul <scott.paul@iplawpro.com>; alaine.allison@iplawpro.com
Subject: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

Thank you Examiner Cirnu for responding to our request to schedule an interview for this application. Attached is the Applicant's Interview Request Form and Exhibits which provides detail as to the items Mr. Paul would like to discuss during the Interview.

Please call me at 561-801-7700, ext. 1209 if there are any questions. Thank you!



For the Firm,

Alaine

Alaine Allison, Legal Assistant
20283 State Road 7, Ste. 300
Boca Raton, FL 33498
Tel: (561) 801-7700, ext. 1209
Fax: (561) 423-9297
alaine.allison@iplawpro.com

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Application No.: 13/946,489

AMENDMENTS TO THE CLAIMS

Claims 1-58 (Cancelled)

59. (New) A first client device of a first user associated with a first website, comprising: computer hardware configured to perform:

receiving, via a graphical user interface associated with a server system, a selection of a web asset to be used in the first website;

displaying the web asset on an editing screen of the graphical user interface;

receiving, via the editing screen, an instruction to modify the web asset to generate an edited web asset;

displaying, based upon the instruction, the edited web asset on a primary display screen of the graphical user interface;

displaying, using the graphic user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

receiving, via the graphical user interface, a selection indicating a second website from the one or more previously-created websites;

forwarding, to the server system and based upon the selection indicating the second website, a first identification associated with the second website; and

receiving, from the server system, computer data associated with the first website that includes the edited web asset and a first hyperlink from the first website to the second website, wherein

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the server system is configured to:

host the first website and the second website,

store, within a computer database system of the server system, first information indicating that the first identification was received by the server system,

generate, based upon the instruction, the edited web asset,

modify the first website to include the edited web asset based upon the instruction to generate the edited web asset,

modify the first website to include the first hyperlink based upon the first information indicating that the first identification was received, and

modify the second website to include a reciprocal second hyperlink to the first website based upon the first information indicating that the first identification was received.

60. (New) The first client device of claim 59, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

61. (New) The first client device of claim 59, wherein

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the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

62. (New) The first client device of claim 59, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection indicating the second website is based upon the user-initiated selection.

63. (New) The first client device of claim 59, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

64. (New) The first client device of claim 59, wherein

the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

65. (New) The first client device of claim 64, wherein

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the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

66. (New) The first client device of claim 64, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

67. (New) The first client device of claim 64, wherein

the server system is configured to validate the user information provided within the at least one information collection field of the graphical user interface.

68. (New) The first client device of claim 64, wherein

the first user and the second user are registered users of the server system.

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69. (New) The first client device of claim 68, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

70. (New) The first client device of claim 59, wherein

the first website of the first user includes a plurality of web pages including a first web page.

71. (New) The first client device of claim 70, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

72. (New) The first client device of claim of claim 70, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

73. (New) A method within a first client device of a first user associated with a first website, comprising:

receiving, via a graphical user interface associated with a server system, a selection of a web asset to be used in the first website;

displaying the web asset on an editing screen of the graphical user interface;

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receiving, via the editing screen, an instruction to modify the web asset to generate an edited web asset;

displaying, based upon the instruction, the edited web asset on a primary display screen of the graphical user interface;

displaying, using the graphic user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

receiving, via the graphical user interface, a selection indicating a second website from the one or more previously-created websites;

forwarding, to the server system and based upon the selection indicating the second website, a first identification associated with the second website; and

receiving, from the server system, computer data associated with the first website that includes the edited web asset and a first hyperlink from the first website to the second website, wherein

the server system is configured to:

host the first website and the second website,

store, within a computer database system of the server system, first information indicating that the first identification was received by the server system,

generate, based upon the instruction, the edited web asset,

modify the first website to include the edited web asset based upon the instruction to generate the edited web asset,

modify the first website to include the first hyperlink based upon the first information indicating that the first identification was received, and

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modify the second website to include a reciprocal second hyperlink to the first website based upon the first information indicating that the first identification was received.

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Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: 9140
Application No.: 13/946,461	:	Group Art Unit: 3622
Filed: July 19, 2013	:	Examiner: K. Kolosowski-Gager

For: SERVER SYSTEM CONFIGURED TO PROVIDE GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS (as amended)

SECOND SUPPLEMENTAL AMENDMENT

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

Sir:

The following Amendment and Remarks are submitted in response to the Office Action dated August 25, 2020, and supplemental to the Amendment dated March 21, 2022.

Application No.: 13/946,461

AMENDMENTS TO THE CLAIMS

Claims 1-68 (Cancelled)

69. (New) A method performed within and by a server system configured to modify and serve web pages, comprising:

receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website;

receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;

generating, based upon the instruction, the edited web asset;

forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website;

storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system;

modifying, based upon the instruction, the first website to include the edited web asset;

modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink;

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modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein

the server system is configured to host the first website and the second website,

the editing screen is configured to display the web asset, and

the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

70. (New) The method of claim 69, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

71. (New) The method of claim 69, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

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72. (New) The method of claim 69, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection of the second website is based upon the user-initiated selection.

73. (New) The method of claim 69, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

74. (New) The method of claim 69, wherein

the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

75. (New) The method of claim 74, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

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a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

76. (New) The method of claim 74, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

77. (New) The method of claim 74, wherein

the first user and the second user are registered users of the server system.

78. (New) The method of claim 77, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

79. (New) The method of claim 69, wherein

the first website of the first user includes a plurality of web pages including a first web page.

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80. (New) The method of claim 79, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

81. (New) The method of claim 79, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

82. (New) A server system configured to modify and serve web pages, comprising:

a computer database system, and

a hardware system configured to perform:

receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website;

receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;

generating, based upon the instruction, the edited web asset;

forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

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receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website;

storing, within the computer database system of the server system, first information indicating that the first identification was received by the server system;

modifying, based upon the instruction, the first website to include the edited web asset;

modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink;

modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein

the server system is configured to host the first website and the second website,

the editing screen is configured to display the web asset, and

the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

83. (New) The server system of claim 82, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first

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website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

84. (New) The server system of claim 82, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

85. (New) The server system of claim 82, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection of the second website is based upon the user-initiated selection.

86. (New) The server system of claim 82, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

87. (New) The server system of claim 82, wherein

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the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

88. (New) The server system of claim 87, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

89. (New) The server system of claim 87, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

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90. (New) The server system of claim 87, wherein

the first user and the second user are registered users of the server system.

91. (New) The server system of claim 90, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

92. (New) The server system of claim 82, wherein

the first website of the first user includes a plurality of web pages including a first web page.

93. (New) The server system of claim 92, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

94. (New) The server system of claim 92, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

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REMARKS

Applicant has cancelled claims 47-68 and added new claims 69-94. Applicant respectfully submits that the present amendment does not generate any new matter issue.

As discussed in a telephonic interview conducted with Examiner Kolosowski-Gager on November 25, 2020, Applicant intends to file a Petition under 37 C.F.R. § 1.182 and M.P.E.P. § 1490(VIII)[1] to withdraw the Terminal Disclaimer that was filed on August 27, 2013, as to U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259.[2] In past petitions, a determination by the Examiner that a previously-filed terminal disclaimer did not apply to the currently-amended claims was a factor in granting the petition.

In this instance, the currently-presented claims recite, in part, the following limitations:

> forwarding, to the first client device to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;
>
> receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website.

These limitations, describing specific aspects of the graphical user interface, have not been previously-claimed in any of U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259. Moreover, Applicant's position is that these claim limitations are not obvious in view of the claims contained within these patents. Consequently, consistent with the

[1] "If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent."

[2] U.S. Patent No. 7,996,259 has been reissued as U.S. Patent No. RE45,971.

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petition decisions alluded to above, the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims. So as to expedite prosecution, Applicant respectfully requests that the Examiner review the previously-disclaimed patents and to confirm, in the written record, Applicant's position that the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims.

---

35 U.S.C. § 102 – Horstmann

The previously-presented claims were rejected under 35 U.S.C. § 102 based upon Horstmann, U.S. Patent No. 5,995,099. Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020.

---

35 U.S.C. § 101

Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020, and in the Supplemental Amendment dated March 21, 2022.

