PTO/AIA/123 (08-12)
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CHANGE OF CORRESPONDENCE ADDRESS
Patent

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

Patent Number	6,925,440
Issue Date	8/2/2005
Application Number	09/593,993
Filing Date	6/14/2000
First Named Inventor	Shkedi, Roy
Attorney Docket Number	DP-parent

Please change the Correspondence Address for the above-identified patent to:

☐ The address associated with Customer Number: [ ]

OR

☑ **Firm *or* Individual Name** ALMONDNET, INC.

37-18 Northern Boulevard
Suite 404

Address

City Long Island City	**State** NY	**ZIP** 11101
Country US		
Telephone (646) 217-0930	**Email** roy@almondnet.com	

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I am the:

☐ Patentee.

☐ If the Patentee was not the applicant for patent (37 CFR 1.42), then a Statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is enclosed or was filed on _____. See 37 CFR 3.71.

☑ Attorney or agent of record. Registration Number 38918.

☐ Patent practitioner acting in a representative capacity whose correspondence address is the correspondence address of record. Notice has been given to the patentee or owner. Registration Number 38918.

Signature	/Louis J. Hoffman/
Typed or Printed Name	Louis J. Hoffman
Date 10/23/2020	Telephone (480) 948-3295

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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

LIVEINTENT1011
LiveIntent v. AlmondNet
IPR2025-01160

Electronic Acknowledgement Receipt

EFS ID:	40936627
Application Number:	09593993
International Application Number:	
Confirmation Number:	8221
Title of Invention:	DESCRIPTIVE-PROFILE MERCANTILE METHOD
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14-DP
Receipt Date:	23-OCT-2020
Filing Date:	14-JUN-2000
Time Stamp:	19:08:33
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	Change of Address	20-10-23-AN-DP_Parent-COA.pdf	198365 e192c52dc40f300241a46351f0607aabd2ecbb10	no	1

Warnings:

Information:	
Total Files Size (in bytes):	198365

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Patent No.	:	6,925,440 B1
Serial No.	:	09/593,993	Issue Date	:	08/02/2005
Filing Date	:	06/14/2000	Conf. No.	:	8221
Title	:	Descriptive-profile mercantile method			

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

Filed via EFS-Web – January 5, 2017

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Dear Sir:

Assignee notifies the USPTO of the loss of entitlement to small entity status in the above-captioned patent.

If the Office has any questions, please feel free to contact assignee's undersigned attorney of record.

Respectfully submitted,

ALMONDNET, INC.

by its attorney

Dated: January 5, 2017

/Louis J. Hoffman/
Louis J. Hoffman
Reg. No. 38,918

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane, Suite 2
Scottsdale, Arizona 85260
(480) 948-3295

Electronic Acknowledgement Receipt

EFS ID:	27977532
Application Number:	09593993
International Application Number:	
Confirmation Number:	8221
Title of Invention:	DESCRIPTIVE-PROFILE MERCANTILE METHOD
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14-DP
Receipt Date:	05-JAN-2017
Filing Date:	14-JUN-2000
Time Stamp:	12:33:56
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	Notification of loss of entitlement to small entity status	17-01-05-AN-DP_Parent-Notif_Loss_Small_Entity_Status.pdf	34021 cff1cea8bd49e2094818fbadf4a803c888e3a679	no	1
Warnings:					

Information:	
Total Files Size (in bytes):	34021

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005

CONFIRMATION NO. 8221

26362
LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard, Suite 2100
Phoenix, AZ 85028

POA ACCEPTANCE LETTER

OC000000031485300

Date Mailed: 08/13/2008

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/31/2008.

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

/mteklemichael/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005

CONFIRMATION NO. 8221

24271
JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

POWER OF ATTORNEY NOTICE

OC000000031485254

Date Mailed: 08/13/2008

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 07/31/2008.

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

/mteklemichael/

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

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Print Form

PTO/SB/81 (07-08)
Approved for use through 12/31/2008. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS

Application Number	09/593,993
Filing Date	07/14/2000
First Named Inventor	Shkedi, Roy
Title	Descriptive-profile mercantile method
Art Unit	
Examiner Name	
Attorney Docket Number	

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☑ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith: 26362

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

☑ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the:

☐ Applicant/Inventor.