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Application No.: 13/946,461

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: May 20, 2022

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
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ATTACHMENT G

Independent claim at the time the Terminal Disclaimer was filed	Currently-presented independent claim as of the filing of the present petition
22. A method, within and by a computer hardware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising: establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement; including, within the second web page and based upon the reciprocal arrangement, a second functional identification element associated with the first entity; and including, within the first web page and based upon the reciprocal arrangement, a first functional identification element associated with the second entity, wherein the second functional identification element includes a link to the first web page, and the first functional identification element includes a link to the second web page.	69. A method performed within and by a server system configured to modify and serve web pages, comprising: receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website; receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset; generating, based upon the instruction, the edited web asset; forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system; receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website; storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system; modifying, based upon the instruction, the first website to include the edited web asset; modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink; modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

TikTok Inc. EX1002
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	serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein the server system is configured to host the first website and the second website, the editing screen is configured to display the web asset, and the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

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ATTACHMENT H

Currently-presented independent claim as of the filing of the present petition	Independent claim 59 of the '489 Application
69. A method performed within and by a server system configured to modify and serve web pages, comprising: receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website; receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset; generating, based upon the instruction, the edited web asset; forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system; receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website; storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system; modifying, based upon the instruction, the first website to include the edited web asset; modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink; modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and serving computer data associated with the first website that includes the edited web	59. A first client device of a first user associated with a first website, comprising: computer hardware configured to perform: receiving, via a graphical user interface associated with a server system, a selection of a web asset to be used in the first website; displaying the web asset on an editing screen of the graphical user interface; receiving, via the editing screen, an instruction to modify the web asset to generate an edited web asset; displaying, based upon the instruction, the edited web asset on a primary display screen of the graphical user interface; displaying, using the graphic user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system; receiving, via the graphical user interface, a selection indicating a second website from the one or more previously-created websites; forwarding, to the server system and based upon the selection indicating the second website, a first identification associated with the second website; and receiving, from the server system, computer data associated with the first website that includes the edited web asset and a first hyperlink from the first website to the second website, wherein the server system is configured to: host the first website and the second website, store, within a computer database system of the server system, first information indicating that the first identification was received by the server system, generate, based upon the instruction, the edited web asset,

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asset and the first hyperlink from the first website to the second website, wherein the server system is configured to host the first website and the second website, the editing screen is configured to display the web asset, and the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.	modify the first website to include the edited web asset based upon the instruction to generate the edited web asset, modify the first website to include the first hyperlink based upon the first information indicating that the first identification was received, and modify the second website to include a reciprocal second hyperlink to the first website based upon the first information indicating that the first identification was received.

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
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Page 1444 of 1793

Electronic Patent Application Fee Transmittal	
Application Number:	13946461
Filing Date:	19-Jul-2013
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO
Filer:	Scott David Paul/Alaine Allison
Attorney Docket Number:	8201-0013
Filed as Small Entity	
Filing Fees for Utility under 35 USC 111(a)	

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
PETITION FEE - 37 CFR 1.17(F)(GROUP I)	2462	1	210	210
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**210**

Electronic Acknowledgement Receipt	
EFS ID:	45767402
Application Number:	13946461
International Application Number:	
Confirmation Number:	9140
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO
Customer Number:	55246
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8201-0013
Receipt Date:	20-MAY-2022
Filing Date:	19-JUL-2013
Time Stamp:	15:30:56
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$210
RAM confirmation Number	E20225JF31244925
Deposit Account	503611
Authorized User	Alaine Allison
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: 37 CFR 1.19 (Document supply fees) 37 CFR 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	8201-0013_US_Appln_13946461_Petition_05-20-2022.pdf	1772793 e696d51bfb45dcb7ad991d067d7e94884c74fbbf	no	58
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	37956 fed782705afe5b3ec15d8a6ca85c7e5a70c198fa	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1810749		

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/946,461	Filing Date 07/19/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $210 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

AMENDMENT	05/20/2022	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 26	Minus	** 25	= 1		x $50 =	50
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	50

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

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

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

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United States Patent and Trademark Office

Office of the Chief Financial Officer

Document Code:WFEE

User :70303

Sale Accounting Date:05/26/2022

Sale Item Reference Number	Effective Date
13946461	05/20/2022

Document Number	Fee Code	Fee Code Description	Amount Paid	Payment Method
I20225PD24094104	2202	CLAIMS IN EXCESS OF 20	$50.00	Deposit Account

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/946,461	Filing Date 07/19/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☑ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $40 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $210 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

AMENDMENT	05/20/2022	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 26	Minus	** 23	= 3		x $50 =	150
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0		x $240 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	150

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

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

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

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 11/30/2022

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109

EXAMINER
KOLOSOWSKI-GAGER, KATHERINE

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
11/30/2022	ELECTRONIC

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

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

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

kevin.cuenot@iplawpro.com
ptomail@iplawpro.com
terry.forsythe@iplawpro.com

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
IPR2025-01061
Page 1452 of 1793

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of	:	
PT 259, LLC	:	
Application No. 13/946,461	:	
Filed: 19 Jul 2013	:	DECISION ON PETITION
For: RECIPROCAL INSERTION OF	:	
IDENTIFICATION ELEMENTS FOR	:	
WEB PAGES	:	

This is a decision on the petition filed May 20, 2022 under 37 CFR 1.182, requesting that a previously filed terminal disclaimer be withdrawn.

The petition is **DISMISSED**.

The present petition requests that a terminal disclaimer filed August 27, 2013 be withdrawn. Petitioner asserts that two amendments were filed, on April 29, 2022 and May 20, 2022, respectively, which cancelled existing claims and added new claims. The amendment filed April 29, 2022 cancelled claims 41-58 and presented new claims 59-73. The amendment filed May 20, 2022 cancelled old claims 47-68 and presented new claims 69-94. Petitioner asserts that in view of the cancellation of claims and adding of new claims, the terminal disclaimer filed August 27, 2013 no longer applies to any claim(s) of record.

The petition is dismissed because the examiner has determined that the terminal disclaimer **does** apply to at least one claim of record. Specifically, the terminal disclaimer filed August 27, 2013 applies to Claims 69-94 in view of U.S. Patent No. 7,996,259. In view of claims 1-7 of U.S. Patent No. 7,996,259, the examiner believes a double patenting rejection would be warranted between the current claims of Application No. 13/946,461.

As such, the present petition will not be favorably considered.

The petition fee set forth at § 1.17(f) has been received.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail:	Mail Stop PETITIONS Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450
By hand:	Customer Service Window Mail Stop Petitions Randolph Building 401 Dulany Street Alexandria, VA 22314
By fax:	(571) 273-8300 ATTN: Office of Petitions
By internet:	EFS-Web[1]

The application is being referred to Technology Center Art Unit 3622 for further processing.

Telephone inquiries should be directed to the undersigned at 571.272.3231.

/DOUGLAS I WOOD/
Attorney Advisor, OPET

[1] www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

To: terry.forsythe@iplawpro.com,kevin.cuenot@iplawpro.com,ptomail@iplawpro.com
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 55246

Nov 30, 2022 03:21:41 AM

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5425 Park Central Court
Suite 111
Naples, FL 34109
UNITED STATES

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Application	Document	Mailroom Date	Attorney Docket No.
13946461	PETDEC	11/30/2022	8201-0013

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 12/13/2022

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109

EXAMINER
KOLOSOWSKI-GAGER, KATHERINE

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
12/13/2022	ELECTRONIC

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

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

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

kevin.cuenot@iplawpro.com
ptomail@iplawpro.com
terry.forsythe@iplawpro.com

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
IPR2025-01061
Page 1456 of 1793

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13/946,461	07/19/2013	DISTEFANO, THOMAS L.	8201-0013

	EXAMINER	
Cuenot, Forsythe & Kim **5425 Park Central Court Suite 111** **Naples, FL 34109**	KATHERINE KOLOSOWSKI-GAGER	
	ART UNIT	**PAPER**
	3622	20221207

DATE MAILED: _____

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

Commissioner for Patents

Examiner finds that the Terminal Disclaimer as filed on 27 AUG 2013 for the instant case with regard to US Patent Nos. 7996259, 8335713, 8417567, 8442860, 8412570, 8423399 is no longer necessary with regards to claims 22-41 of the instant application as filed on 20 MAY 2022.

/KATHERINE KOLOSOWSKI-GAGER/
Primary Examiner, Art Unit 3622

PTO-90C (Rev.04-03)

To: terry.forsythe@iplawpro.com,kevin.cuenot@iplawpro.com,ptomail@iplawpro.com
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 55246

Dec 13, 2022 03:26:13 AM

Dear PAIR Customer:

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109
UNITED STATES

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Application	Document	Mailroom Date	Attorney Docket No.
13946461	CTMS	12/13/2022	8201-0013

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PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: 9140
Application No.: 13/946,461	:	Group Art Unit: 3622
Filed: July 19, 2013	:	Examiner: K. Kolosowski-Gager

For: SERVER SYSTEM CONFIGURED TO PROVIDE GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS

RENEWED PETITION TO WITHDRAW TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.182

Director
Office of Petitions
US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby presents a Renewed Petition to withdraw from the above-identified U.S. Patent Application No. 13/946,489 (hereinafter the "Present Application") the Terminal Disclaimer filed on August 27, 2013 with regard to U.S. Patent Nos. 7,996,259, 8,335,713, 8,417,567, 8,442,860, 8,412,570, and 8,423,399.

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DECISION ON PETITION DATED NOVEMBER 30, 2022

In a Decision on Petition dated November 30, 2022 (hereinafter the "Decision on Petition"), the previously-submitted Petition filed May 20, 2022 under 37 C.F.R. § 1.182, requesting that previously-filed Terminal Disclaimer be withdrawn was denied (Attachment I). The substantive analysis accompanying this Decision on Petition is reproduced below:

> The petition is dismissed because the examiner has determined that the terminal disclaimer **does** apply to at least one claim of record. Specifically, the terminal disclaimer filed August 27, 2013 applies to Claims 69-94 in view of U.S. Patent No. 7,996,259. In view of claims 1-7 of U.S. Patent No. 7,996,259, the examiner believes a double patenting rejection would be warranted between the current claims of Application No. 13/946,461.

STATEMENT OF PRIOR FACTS

On July 19, 2013, the Present Application was filed. On the same day, a Preliminary Amendment was filed in which claims 1-21 were cancelled and new claims 22-41 were presented (Attachment A).