OR

☑ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on 08/14/2003

SIGNATURE of Applicant or Assignee of Record

Signature	Roy Shkedi	Date	07/30/2008
Name	Roy Shkedi	Telephone	646-217-0930
Title and Company	CEO - AlmondNet, Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Appl. 09/593,993

Paragraph 8 of the Examiner's Statement of Reasons for Allowance (page 3) discussed parsing resume data from resume warehouses, using applicant-specific templates, and using parsed resume data for increased tracking efficiency. This paragraph does not apply to the present application. A March 29, 2005 telephone conversation with the Examiner confirmed this; an inadvertent word processing error caused the insertion of this inapplicable language.

Respectfully,

John A. Galbreath
Reg. #46,718

04/08/2005 EKULIZ 03000003 09593993
01 FC:2501 700.00 OP

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APR 06 2005

Galbreath Law Offices, P.C.
2516 Chestnut Woods Ct. Reisterstown, MD 21136-5523 U.S.A.
Telephone: 410-628-7770 Fax: 410-666-7274 Email: info@galbreath-law.com
Web: www.galbreath-law.com

Confidential

To: USPTO Issue Fee Payments	From: John A. Galbreath
Company:	
Fax Number: 1-703-746-4000	Fax Number: 1-410-666-7274

Message:

6 April 2005

Dear Sir or Madam:

Please process the attached issue fee payment in Appl. # 09/593,993 as soon as possible. Note that a Comment on the Examiner's Statement of Reasons for Allowance is also attached. If you have any questions, just give me a call at 410-628-7770.

Best regards,

John A. Galbreath
Reg. # 46,718

PAGE 1/4 * RCVD AT 4/6/2005 11:27:59 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/0 * DNIS:7464000 * CSID:410-666-7274 * DURATION (mm-ss):03-12

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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

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

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

24271 7590 01/11/2005

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

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

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

John A. Galbreath	(Depositor's name)
John A. Galbreath	(Signature)
04/06/2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

TITLE OF INVENTION: DESCRIPTIVE-PROFILE MERCANTILE METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$700	$0	$700	04/11/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
OUELLETTE, JONATHAN P	3629	705-001000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

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

1 Galbreath Law Offices, PC
2 John A. Galbreath
3

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

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

(A) NAME OF ASSIGNEE: Almond Net, Inc.
(B) RESIDENCE: (CITY and STATE OR COUNTRY): New York, NY

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

4a. The following fee(s) are enclosed:
- ☑ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):
- ☐ A check in the amount of the fee(s) is enclosed.
- ☑ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature John A. Galbreath Date 4/5/05
Typed or printed name John A. Galbreath Registration No. 45718

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PAGE 2/4 * RCVD AT 4/6/2005 11:27:59 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/0 * DNIS:7464000 * CSID:410-666-7274 * DURATION (mm-ss):03-12



EFW B

In the United States Patent and Trademark Office

Serial Number: 09 / 593,993
Appn. Filed: 06/14/2000
Applicant(s): Roy Shkedi
Appn. Title: A Descriptive-Profile Mercantile Method
Examiner/GAU: Ouellette, Jonathan P. / 3629

Drawing Corrections

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

Dear Sir or Madam:

As requested in the Notice of Allowance mailed 01/11/2005, attached are corrected drawings wherein the drawing elements are labeled as well as numbered. Please enter these corrected drawings as soon as possible, so as not to delay issuance of the patent.

Respectfully,

John A. Galbreath
Registered Practitioner #46,718

2516 Chestnut Woods Court
Reisterstown, MD 21136
Tel. (410) 666-7274

Certificate of Mailing: I certify that on the date below, this document and referenced attachments, if any, was mailed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

31 January 2005

John A. Galbreath

OIPE
FEB 0 1 2005
PATENT & TRADEMARK OFFICE

Fig. 1

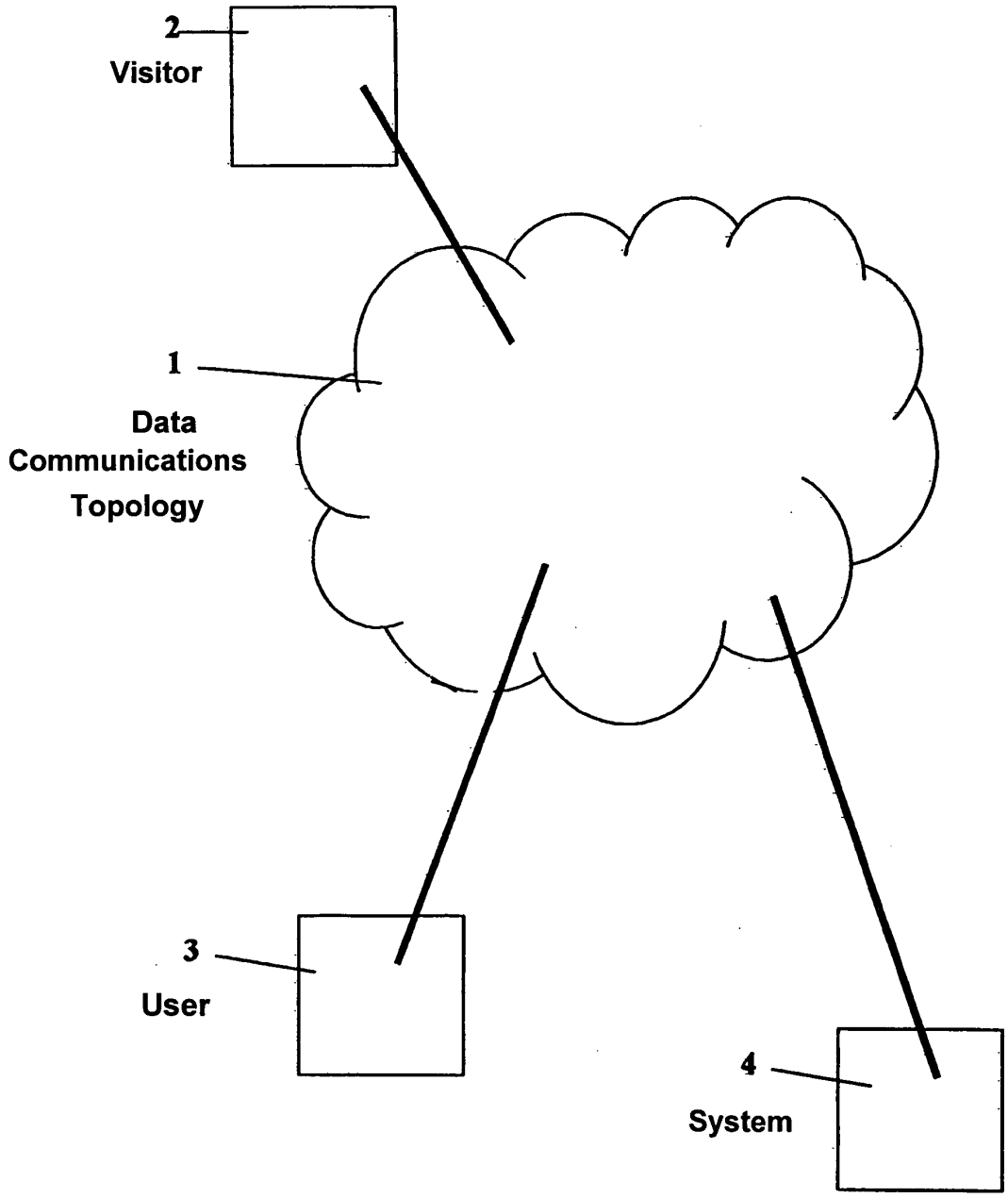


Fig. 2

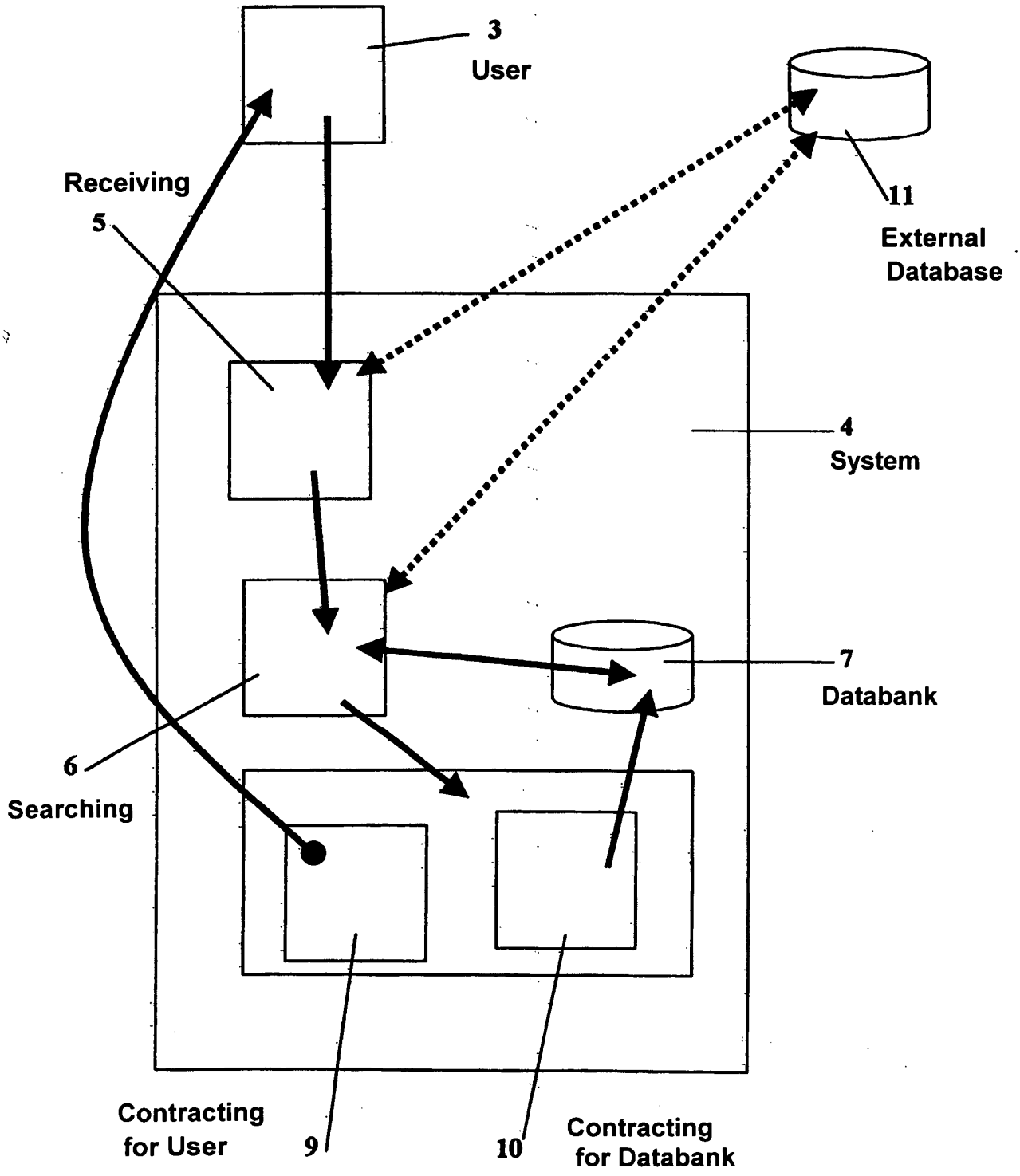

3
User
Receiving
5
11
External
Database
4
System
7
Databank
6
Searching
Contracting
for User
9
10
Contracting
for Databank