On August 27, 2013, a Terminal Disclaimer was filed with regard to U.S. Patent Nos. 7,996,259, 8,335,713, 8,417,567, 8,442,860, 8,412,570, and 8,423,399 (Attachment B).

After filing an Appeal Brief on July 5, 2019, Examiner Kolosowski-Gager issued an Examiner's Answer on October 18, 2019. In response to the Examiner's Answer, on November 25, 2020, Applicant filed an Amendment in which previously-presented claims 21-46 were cancelled and new claims 47-66 were presented (Attachment C).

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In related U.S. Patent Application No. 13/946,489 (hereinafter the '489 Application), from April 27-29th of 2022, a series of discussions between Applicant's representative and Examiner Cirnu were conducted both telephonically and via email, in which a new set of claims were proposed. Additionally, Applicant raised the issue of the propriety of obviousness-type double patenting rejections with regard to a number of issued patents within the same patent family, which Examiner Cirnu addressed. A copy of the email is included as Attachment D.

In the related '489 Application, on April 29, 2022, Applicant filed an amendment in which old claims 41-58 were cancelled and new claims 59-73 were presented consistent with the proposed claims previously-presented to Examiner Cirnu (Attachment E).

On May 20, 2022, in the Present Application, Applicant filed a Second Supplemental Amendment in which old claims 47-68 were cancelled and new claims 69-94 were presented (Attachment F).

STATEMENT OF NEW FACTS

On October 5, 2022, in the related '489 Application, the Patent Office granted a previously-submitted Petition under 37 C.F.R. § 1.182, requesting that a previously-filed Terminal Disclaimer be withdrawn (Attachment J).

On November 30, 2022, and in response to the Decision on Petition, Applicant's representative telephonically contacted Supervisor Ilana Spar of Art Unit 3622. During this interview, Supervisor Spar indicated that she would perform a review of the propriety of the

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indication, in the Decision on Petition, of the statement that "the examiner believes a double patenting rejection would be warranted between the current claims of Application No. 13/946,461."

On December 7, 2022, Supervisor Spar telephonically contacted Applicant's representative. During this conversation, Supervisor Spar indicated that a subsequent review was made by both Supervisor Spar and Examiner Kolosowski, and this subsequent review yielded the conclusion that the previously-filed Terminal Disclaimer does not apply to the current claims of the Present Application. Consequently, they agreed that it would be proper for the previously-filed Terminal Disclaimer to be withdrawn.

On December 13, 2022, Applicant received the Miscellaneous Communication (Attachment K). This Miscellaneous Communication stated, in part, the following:

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13/946,461	07/19/2013	DISTEFANO, THOMAS L.	8201-0013

		EXAMINER	
Cuenot, Forsythe & Kim 5425 Park Central Court Suite 111 Naples, FL 34109		KATHERINE KOLOSOWSKI-GAGER	
		ART UNIT	PAPER
		3622	20221207

DATE MAILED:

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

Commissioner for Patents

Examiner finds that the Terminal Disclaimer as filed on 27 AUG 2013 for the instant case with regard to US Patent Nos. 7996259, 8335713, 8417567, 8442860, 8412570, 8423399 is no longer necessary with regards to claims 22-41 of the instant application as filed on 20 MAY 2022.

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STATEMENT OF LAW

Reference is made to MPEP 1490(VIII), entitled "WITHDRAWING A RECORDED TERMINAL DISCLAIMER," the relevant portion of which is reproduced below:

> If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent, or if a terminal disclaimer is filed in a reexamination proceeding, before the reexamination certificate issues. After a patent or reexamination certificate issues, a recorded terminal disclaimer will not be nullified.
>
> A. Before Issuance of Patent or Reexamination Certificate
> While the filing and recordation of an unnecessary terminal disclaimer has been characterized as an "unhappy circumstance" in *In re Jentoft*, 392 F.2d 633, 157 USPQ 363 (CCPA 1968), there is no statutory prohibition against nullifying or otherwise canceling the effect of a recorded terminal disclaimer which was erroneously filed before the patent issues. Likewise, a terminal disclaimer that was erroneously filed in a reexamination proceeding may be withdrawn before issuance of the reexamination certificate. Because the terminal disclaimer would not take effect until the patent is granted (or the reexamination certificate is published), and the public has not had the opportunity to rely on the terminal disclaimer, relief from this unhappy circumstance may be available by way of petition or by refiling the application (other than by refiling it as a CPA).
>
> Under appropriate circumstances, consistent with the orderly administration of the examination process, the nullification of an erroneously filed recorded terminal disclaimer may be addressed by filing a petition under 37 CFR 1.182 requesting withdrawal of the recorded terminal disclaimer. Petitions seeking to reopen the question of the propriety of the double patenting rejection that prompted the filing of the terminal disclaimer have not been favorably considered. The filing of a continuing application other than a CPA, while abandoning the application in which the terminal disclaimer has been filed, will typically nullify the effect of a terminal disclaimer. The filing of a Request for Continued Examination (RCE) of an application under 37 CFR 1.114 will not nullify the effect of a terminal disclaimer, because a new application has not been filed, but rather prosecution has been continued in the existing application.

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ARGUMENT

Applicant's position is that the new claims presented in the Second Supplemental Amendment dated May 20, 2022 (Attachment F) are substantially different than the claims originally presented for prosecution in the Preliminary Amendment dated July 19, 2013 (Attachment A). Because of this substantial difference, the Terminal Disclaimer filed on August 27, 2013 (Attachment B) with regard to U.S. Patent Nos. 7,996,259, 8,335,713, 8,417,567, 8,442,860, 8,412,570, and 8,423,399 involving the claims originally presented for prosecution are unnecessary as to the currently-presented claims.

Applicant is not requesting that the previously-filed Terminal Disclaimer be withdrawn for the purpose of reopening any question of the propriety of a prior double patenting rejection.[1] Consistent with the facts indicated above, the claims at issue when the previously-filed Terminal Disclaimer was filed on August 27, 2013, have been cancelled and substantially new claims have been presented. A side-by-side listing of the previously-presented independent claim subject to the Terminal Disclaimer and the new independent claim is found in Attachment G. Applicant's position is that the new and currently-presented claims have obviated the need for the previously-filed Terminal Disclaimer.[2] Applicant's position is supported by the Miscellaneous

[1] The Terminal Disclaimer was filed prior to any Office Action being issued, and consequently, the Terminal Disclaimer could not have been responsive to a double-patenting rejection.

[2] See the Decision on Petition dated March 11, 2005, in U.S. Application No. 09/938,669, in which a petition to withdrawal previously filed Terminal Disclaimers was granted where "petition alleges ...claims previously covered by those Terminal Disclaimers have been cancelled." See also the Decision on Petition dated December 22, 2009, in U.S. Application No. 11/593,426, in which petition to withdrawal a previously-filed Terminal Disclaimer was granted where "Petitioner asserts that[] amendments made in this application obviate the necessity for the terminal disclaimer filed in the instant application."

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Communication issued by Examiner Kolosowski on December 13, 2022 (Attachment K), which explicitly states the following:

> Examiner finds that the Terminal Disclaimer as filed on 27 AUG 2013 for the instant case with regard to US Patent Nos. 7996259, 8335713, 8442860, 8412570, 8423399 is no long necessary with regards to claims 22-41 of the instant application as filed on 20 MAY 2022.

'489 Application

Originally, the present Petition was filed concurrently with a Petition in related U.S. Application No. 13/946,489 (hereinafter the '489 Application).[3] The '489 Application is related to the Present Application with substantially-similar claims. A comparison of the currently-pending independent claims found in the the Present Application and the '489 Application is provided in Attachment H.

Referring to a discussion between Applicant's representative and Examiner Cirnu found in Attachment D, Examiner Cirnu indicated that the new and currently-presented claims would overcome the previously-pending rejection under 35 U.S.C. § 101. Examiner Cirnu also indicated that he "do[es] not see any obviousness-type double patenting issues regarding any of Patents 1-14 that you have listed in your email," which includes U.S. Patent Nos. 7,996,259 (#12), 8,335,713 (#11), 8,417,567 (#9), 8,442,860 (#7), 8,412,570 (#10),and 8,423,399 (#8),[4] which are all of the patents subject to the Terminal Disclaimer filed on August 27, 2013.

[3] The '489 Application is currently being examined by Examiner Cirnu.

[4] The numbers after each patent correspond to the number of the Patents listed in the email contained in Attachment D.

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While directed to different inventions, both applications share many of the same limitations (see Attachment H), and the arguments presented in the Petition in the '489 Application are substantially similar to the arguments presented in the Petition in the Present Application. As discussed above, the Petition in the '489 Application was granted by the Patent Office on October 5, 2022 (Attachment J). Accordingly, Applicant respectfully the Renewed Petition in the Present Application be granted for substantially the same reasons.

Granting the Withdrawal is consistent "with the orderly administration of the examination process"

Referring to the Petition Decision dated March 10, 2009, in U.S. Patent Application No. 29/271, 203, the Patent Office stated the following:

> In this case, petitioner could clearly file a continuing application in order to indirectly nullify the terminal disclaimer. However, such an action would not only place a burden on petitioner, but would burden the Office by forcing the Office to devote limited resources to the processing of a brand new application, docketing the new application, and taking similar steps. Therefore, granting the instant petition would be "consistent with the orderly administration of the examination process."

Similarly, while Applicant could file a Continuation Application in the Present Application to nullify the Terminal Disclaimer, this would unnecessarily burden Applicant and unnecessarily burden the Patent Office in processing this new Continuation Application. The Present Application has already been substantively examined. Thus, granting the instant petition is consistent with the Patent Office's orderly administration of the examination process.

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PRAYER FOR RELIEF

Consistent with the guidance found in MPEP 1490(VIII), Applicant respectfully requests that the present Petition be granted and the Terminal Disclaimer filed on August 27, 2013, be withdrawn in the Present Application.

Please charge any shortage in fees due, and in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: December 13, 2022

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: Not yet assigned
Application No.: Not yet assigned	:	Group Art Unit: Not yet assigned
Filed: July 19, 2013	:	Examiner: Not yet assigned

For: RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES (as amended)

PRELIMINARY AMENDMENT

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

Sir:

The following Amendment and Remarks are submitted herewith.

Application No.:

AMENDMENTS TO THE SPECIFICATION

Please amend the Title of the Invention as follows:

~~METHOD FOR DEVELOPING ELECTRONIC DOCUMENTS PROVIDING E-COMMERCE TOOLS~~ RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES

Please insert the following paragraph prior to the "BACKGROUND OF THE INVENTION" on page 1 of the specification.

CROSS-REFERENCE TO RELATED APPLICATIONS

[0000.1] This application is a Continuation of U.S. Patent No. 13/763,128, filed on February 8, 2013, which is a Continuation of U.S. Patent No. 13/669,027, filed on November 5, 2012 (now U.S. Patent No. 8,423,399), which is a Continuation of U.S. Application No. 13/206,483 (now U.S. Patent No. 8,335,713), filed on August 9, 2011, which is a Continuation of U.S. Application No. 09/589,551 (now U.S. Patent No. 7,996,259), filed on June 7, 2000.

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Please delete the Abstract and insert therefore:

A method, within and by a computer hardware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, includes the following. A reciprocal arrangement is established between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement. A second functional identification element associated with the first entity is included within the second web page and based upon the reciprocal arrangement. A first functional identification element associated with the second entity is included within the first web page and based upon the reciprocal arrangement. The second functional identification element includes a link to the first web page, and the first functional identification element includes a link to the second web page.

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AMENDMENTS TO THE CLAIMS

Claims 1-21 (Cancelled)

22. (New) A method, within and by a computer hardware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising:

establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement;

including, within the second web page and based upon the reciprocal arrangement, a second functional identification element associated with the first entity; and

including, within the first web page and based upon the reciprocal arrangement, a first functional identification element associated with the second entity, wherein

the second functional identification element includes a link to the first web page, and

the first functional identification element includes a link to the second web page.

23. (New) The method of claim 22, wherein

the first web page is stored in a database; and

the second web page is stored in the database.

24. (New) The method of claim 22, further comprising

receiving, from a third user, a request for the first web page;

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dynamically generating, using a database, the first web page; and

serving, to the third user, the dynamically-generated first web page.

25. (New) The method of claim 22, wherein

the first web page includes one or more web pages.

26. (New) The method of claim 22, further comprising

including, within the first web page, a web asset provided by a third party separate from the computer hardware system.

27. (New) The method of claim 26, further comprising

causing, based upon the web asset being included within the first web page site, the third party to be compensated.

28. (New) The method of claim 26, wherein

the web asset is a functional application.

29. (New) The method of claim 22, further comprising

providing, to the first user, at least one recommended web page, associated with the computer hardware system, into which the second functional identification element is to be included.

30. (New) The method of claim 22, wherein

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the second functional identification element includes an image.

31. (New) The method of claim 30, further comprising

receiving, from the first user, the image.

32. (New) A webpage implementation server system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising:

a database storing information associated with the first and second web pages;

a computer hardware system configured to perform:

establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement;

including, within the second web page and based upon the reciprocal arrangement, a second functional identification element associated with the first entity; and

including, within the first web page and based upon the reciprocal arrangement, a first functional identification element associated with the second entity, wherein

the second functional identification element includes a link to the first web page, and

the first functional identification element includes a link to the second web page.

33. (New) The server system of claim 32, wherein

the first web page is stored in the database; and

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the second web page is stored in the database.

34. (New) The server system of claim 32, wherein the computer hardware system is further configured to perform

receiving, from a third user, a request for the first web page;

dynamically generating, using the database, the first web page; and

serving, to the third user, the dynamically-generated first web page.

35. (New) The server system of claim 32, wherein

the first web page includes one or more web pages.

36. (New) The server system of claim 32, wherein the computer hardware system is further configured to perform

including, within the first web page, a web asset provided by a third party separate from the computer hardware system.

37. (New) The server system of claim 36, wherein the computer hardware system is further configured to perform

causing, based upon the web asset being included within the first web page site, the third party to be compensated.

38. (New) The server system of claim 36, wherein

the web asset is a functional application.

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39. (New) The server system of claim 32, wherein the computer hardware system is further configured to perform:

providing, to the first user, at least one recommended web page, associated with the computer hardware system, into which the second functional identification element is to be included.

40. (New) The method of claim 32, wherein

the second functional identification element includes an image.

41. (New) The method of claim 40, wherein the computer hardware system is further configured to perform

receiving, from the first user, the image.

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Application No.:

REMARKS

Applicant has cancelled claims 1-21 to remove these claims from further consideration in this application. Applicant is not conceding in this application that those claims are not patentable over the prior art cited by the Examiner, as the present claim cancellations are only for facilitating expeditious prosecution of the present application. Applicant respectfully reserves the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicant has introduced new claims 22-41, and Applicant respectfully submits that the present Amendment does not generate any new matter issue.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: July 19, 2013

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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Doc Code: DIST.E.FILE **Document Description: Electronic Terminal Disclaimer - Filed**	PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT**
Application Number	13946461
Filing Date	19-Jul-2013
First Named Inventor	THOMAS DISTEFANO
Attorney Docket Number	8201-0013
Title of Invention	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES

☒ Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action

☒ This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.

Owner	Percent Interest
PT 259, LLC	100%

The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s)

8423399

8412570

8442860

8417567

8335713

7996259

as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

(◉) Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.

( ) I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.

( ) Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

( ) Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

(◉) Applicant(s) status remains as SMALL ENTITY.

( ) Applicant(s) status remains as other than SMALL ENTITY.

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

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

(◉) An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application

Registration Number 42984

( ) A sole inventor

( ) A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors

( ) A joint inventor; all of whom are signing this request

( ) The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/SCOTT D. PAUL/
Name	SCOTT D. PAUL

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

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AMENDMENTS TO THE CLAIMS

Claims 1-46 (Cancelled)

47. (New) A method performed within and by a server system configured to modify and serve web pages, comprising:

receiving, from a first client device associated with a first user and via a graphical user interface provided by the server system, information indicating a selection of a web asset to be used in a first website associated with the first user;

receiving, from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website;

storing, within a computer database system of the server system, first information indicating that the first identification was received;

receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second hyperlink from the second website to the first website;

storing, within the computer database system, second information indicating that the second identification was received;

modifying the first website to include the web asset;

modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and

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modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received;

serving, in response to a web page request from a third client device, a first web page of the first website to the third client device, wherein

the second website is associated with a second user,

the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,

the first identification is based upon a selection associated with the second website, and

the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites displayed within the graphical user interface.

48. (New) The method of claim 47, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field box.

49. (New) The method of claim 47, wherein

the graphical user interface is configured to present respective selection boxes adjacent the identifiers respectively associated with the plurality of the previously-created websites.

50. (New) The method of claim 47, wherein

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the server system is configured to identify the plurality of the previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for suggested linking locations for the first website.

51. (New) The method of claim 47, wherein

the graphical user interface is configured to receive information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the plurality of the previously-created websites to be displayed to the first user based upon the information supplied by the first user within the at least one information collection field of the graphical user interface.

52. (New) The method of claim 51, wherein

the information supplied by the first user within the at least one information collection field of the graphical user interface and used to select the plurality of the previously-created websites includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

53. (New) The method of claim 51, wherein

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the server system is configured to select the plurality of the previously-created websites by searching information previously-supplied by the other users and stored within the server system, and

the searching is performed by a search engine using the information supplied by the first user within the at least one information collection field of the graphical user interface.

54. (New) The method of claim 51, wherein

the server system is configured to validate the information provided within the at least one information collection field of the graphical user interface.

55. (New) The method of claim 47, wherein

the first website of the first user includes a plurality of web pages including the first web page.

56. (New) The method of claim 47, wherein

the graphical user interface includes:

a primary display screen in which the web asset is displayed, and

an editing platform in a secondary display screen and configured to

edit the web asset and

display an edited version of the web asset.