Fig. 3

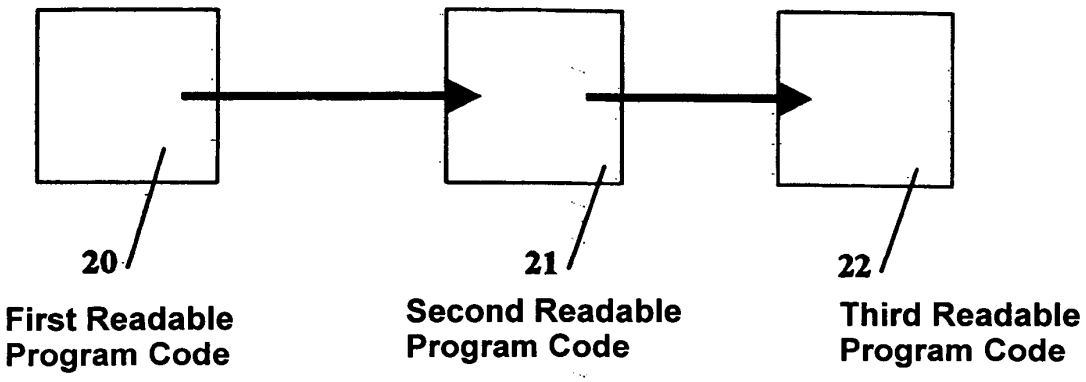


Fig. 4

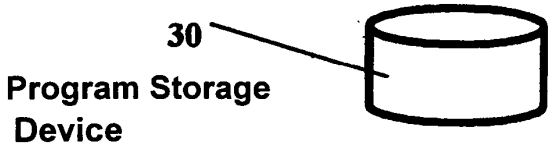
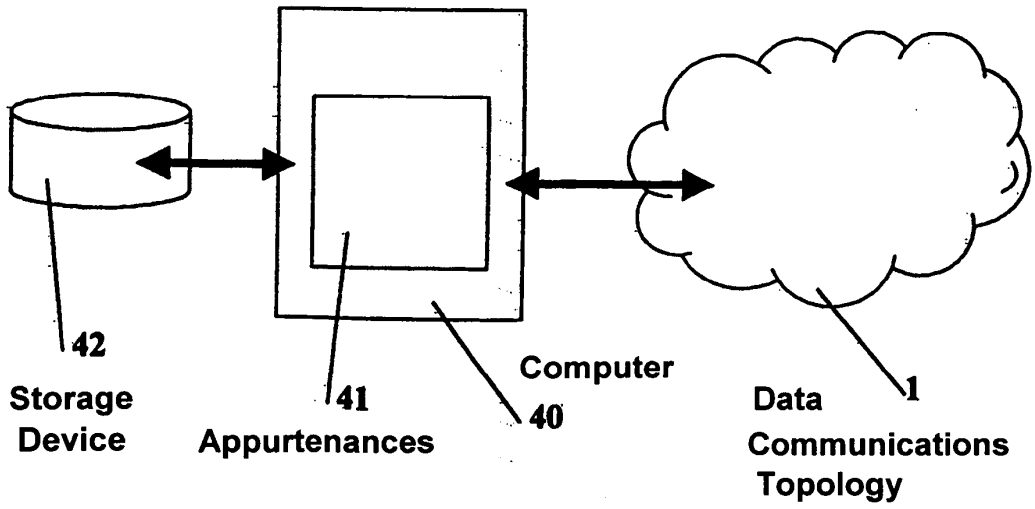


Fig. 5



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NOTICE OF ALLOWANCE AND FEE(S) DUE

24271 7590 01/11/2005

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 01/11/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

TITLE OF INVENTION: DESCRIPTIVE-PROFILE MERCANTILE METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$700	$0	$700	04/11/2005

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 REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

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

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

PTOL-85 (Rev. 12/04) Approved for use through 04/30/2007.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

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

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

24271 7590 01/11/2005

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

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

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

TITLE OF INVENTION: DESCRIPTIVE-PROFILE MERCANTILE METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$700	$0	$700	04/11/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
OUELLETTE, JONATHAN P	3629	705-001000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

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

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

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

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. The following fee(s) are enclosed:
- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):
- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)
- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

24271 7590 01/11/2005

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	**PAPER NUMBER**
3629	

DATE MAILED: 01/11/2005

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

The Patent Term Adjustment to date is 329 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 329 day(s).