57. (New) A server system configured to modify and serve web pages, comprising:

a hardware database system, and

a hardware system configured to perform:

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receiving, from a first client device associated with a first user and via a graphical user interface provided by the server system, information indicating a selection of a web asset to be used in a first website associated with the first user;

receiving, from the first client device and via the graphical user interface, a first identification associated with a second website to create a first hyperlink from the first website to the second website;

storing, within the hardware database system, first information indicating that the first identification was received;

receiving, from a second client device associated with the second website, a second identification associated with the first website to create a second hyperlink from the second website to the first website;

storing, within the hardware database system, second information indicating that the second identification was received;

modifying the first website to include the web asset;

modifying the first website to include the first hyperlink to the second website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received; and

modifying the second website to include the second hyperlink to the first website based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received;

serving, in response to a web page request from a third client device, a first web page of the first website to the third client device, wherein

the second website is associated with a second user,

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the graphical user interface is configured to display identifiers respectively associated with a plurality of previously-created websites that were previously-created by other users of the server system,

the first identification is based upon a selection associated with the second website, and

the selection associated with the second website is performed using the graphic user interface and is from the plurality of the previously-created websites displayed within the graphical user interface,.

58. (New) The server system of claim 57, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field box.

59. (New) The server system of claim 57, wherein

the graphical user interface is configured to present respective selection boxes adjacent the identifiers respectively associated with the plurality of the previously-created websites.

60. (New) The server system of claim 57, wherein

the hardware system is configured to identify the plurality of the previously-created websites based upon a receipt, by the hardware system, of a request generated by the graphical user interface for suggested linking locations for the first website.

61. (New) The server system of claim 57, wherein

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the graphical user interface is configured to receive information supplied by the first user within at least one information collection field of the graphical user interface, and

the hardware system is configured to select the plurality of the previously-created websites to be displayed to the first user based upon the information supplied by the first user within the at least one information collection field of the graphical user interface.

62. (New) The server system of claim 61, wherein

the information supplied by the first user within the at least one information collection field of the graphical user interface and used to select the plurality of the previously-created websites includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

63. (New) The server system of claim 61, wherein

the hardware system is configured to select the plurality of the previously-created websites by searching information previously-supplied by the other users and stored within the server system, and

the searching is performed by a search engine using the information supplied by the first user within the at least one information collection field of the graphical user interface.

64. (New) The server system of claim 61, wherein

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the hardware system is configured to validate the information provided within the at least one information collection field of the graphical user interface.

65. (New) The server system of claim 57, wherein

the first website of the first user includes a plurality of web pages including the first web page.

66. (New) The server system of claim 57, wherein

the graphical user interface includes:

a primary display screen in which the web asset is displayed, and

an editing platform in a secondary display screen and configured to

edit the web asset and

display an edited version of the web asset.

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Scott Paul

From: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Sent: Monday, May 2, 2022 1:41 PM
To: Scott Paul
Subject: RE: US Appln. 13/946,489

No problem, I will look into it shortly.

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Monday, May 2, 2022 11:43 AM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

CAUTION: This email has originated from a source outside of USPTO. **PLEASE CONSIDER THE SOURCE** before responding, clicking on links, or opening attachments.

FYI – we filed a RCE & Amendment on Friday.

Thanks again for your help!!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Friday, April 29, 2022 11:37 AM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

This includes the pending application 13/946,461. Ive looked at that one as well.

From: Cirnu, Alexandru <>
Sent: Friday, April 29, 2022 11:33 AM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

I do not see any obviousness-type double patenting issues regarding any of Patents 1-14 that you have listed in your email.

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Friday, April 29, 2022 10:05 AM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

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Alex:

I have attached a revision with the one change that you mentioned below. This is a list of the issued US patents in the extended family.

1	10,878,178	Modifying web pages to be served by computer server system
2	RE45,971	Developing electronic documents providing E-commerce tools
3	8,996,398	Reciprocal insertion of links for web pages
4	8,781,890	Access rights modification within webpage implementation server system
5	8,650,076	Third party authored web assets within webpage implementation server system
6	8,589,222	User uploaded image within webpage implementation server system
7	8,442,860	Client system displaying reciprocal link
8	8,423,399	Third party payments in reciprocal link system
9	8,417,567	Webpage implementation system with reciprocal links
10	8,412,570	Providing recommendations for reciprocal links in website creation system
11	8,335,713	Providing reciprocal links in webpage development system
12	7,996,259	Method for developing electronic documents providing e-commerce tools
13	7,353,199	Method of moderating external access to an electronic document authoring development and distribution system
14	6,771,291	Method for developing electronic documents employing multiple display regions

There is also one pending application (U.S. Patent Application No. 13/946,461).

I believe that the current claims are not obvious in view of the claims in Patents 2-14 listed above. Patent 1 is a closer call. As such, please confirm the following:

1) the current proposed claims are (or are not) obvious in view of the claims USP 10,878,178 (i.e., subject to an obviousness-type double patenting rejection).
2) that you have reviewed the current proposed claims against the claims of each of Patents 2-14 listed above and determined there are no obviousness-type double patenting issues regarding any of Patents 2-14.

Thank you again very much for your time and assistance!

Scott Paul

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Friday, April 29, 2022 9:03 AM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

Hello again,
I had a chance to review the document.

It looks ok – in terms of 101, and I did not notice any double patenting issues.

The only thing that I noticed was in the independent claims- the "receiving, via the editing screen, an instruction to modify" step, there's a "to" missing - in front of "generate an edited web asset".

Other than that, it looks ok to me.

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Thursday, April 28, 2022 6:51 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

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Alex:

I've attached the new claim set. There are some very minor changes to the independent claim, but the substantial change is to add the following language: "generate, based upon the instruction, the edited web asset," which I believe is consistent with what you are looking for.

As for any potential double patenting rejection, what I suggest is the following.
1) I'll identify all of the issued patents (there is one pending application) in this family that are relevant to the current claims.
2) I'll provide you a document that has all of the claims from all of those issued patents (and pending application) that I identified. I'll also provide you with the claim language in the current claims that I believe is not disclosed and/or not obvious in view of the claims of the issued patents/pending application.
3) We can have a phone discussion sometime early next week – my guess is that it'll take less than 15 minutes to discuss the document I provided to you and the differences I identified.

Assuming we come to an agreement regarding all of this, I will prepare a response with RCE that can be filed sometime later next week.

Let me know what you think.

Thanks!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Thursday, April 28, 2022 6:12 AM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

That sounds good.

Regards,
Alex

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Wednesday, April 27, 2022 4:23 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: RE: US Appln. 13/946,489

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Alex:

Thank you very much for the input. I'm pretty sure I can put together something that addresses what you are looking for. I'm going to put together a full set of claims as well. After that point, we can perhaps have a phone conversation about double patenting issues. I am very familiar with the patent family. Assuming we come to an agreement, I can file a new set of claims with an RCE – as opposed to an Examiner's Amendment.

Thanks for your help!!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Wednesday, April 27, 2022 3:40 PM
To: Scott Paul <scott.paul@iplawpro.com>
Subject: RE: US Appln. 13/946,489

Hello Mr Paul

If you were to add a step that positively recites the generation of the edited web asset, following the "receiving, ...an instruction to generate an edited web asset" limitation, that would overcome the 101 rejection. It could be as simple as "generating the edited web asset based on received instruction", for example.

I haven't looked at any potential double patenting issues yet – I know there are many applications in this family.

But if you were to make this change, at that point the 101 would be overcome, and then I could take another look at the whole family, and let you know if I see any potential double patenting issues.

Alex

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Wednesday, April 27, 2022 1:47 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Subject: US Appln. 13/946,489

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Examiner Cirnu:

The attached file contains a proposed new claim. Please let me know what you think.

Thanks!!
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Thursday, November 18, 2021 10:15 AM
To: Scott Paul <scott.paul@iplawpro.com>
Cc: Alaine Allison <alaine.allison@iplawpro.com>
Subject: RE: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

Would Dec.1 or Dec2, at 2 PM EST work for you?

From: Scott Paul <scott.paul@iplawpro.com>
Sent: Thursday, November 18, 2021 10:05 AM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Cc: alaine.allison@iplawpro.com
Subject: RE: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

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My schedule is fairly open. The same time (Monday at 2PM) would work for me.

Let me know.

Thanks,
Scott

From: Cirnu, Alexandru [mailto:Alexandru.Cirnu@USPTO.GOV]
Sent: Thursday, November 18, 2021 10:03 AM
To: Alaine Allison <alaine.allison@iplawpro.com>
Cc: Scott Paul <scott.paul@iplawpro.com>; Alaine Allison <alaine.allison@iplawpro.com>
Subject: RE: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

Good morning,

Due to unexpected events on my end, I have to re-schedule our interview that we have scheduled on Monday Nov22, for about a week or so.

Please let me know your availability for the week of Nov.29.

Regards,

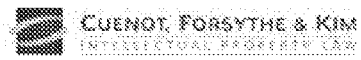
Alexandru Cirnu, Primary Patent Examiner
Art Unit 3622
571-272-7775
Alexandria, VA (EST)
Alexandru.Cirnu@uspto.gov

From: Alaine Allison <alaine.allison@iplawpro.com>
Sent: Wednesday, November 17, 2021 3:11 PM
To: Cirnu, Alexandru <Alexandru.Cirnu@USPTO.GOV>
Cc: Scott Paul <scott.paul@iplawpro.com>; alaine.allison@iplawpro.com
Subject: US Appln. 13/946,489 Applicant Interview Request and Attachments / Our Ref. 8201-0014

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Thank you Examiner Cirnu for responding to our request to schedule an interview for this application. Attached is the Applicant's Interview Request Form and Exhibits which provides detail as to the items Mr. Paul would like to discuss during the Interview.

Please call me at 561-801-7700, ext. 1209 if there are any questions. Thank you!