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

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

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

PTOL-85 (Rev. 12/04) Approved for use through 04/30/2007.

Notice of Allowability	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

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

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

1. ☒ This communication is responsive to *12/10/2004*.

2. ☒ The allowed claim(s) is/are *1-13*.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☒ All b) ☐ Some* c) ☐ None of the:
      1. ☒ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

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

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20041230.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

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

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *20041109* .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Request for Continued Examination

1. The Request filed on 12/13/2004 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/593,993 is acceptable and a RCE has been established. An action on the RCE follows.

Drawings

2. The drawings filed on 6/14/2000 are acceptable subject to correction of the informalities indicated below. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

3. The drawing should contain textual labels for each element of the method/system/application *along with* numeric labels corresponding to the specification, in order to insure proper understanding and use of the illustrated invention.

Claim Rejections - 35 USC § 102

4. The rejection of Claims 1-3, 5, and 9-13 under 35 U.S.C. 102(a) as being anticipated by Acxiom ("Their Time Has Come," Direct, v11, n8, p1+, June 1999) is withdrawn due to Applicant's amendment.

Claim Rejections - 35 USC § 103

5. The rejection of Claims 4 and 6-8 under 35 U.S.C. 103(a) as being unpatentable over Acxiom is withdrawn due to Applicant's amendment.

Allowable Subject Matter

6. **Claims 1-13 are allowed**

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

8. As per independent Claims 1 and 11-13, the prior art does not teach or suggest a method or application which parses resume data from a plurality of resume warehouses, places the parsed resume data into an applicant specific template and *utilizes the parsed resume data for increased tracking efficiency.*

9. As per **independent Claims 1 and 11-13**, The prior art fail to teach or suggest a descriptive-profile mercantile method (computer program product, program storage device, computer system), for use at a juncture in a data-communications topology, having associated therewith a maintained databank of partial profiles, the method including the steps of: a) from an entity who owns or represents a right to multiple profiles, electronically receiving a transaction having therein a first partial profile *of a single visitor to the entity, said transaction including real-time access to the single visitor, wherein an identifier is recognized or placed on the single visitor;* b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile; i) between the entity and the databank, electronically contracting for a

royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; *or* ii) between the entity and the databank, electronically contracting for a royalty payment for the entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

10. **Acxiom** ("Their Time Has Come," Direct, v11, n8, p1+, June 1999) discloses a descriptive-profile mercantile method (computer program product, program storage device, computer system), for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of: a) from an entity who owns or represents a right to multiple profiles, electronically receiving a transaction having therein a first partial profile (e-mail addresses/ postal names and addresses); b) using the first partial profile, electronically searching a databank (Acxiom) having a plurality of second partial profiles (e-mail addresses/ postal names and addresses), wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile (inherent to database searching); i) between the entity and the databank, electronically contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; *or* ii) between the entity and the

databank, electronically contracting for a royalty payment for the entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile ("Their Time Has Come;" Direct, v11, n8, p1+, June 1999); but Axiom's descriptive-profile mercantile system does not incorporate a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or placed on the single visitor, as described in the independent claims.

11. **Katz et al.** (US 6,055,513) discloses a descriptive-profile mercantile method (computer program product, program storage device, computer system), for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of: a) from a user, electronically receiving a transaction having therein a first partial profile (C28 L11-14); b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles (C28 L11-14), wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile (inherent); i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile (C28 L17-28); or ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed

portion of the second profile (C28 L17-28); but Katz's descriptive-profile mercantile system does not incorporate electronically contracting a royalty payment between the user and the databank or a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or placed on the single visitor, as described in the independent claims.

12. **Goldhaber** (US 5,855,008) discloses the registering (contracting) of users by a third party, to include profile and contact information (C12 L15-45), and providing compensation to users who agree to sell their information to individual marketers (abstract, C7 L1-10, C8 L59-61) - and it would have been obvious to pay the third party (databank) for the information, wherein the third party distributes a percentage of the fee to the profile owner, as licensing/royalty agreements were a well known way of paying for information when the invention was made; but Goldhaber's profile marketing system does not incorporate a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or placed on the single visitor, as described in the independent claims.

13. Furthermore, the combination of the profile marketing systems provided by Axiom, Katz, and Goldhaber would still not teach (or provide the basis for obviousness) all the features described in the independent claims.

14. The remaining dependent Claims 2-10 are considered allowable, as they are dependent and based off of an allowable independent claim.

15. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany

the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am-5:00pm.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

18. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

jo
December 30, 2004

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Interview Summary	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Jonathan Ouellette*. (3) *Roy Shkedi*.

(2) *John Galbreath*. (4)____.

Date of Interview: *09 December 2004*.

Type: a)☒ Telephonic b)☐ Video Conference

c)☐ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *Independent Claims*.

Identification of prior art discussed: *Acxiom reference*.

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *See Continuation Sheet*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner Ouellette, Mr. Galbreath , and Mr.Shkedi discussed possible amendments to the independent claims to overcome the sited prior art of Acxiom (See Attachment). Examiner Ouellette, Mr. Galbreath, and Mr. Shkedi agreed that incorporating realtime entity access to a single user identification information would overcome the prior art. Examiner Ouellette also suggested filing a RCE, since current status is after-final and the amended independent claims would require additional search and consideration.

Issue Classification	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

ISSUE CLASSIFICATION

ORIGINAL						CROSS REFERENCE(S)							
CLASS			SUBCLASS		CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)							
705			1										
INTERNATIONAL CLASSIFICATION													
G	0	6	F	17/60									
				/									
				/									
				/									
				/									

Jonathan Ouellette 12/30/2004 (Assistant Examiner) (Date)	John Weiss 12/30/2004 (Primary Examiner) 1-5-04 (Date)	Total Claims Allowed: 13
(Legal Instruments Examiner) (Date)		O.G. Print Claim(s): 1 / O.G. Print Fig.: 2

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1		31		61		91		121		151		181
2	2		32		62		92		122		152		182
3	3		33		63		93		123		153		183
4	4		34		64		94		124		154		184
5	5		35		65		95		125		155		185
6	6		36		66		96		126		156		186
7	7		37		67		97		127		157		187
8	8		38		68		98		128		158		188
9	9		39		69		99		129		159		189
10	10		40		70		100		130		160		190
11	11		41		71		101		131		161		191
12	12		42		72		102		132		162		192
13	13		43		73		103		133		163		193
	14		44		74		104		134		164		194
	15		45		75		105		135		165		195
	16		46		76		106		136		166		196
	17		47		77		107		137		167		197
	18		48		78		108		138		168		198
	19		49		79		109		139		169		199
	20		50		80		110		140		170		200
	21		51		81		111		141		171		201
	22		52		82		112		142		172		202
	23		53		83		113		143		173		203
	24		54		84		114		144		174		204
	25		55		85		115		145		175		205
	26		56		86		116		146		176		206
	27		57		87		117		147		177		207
	28		58		88		118		148		178		208
	29		59		89		119		149		179		209
	30		60		90		120		150		180		210

Index of Claims

Application No.	Applicant(s)	
09/593,993	SHKEDI, ROY	
Examiner	**Art Unit**	
Jonathan Ouellette	3629	

√	Rejected	–	(Through numeral) Cancelled	N	Non-Elected	A	Appeal
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Claim		Date								
Final	Original	12/30/04								
1	1	=								
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Search Notes

Application No.	Applicant(s)	
09/593,993	SHKEDI, ROY	
Examiner	**Art Unit**	
Jonathan Ouellette	3629	

SEARCHED			
Class	Subclass	Date	Examiner
705	1	12/30/2004	JO

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner
705	**1**	**12/30/2004**	**JO**