For the Firm,

Alaine

Alaine Allison, Legal Assistant
20283 State Road 7, Ste. 300
Boca Raton, FL 33498
Tel: (561) 801-7700, ext. 1209
Fax: (561) 423-9297
alaine.allison@iplawpro.com

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Application No.: 13/946,489

AMENDMENTS TO THE CLAIMS

Claims 1-58 (Cancelled)

59. (New) A first client device of a first user associated with a first website, comprising: computer hardware configured to perform:

receiving, via a graphical user interface associated with a server system, a selection of a web asset to be used in the first website;

displaying the web asset on an editing screen of the graphical user interface;

receiving, via the editing screen, an instruction to modify the web asset to generate an edited web asset;

displaying, based upon the instruction, the edited web asset on a primary display screen of the graphical user interface;

displaying, using the graphic user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

receiving, via the graphical user interface, a selection indicating a second website from the one or more previously-created websites;

forwarding, to the server system and based upon the selection indicating the second website, a first identification associated with the second website; and

receiving, from the server system, computer data associated with the first website that includes the edited web asset and a first hyperlink from the first website to the second website, wherein

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the server system is configured to:

host the first website and the second website,

store, within a computer database system of the server system, first information indicating that the first identification was received by the server system,

generate, based upon the instruction, the edited web asset,

modify the first website to include the edited web asset based upon the instruction to generate the edited web asset,

modify the first website to include the first hyperlink based upon the first information indicating that the first identification was received, and

modify the second website to include a reciprocal second hyperlink to the first website based upon the first information indicating that the first identification was received.

60. (New) The first client device of claim 59, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

61. (New) The first client device of claim 59, wherein

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the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

62. (New) The first client device of claim 59, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection indicating the second website is based upon the user-initiated selection.

63. (New) The first client device of claim 59, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

64. (New) The first client device of claim 59, wherein

the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

65. (New) The first client device of claim 64, wherein

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the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

66. (New) The first client device of claim 64, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

67. (New) The first client device of claim 64, wherein

the server system is configured to validate the user information provided within the at least one information collection field of the graphical user interface.

68. (New) The first client device of claim 64, wherein

the first user and the second user are registered users of the server system.

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69. (New) The first client device of claim 68, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

70. (New) The first client device of claim 59, wherein

the first website of the first user includes a plurality of web pages including a first web page.

71. (New) The first client device of claim 70, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

72. (New) The first client device of claim of claim 70, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

73. (New) A method within a first client device of a first user associated with a first website, comprising:

receiving, via a graphical user interface associated with a server system, a selection of a web asset to be used in the first website;

displaying the web asset on an editing screen of the graphical user interface;

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receiving, via the editing screen, an instruction to modify the web asset to generate an edited web asset;

displaying, based upon the instruction, the edited web asset on a primary display screen of the graphical user interface;

displaying, using the graphic user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

receiving, via the graphical user interface, a selection indicating a second website from the one or more previously-created websites;

forwarding, to the server system and based upon the selection indicating the second website, a first identification associated with the second website; and

receiving, from the server system, computer data associated with the first website that includes the edited web asset and a first hyperlink from the first website to the second website, wherein

the server system is configured to:

host the first website and the second website,

store, within a computer database system of the server system, first information indicating that the first identification was received by the server system,

generate, based upon the instruction, the edited web asset,

modify the first website to include the edited web asset based upon the instruction to generate the edited web asset,

modify the first website to include the first hyperlink based upon the first information indicating that the first identification was received, and

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modify the second website to include a reciprocal second hyperlink to the first website based upon the first information indicating that the first identification was received.

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Attorney Docket No.: 8201-0013 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 55246
Thomas DISTEFANO III	:	Confirmation Number: 9140
Application No.: 13/946,461	:	Group Art Unit: 3622
Filed: July 19, 2013	:	Examiner: K. Kolosowski-Gager

For: SERVER SYSTEM CONFIGURED TO PROVIDE GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGES TO INCLUDE HYPERLINKS (as amended)

SECOND SUPPLEMENTAL AMENDMENT

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

Sir:

The following Amendment and Remarks are submitted in response to the Office Action dated August 25, 2020, and supplemental to the Amendment dated March 21, 2022.

Application No.: 13/946,461

AMENDMENTS TO THE CLAIMS

Claims 1-68 (Cancelled)

69. (New) A method performed within and by a server system configured to modify and serve web pages, comprising:

receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website;

receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;

generating, based upon the instruction, the edited web asset;

forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website;

storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system;

modifying, based upon the instruction, the first website to include the edited web asset;

modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink;

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modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein

the server system is configured to host the first website and the second website,

the editing screen is configured to display the web asset, and

the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

70. (New) The method of claim 69, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

71. (New) The method of claim 69, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

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72. (New) The method of claim 69, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection of the second website is based upon the user-initiated selection.

73. (New) The method of claim 69, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

74. (New) The method of claim 69, wherein

the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

75. (New) The method of claim 74, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

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a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

76. (New) The method of claim 74, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

77. (New) The method of claim 74, wherein

the first user and the second user are registered users of the server system.

78. (New) The method of claim 77, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

79. (New) The method of claim 69, wherein

the first website of the first user includes a plurality of web pages including a first web page.

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80. (New) The method of claim 79, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

81. (New) The method of claim 79, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

82. (New) A server system configured to modify and serve web pages, comprising:

a computer database system, and

a hardware system configured to perform:

receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website;

receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset;

generating, based upon the instruction, the edited web asset;

forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;

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receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website;

storing, within the computer database system of the server system, first information indicating that the first identification was received by the server system;

modifying, based upon the instruction, the first website to include the edited web asset;

modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink;

modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein

the server system is configured to host the first website and the second website,

the editing screen is configured to display the web asset, and

the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

83. (New) The server system of claim 82, wherein

the server system is configured to:

store, within the computer database system, second information indicating that a second identification to create the second hyperlink from the second website to the first

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website was received by the server system and from a second user associated with the second website, and

modify the second website to include the second hyperlink based upon both the first information indicating that the first identification was received and the second information indicating that the second identification was received.

84. (New) The server system of claim 82, wherein

the graphical user interface is configured to receive an entry associated with the first identification within an entry field of the graphical user interface.

85. (New) The server system of claim 82, wherein

the graphical user interface is configured to present a graphical widget adjacent each of the one or more identifiers respectively associated with the one or more previously-created websites,

the graphical widget is configured to receive a user-initiated selection, and

the selection of the second website is based upon the user-initiated selection.

86. (New) The server system of claim 82, wherein

the server system is configured to identify the one or more previously-created websites based upon a receipt, by the server system, of a request generated by the graphical user interface for one or more suggested linking locations for the first website.

87. (New) The server system of claim 82, wherein

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the graphical user interface is configured to receive user information supplied by the first user within at least one information collection field of the graphical user interface, and

the server system is configured to select the one or more the previously-created websites associated with the one or more identifiers to be displayed to the first user based upon the user information supplied by the first user within the at least one information collection field of the graphical user interface.

88. (New) The server system of claim 87, wherein

the user information supplied by the first user within the at least one information collection field of the graphical user interface and used to select one or more the previously-created websites associated with the one or more identifiers includes at least one of a group consisting of:

a name of the first user,

an email address of the first user,

a hobby of the first user,

a business of the first user, and

an interest of the first user.

89. (New) The server system of claim 87, wherein

the server system is configured to select the plurality of the previously-created websites associated with the one or more identifiers by searching other user information previously-supplied by other users of the server system and stored within the server system, and

the searching is performed by a search engine using the user information supplied by the first user within the at least one information collection field of the graphical user interface.

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90. (New) The server system of claim 87, wherein

the first user and the second user are registered users of the server system.

91. (New) The server system of claim 90, wherein

the user information is supplied by the first user within the at least one information collection field of the graphical user interface during registration of the first user with the server system.

92. (New) The server system of claim 82, wherein

the first website of the first user includes a plurality of web pages including a first web page.

93. (New) The server system of claim 92, wherein

the server is configured to serve, in response to a web page request from a third client device, the first web page of the first website to the third client device.

94. (New) The server system of claim 92, wherein

the server system is configured to:

create, in the first web page, a reciprocal link site for the first hyperlink, and

create, in a second web page of the second website, a reciprocal link site for the second hyperlink.

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REMARKS

Applicant has cancelled claims 47-68 and added new claims 69-94. Applicant respectfully submits that the present amendment does not generate any new matter issue.

As discussed in a telephonic interview conducted with Examiner Kolosowski-Gager on November 25, 2020, Applicant intends to file a Petition under 37 C.F.R. § 1.182 and M.P.E.P. § 1490(VIII)[1] to withdraw the Terminal Disclaimer that was filed on August 27, 2013, as to U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259.[2] In past petitions, a determination by the Examiner that a previously-filed terminal disclaimer did not apply to the currently-amended claims was a factor in granting the petition.

In this instance, the currently-presented claims recite, in part, the following limitations:

> forwarding, to the first client device to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system;
>
> receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website.

These limitations, describing specific aspects of the graphical user interface, have not been previously-claimed in any of U.S. Patent Nos. 8,423,399, 8,412,570, 8,442,860, 8,417,567, 8,335,713, and 7,996,259. Moreover, Applicant's position is that these claim limitations are not obvious in view of the claims contained within these patents. Consequently, consistent with the

[1] "If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent."

[2] U.S. Patent No. 7,996,259 has been reissued as U.S. Patent No. RE45,971.

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petition decisions alluded to above, the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims. So as to expedite prosecution, Applicant respectfully requests that the Examiner review the previously-disclaimed patents and to confirm, in the written record, Applicant's position that the previously-filed Terminal Disclaimer is unnecessary with respect to the currently-presented claims.

---

35 U.S.C. § 102 – Horstmann

The previously-presented claims were rejected under 35 U.S.C. § 102 based upon Horstmann, U.S. Patent No. 5,995,099. Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020.

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35 U.S.C. § 101

Applicant maintains the arguments previously presented in the Amendment dated November 25, 2020, and in the Supplemental Amendment dated March 21, 2022.

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Application No.: 13/946,461

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503611, and please credit any excess fees to such deposit account.

Date: May 20, 2022

Respectfully submitted,

/Scott D. Paul/
Scott D. Paul
Registration No. 42,984
CUSTOMER NUMBER 55246

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ATTACHMENT G

Independent claim at the time the Terminal Disclaimer was filed	Currently-presented independent claim as of the filing of the present petition
22. A method, within and by a computer hardware system that is configured to serve a first web page associated with a first user and a second web page associated with a second user, comprising: establishing a reciprocal arrangement between the first web page and the second web page based upon both the first and second users opting to participate in the reciprocal arrangement; including, within the second web page and based upon the reciprocal arrangement, a second functional identification element associated with the first entity; and including, within the first web page and based upon the reciprocal arrangement, a first functional identification element associated with the second entity, wherein the second functional identification element includes a link to the first web page, and the first functional identification element includes a link to the second web page.	69. A method performed within and by a server system configured to modify and serve web pages, comprising: receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website; receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset; generating, based upon the instruction, the edited web asset; forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system; receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website; storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system; modifying, based upon the instruction, the first website to include the edited web asset; modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink; modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and

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	serving computer data associated with the first website that includes the edited web asset and the first hyperlink from the first website to the second website, wherein the server system is configured to host the first website and the second website, the editing screen is configured to display the web asset, and the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.

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ATTACHMENT H

Currently-presented independent claim as of the filing of the present petition	Independent claim 59 of the '489 Application
69. A method performed within and by a server system configured to modify and serve web pages, comprising: receiving, from a first client device associated with a first user and via a graphical user interface associated with the server system, information indicating a selection of a web asset to be used in a first website; receiving, from the first client device and via an editing screen of the graphical user interface, an instruction to modify the web asset to generate an edited web asset; generating, based upon the instruction, the edited web asset; forwarding, to the first client device and to be displayed by the graphical user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system; receiving, from the first client device and via the graphical user interface, a first identification indicating a selection of a second website from the one or more previously-created websites to create a first hyperlink from the first website to the second website; storing, within a computer database system of the server system, first information indicating that the first identification was received by the server system; modifying, based upon the instruction, the first website to include the edited web asset; modifying, based upon the first information indicating that the first identification was received, the first website to include the first hyperlink; modifying, based upon the first information indicating that the first identification was received, the second website to include a reciprocal second hyperlink to the first website; and serving computer data associated with the first website that includes the edited web	59. A first client device of a first user associated with a first website, comprising: computer hardware configured to perform: receiving, via a graphical user interface associated with a server system, a selection of a web asset to be used in the first website; displaying the web asset on an editing screen of the graphical user interface; receiving, via the editing screen, an instruction to modify the web asset to generate an edited web asset; displaying, based upon the instruction, the edited web asset on a primary display screen of the graphical user interface; displaying, using the graphic user interface, one or more identifiers respectively associated with one or more previously-created websites that were previously-created by one or more other users of the server system; receiving, via the graphical user interface, a selection indicating a second website from the one or more previously-created websites; forwarding, to the server system and based upon the selection indicating the second website, a first identification associated with the second website; and receiving, from the server system, computer data associated with the first website that includes the edited web asset and a first hyperlink from the first website to the second website, wherein the server system is configured to: host the first website and the second website, store, within a computer database system of the server system, first information indicating that the first identification was received by the server system, generate, based upon the instruction, the edited web asset,

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asset and the first hyperlink from the first website to the second website, wherein the server system is configured to host the first website and the second website, the editing screen is configured to display the web asset, and the graphical user interface includes a primary display screen configured to display the edited web asset based upon the instruction.	modify the first website to include the edited web asset based upon the instruction to generate the edited web asset, modify the first website to include the first hyperlink based upon the first information indicating that the first identification was received, and modify the second website to include a reciprocal second hyperlink to the first website based upon the first information indicating that the first identification was received.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 11/30/2022

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109

EXAMINER
KOLOSOWSKI-GAGER, KATHERINE

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
11/30/2022	ELECTRONIC

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

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

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

kevin.cuenot@iplawpro.com
ptomail@iplawpro.com
terry.forsythe@iplawpro.com

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United States Patent and Trademark Office
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In re Application of	:	
PT 259, LLC	:	
Application No. 13/946,461	:	
Filed: 19 Jul 2013	:	DECISION ON PETITION
For: RECIPROCAL INSERTION OF	:	
IDENTIFICATION ELEMENTS FOR	:	
WEB PAGES	:	

This is a decision on the petition filed May 20, 2022 under 37 CFR 1.182, requesting that a previously filed terminal disclaimer be withdrawn.

The petition is **DISMISSED**.

The present petition requests that a terminal disclaimer filed August 27, 2013 be withdrawn. Petitioner asserts that two amendments were filed, on April 29, 2022 and May 20, 2022, respectively, which cancelled existing claims and added new claims. The amendment filed April 29, 2022 cancelled claims 41-58 and presented new claims 59-73. The amendment filed May 20, 2022 cancelled old claims 47-68 and presented new claims 69-94. Petitioner asserts that in view of the cancellation of claims and adding of new claims, the terminal disclaimer filed August 27, 2013 no longer applies to any claim(s) of record.

The petition is dismissed because the examiner has determined that the terminal disclaimer **does** apply to at least one claim of record. Specifically, the terminal disclaimer filed August 27, 2013 applies to Claims 69-94 in view of U.S. Patent No. 7,996,259. In view of claims 1-7 of U.S. Patent No. 7,996,259, the examiner believes a double patenting rejection would be warranted between the current claims of Application No. 13/946,461.

As such, the present petition will not be favorably considered.

The petition fee set forth at § 1.17(f) has been received.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail:	Mail Stop PETITIONS Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450
By hand:	Customer Service Window Mail Stop Petitions Randolph Building 401 Dulany Street Alexandria, VA 22314
By fax:	(571) 273-8300 ATTN: Office of Petitions
By internet:	EFS-Web[1]

The application is being referred to Technology Center Art Unit 3622 for further processing.

Telephone inquiries should be directed to the undersigned at 571.272.3231.

/DOUGLAS I WOOD/
Attorney Advisor, OPET

[1] www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,489	07/19/2013	THOMAS L. DISTEFANO III	8201-0014	6054

55246 7590 10/05/2022

Cuenot, Forsythe & Kim
5425 Park Central Court
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EXAMINER	
CIRNU, ALEXANDRU	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
10/05/2022	ELECTRONIC

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PTOL-90A (Rev. 04/07)

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In re Application of	:	
PT 259, LLC	:	
Application No. 13/946,489	:	
Filed: 19 Jul 2013	:	DECISION ON PETITION
For: CLIENT SYSTEM INCLUDING GRAPHICAL USER INTERFACE FOR MODIFYING WEB PAGE TO INCLUDE HYPERLINKS	:	

This is a decision on the petition under 37 CFR 1.182, filed May 20, 2022, requesting withdrawal of the terminal disclaimers filed on August 27, 2013 and November 20, 2015.[1]

The petition under 37 CFR 1.182 to withdraw the terminal disclaimers filed on August 27, 2013 and November 20, 2015 is **GRANTED**.

MPEP 1490 states, in pertinent part:

VIII. WITHDRAWING A RECORDED TERMINAL DISCLAIMER

If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent, or if a terminal disclaimer is filed in a reexamination proceeding, before the reexamination certificate issues. After a patent or reexamination certificate issues, a recorded terminal disclaimer will not be nullified.

A. Before Issuance of Patent or Reexamination Certificate

While the filing and recordation of an unnecessary terminal disclaimer has been characterized as an "unhappy circumstance" in *In re Jentoft*, 392 F.2d 633, 157 USPQ 363 (CCPA 1968), there is no statutory prohibition against nullifying or otherwise canceling the effect of a recorded terminal disclaimer which was erroneously filed before the patent issues. Likewise, a terminal disclaimer that was erroneously filed in a reexamination proceeding may be withdrawn before issuance of the reexamination certificate. Because the terminal disclaimer would not take effect until the patent is granted (or the reexamination certificate is published), and the public has not had the opportunity to rely on the terminal disclaimer, relief from this unhappy circumstance

[1] The Office acknowledges receipt of the required $210 petition fee.

may be available by way of petition or by refiling the application (other than by refiling it as a CPA).

Under appropriate circumstances, consistent with the orderly administration of the examination process, the nullification of an erroneously filed recorded terminal disclaimer may be addressed by filing a petition under 37 CFR 1.182 requesting withdrawal of the recorded terminal disclaimer. ...

Applicant filed a terminal disclaimer on August 27, 2013 with regard to U.S. Patent Nos. 7,996,259; 8,335,713; 8,417,567; 8,442,860; 8,412,570; and 8,423,399. Applicant filed another terminal disclaimer on November 20, 2015 with regard to U.S. Patent No. 8,996,398.

Petitioner argues the new claims presented in the April 29, 2022 amendment, for which a Notice of Allowance has been issued, are substantially different than the claims originally presented for prosecution. Therefore, petitioner argues the aforementioned terminal disclaimers are no long necessary.

The pivotal issue in a petition to withdraw a recorded terminal disclaimer is whether the recorded terminal disclaimer is applicable to one or more claims. The undersigned has consulted with the examiner of record, who states the claims presented in the April 29, 2022 amendment are substantially different than the claims originally presented for prosecution. The examiner has determined there are no obviousness-type double patenting issues regarding the latest claim set and the following patents: U.S. Patent Nos. 7,996,259; 8,335,713; 8,417,567; 8,442,860; 8,412,570; 8,423,399; and 8,996,398. Therefore, the examiner has determined it is proper to nullify the terminal disclaimers filed on August 27, 2013 and November 20, 2015.

Accordingly, the terminal disclaimers filed on August 27, 2013 and November 20, 2015 are hereby WITHDRAWN.

Technology Center AU 3622 has been advised of this decision. The application is being referred to the Technology Center for further action in light of this decision, including withdrawal of the terminal disclaimers filed on August 27, 2013 and November 20, 2015.

Telephone inquiries concerning this decision may be directed to the undersigned at 571-272-3230.

/SHIRENE W BRANTLEY/
Attorney Advisor, OPET

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 12/13/2022

Cuenot, Forsythe & Kim
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EXAMINER
KOLOSOWSKI-GAGER, KATHERINE

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
12/13/2022	ELECTRONIC

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

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
13/946,461	07/19/2013	DISTEFANO, THOMAS L.	8201-0013

	EXAMINER	
Cuenot, Forsythe & Kim 5425 Park Central Court Suite 111 Naples, FL 34109	KATHERINE KOLOSOWSKI-GAGER	
	ART UNIT	PAPER
	3622	20221207

DATE MAILED: _____

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Commissioner for Patents

Examiner finds that the Terminal Disclaimer as filed on 27 AUG 2013 for the instant case with regard to US Patent Nos. 7996259, 8335713, 8417567, 8442860, 8412570, 8423399 is no longer necessary with regards to claims 22-41 of the instant application as filed on 20 MAY 2022.

/KATHERINE KOLOSOWSKI-GAGER/
Primary Examiner, Art Unit 3622

PTO-90C (Rev.04-03)

Electronic Patent Application Fee Transmittal				
Application Number:	13946461			
Filing Date:	19-Jul-2013			
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES			
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO			
Filer:	Scott David Paul/Alaine Allison			
Attorney Docket Number:	8201-0013			
Filed as Large Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	**Fee Code**	**Quantity**	**Amount**	**Sub-Total in USD($)**
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
PETITION FEE- 37 CFR 1.17(G) (GROUP II)	1463	1	220	220
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**220**

Electronic Acknowledgement Receipt	
EFS ID:	47196368
Application Number:	13946461
International Application Number:	
Confirmation Number:	9140
Title of Invention:	RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES
First Named Inventor/Applicant Name:	THOMAS L. DISTEFANO
Customer Number:	55246
Filer:	Scott David Paul/Alaine Allison
Filer Authorized By:	Scott David Paul
Attorney Docket Number:	8201-0013
Receipt Date:	13-DEC-2022
Filing Date:	19-JUL-2013
Time Stamp:	13:13:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$220
RAM confirmation Number	E2022BCD13481018
Deposit Account	503611
Authorized User	Alaine Allison
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: 37 CFR 1.19 (Document supply fees) 37 CFR 1.21 (Miscellaneous fees and charges)	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Petition for review by the Office of Petitions	US_Appln_13946461_Petition_12-13-2022.pdf	2380504 d9b45afc832810f6971bfb8373c87a8443cef3b8	no	67
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	38055 8d715f2e0c3709062059c27e3f0e480bcb8b989f	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	2418559		

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 04/13/2023

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109

EXAMINER
KOLOSOWSKI-GAGER, KATHERINE

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
04/13/2023	ELECTRONIC

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

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

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

kevin.cuenot@iplawpro.com
ptomail@iplawpro.com
terry.forsythe@iplawpro.com

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
IPR2025-01061
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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In re Application of	:	
DISTEFANO, THOMAS L.	:	
Application No. 13/946,461	:	
Filed: 19 Jul 2013	:	DECISION ON PETITION
For: RECIPROCAL INSERTION OF	:	
IDENTIFICATION ELEMENTS FOR	:	
WEB PAGES	:	

This is a decision on the renewed petition under 37 CFR 1.182 filed December 13, 2022, to withdraw the terminal disclaimer filed August 27, 2013, with regard to U.S. Patent Nos. 7,996,259, 8,335,713, 8,417,567, 8,442,860, 8,412,570, and 8,423,399.

On December 13, 2022, the examiner issued an Office communication stating:

> Examiner finds that the Terminal Disclaimer as filed on 27 AUG 2013 for the instant case with regard to US Patent Nos. 7996259, 8335713, 8417567, 8442860, 8412570, 8423399 is no longer necessary with regards to claims 22-41 of the instant application as filed on 20 MAY 2022.

In view of the above, the renewed petition under 37 CFR 1.182 to withdraw the terminal disclaimer is **GRANTED**.

Inquiries related to this decision should be directed to the undersigned at (571) 272-3211.

/CHRISTINA TARTERA DONNELL/
Attorney Advisor, OPET

Application Number	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13/946,461	

Document Code -	Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☐ APPROVED	☒ DISAPPROVED
Date Filed: 08/27/2013	**This patent is subject to a Terminal Disclaimer**	See Office communication of 12/13/22, and decision - TD withdrawn

Approved/Disapproved by:	
/CTD/	

U.S. Patent and Trademark Office

To: terry.forsythe@iplawpro.com,kevin.cuenot@iplawpro.com,ptomail@iplawpro.com
From: PAIR_eOfficeAction@uspto.gov
Cc: PAIR_eOfficeAction@uspto.gov
Subject: Private PAIR Correspondence Notification for Customer Number 55246

Apr 13, 2023 03:20:59 AM

Dear PAIR Customer:

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109
UNITED STATES

The following USPTO patent application(s) associated with your Customer Number, 55246 , have new outgoing correspondence. This correspondence is now available for viewing in Private PAIR.

The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

Disclaimer:
The list of documents shown below is provided as a courtesy and is not part of the official file wrapper. The content of the images shown in PAIR is the official record.

Application	Document	Mailroom Date	Attorney Docket No.
13946461	PETDEC	04/13/2023	8201-0013

To view your correspondence online or update your email addresses, please visit us anytime at https://sportal.uspto.gov/secure/myportal/privatepair.

If you have any questions, please email the Electronic Business Center (EBC) at EBC@uspto.gov with 'e-Office Action' on the subject line or call 1-866-217-9197 during the following hours:

Monday - Friday 6:00 a.m. to 12:00 a.m.

Thank you for prompt attention to this notice,

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PATENT APPLICATION INFORMATION RETRIEVAL SYSTEM

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NOTICE OF ALLOWANCE AND FEE(S) DUE

55246 7590 06/07/2023

Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109

EXAMINER
KOLOSOWSKI-GAGER, KATHERINE

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 06/07/2023

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

TITLE OF INVENTION: RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0.00	$0.00	$480	09/07/2023

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

For purposes of this notice, small entity fees are 40% the amount of undiscounted fees, and micro entity fees are 20% the amount of undiscounted fees.

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

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

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

PTOL-85 (Rev. 02/11)

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
IPR2025-01061
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PART B - FEE(S) TRANSMITTAL

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

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

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

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications. **Because electronic patent issuance may occur shortly after issue fee payment, any desired continuing application should preferably be filed prior to payment of this issue fee in order not to jeopardize copendency.**

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

55246 7590 06/07/2023
Cuenot, Forsythe & Kim
5425 Park Central Court
Suite 111
Naples, FL 34109

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

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

TITLE OF INVENTION: RECIPROCAL INSERTION OF IDENTIFICATION ELEMENTS FOR WEB PAGES

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0.00	S0.00	$480	09/07/2023

EXAMINER	ART UNIT	CLASS-SUBCLASS
KOLOSOWSKI-GAGER, KATHERINE	3622	715-744000

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

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

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

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

1 _____
2 _____
3 _____

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

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

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. Fees submitted: ❑ Issue Fee ❑ Publication Fee (if required)

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

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

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

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

❑ Applicant certifying micro entity status. See 37 CFR 1.29

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

❑ Applicant asserting small entity status. See 37 CFR 1.27

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

❑ Applicant changing to regular undiscounted fee status.

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

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
IPR2025-01061
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/946,461	07/19/2013	THOMAS L. DISTEFANO III	8201-0013	9140

55246 7590 06/07/2023

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Suite 111
Naples, FL 34109

EXAMINER	
KOLOSOWSKI-GAGER, KATHERINE	

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 06/07/2023

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

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

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

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

TikTok Inc. EX1002
TikTok Inc. v. Distefano Website Innovations, LLC
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