SEARCH NOTES (INCLUDING SEARCH STRATEGY)		
	DATE	EXMR

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	3	(("6055513") or ("6321212") or ("5262942")).PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2004/06/01 11:10
S2	26	"6055513".URPN.	USPAT	OR	ON	2003/11/18 10:01
S3	0	selling near3 profile adj data	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:13
S4	30	selling near3 profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:17
S5	23	consumer near2 profile.ti.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:26
S6	0	profile adj data$7.ti. and partial adj profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:27
S7	441	profile adj data$7.ti.	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:28
S8	8	profile adj data$7.ti. and contract$5	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:30
S9	12	Sell$5 near5 profile adj data$7	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:33
S10	256	Sell$5 near5 profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:51
S11	2	first adj partial adj profile and second adj partial adj profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 10:52

Reviewed All Circled -> Scanned Titles & Reviewed as appropriate

Best Available Copy

S12	42	("4792968" | "4799156" | "4825045" | "4833308" | "4845739" | "4870579" | "4908761" | "4910672" | "4996642" | "5053957" | "5056019" | "5173851" | "5201010" | "5305196" | "5327508" | "5353218" | "5353219" | "5388165" | "5412708" | "5430644" | "5448471" | "5481094" | "5495284" | "5502636" | "5504675" | "5576951" | "5583763" | "5592560" | "5612868" | "5615342" | "5621812" | "5625776" | "5638457" | "5642485" | "5644723" | "5649114" | "5659469" | "5689553" | "5710887" | "5715399" | "5758328" | "5794207").PN.	USPAT	OR	ON	2003/11/18 10:53
S13	13	contract$6 near5 user adj profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 11:04
S14	22	mitel adj corporation and profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 11:08
S15	446	user near10 profile near10 transaction	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 11:08
S16	104	user near10 profile near10 transaction and contract$7	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 11:18
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S18	0	knowledge adj transfer adj value	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 11:18
S19	85	knowledge adj transfer and profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 11:26

S20	6	user adj profile and third adj party and buy near profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2003/11/18 11:28
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S22	159	"5754939".URPN.	USPAT	OR	ON	2003/11/18 11:30
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S24	23	(US-5262942-$ or US-6055513-$ or US-6321212-$ or US-6604085-$ or US-6553347-$ or US-6438544-$ or US-6275824-$ or US-6029195-$ or US-5835087-$ or US-5754939-$ or US-5388165-$ or US-5353219-$ or US-4908761-$ or US-4799156-$ or US-5657377-$).did. or (US-20010011247-$ or US-20020059095-$ or US-20020026351-$ or US-20010020242-$).did. or (US-5794210-$ or WO-200118674-$ or US-5724521-$ or WO-9821713-$).did.	US-PGPUB; USPAT; DERWENT	OR	OFF	2004/05/27 11:20
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S26	2007	royalty and profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2004/05/27 11:22
S27	193	royalty adj payment and profile	US-PGPUB; USPAT; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2004/05/27 11:45

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S35	20	cybergold	US-PGPUB; USPAT	OR	ON	2004/06/01 13:33
S36	28	license near3 profile	US-PGPUB; USPAT	OR	ON	2004/06/01 13:38
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S38	2	royalt$5 near5 profile	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2004/06/01 13:39
S39	7	royalt$5 near25 profile	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2004/06/01 13:41

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S41	39	royalt$5 near10 consumer	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2004/06/01 14:30
S42	90	royalt$5 near10 customer	US-PGPUB; USPAT; EPO; JPO; DERWENT	OR	ON	2004/06/01 14:31
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S50	493	multiple adj profiles	US-PGPUB; USPAT	OR	ON	2004/11/03 15:49

DEC 13 2004

The Bright Ideas Company, Inc.

Confidential

To: USPTO-GAU 3629	From: John A. Galbreath
Company:	
Fax Number: 1-703-872-9306	Fax Number: 1-410-666-7274

Message:

13 Dec. 2004

After-Final

Dear Sir or Madam:

Please enter the attached Request for Continued Examination in Appl. # 09/593,993 as soon as possible, and forward Amendment D in the application (which was separately faxed into the Office on 12/10/04) to Examiner Jon Ouellette in GAU 3629. If you have any questions, please give me a call at 410-666-7274.

Best regards,

John A. Galbreath
#46,718

DEC 1 8 2004

In the United States Patent and Trademark Office

Serial Number: 09 / 593,993
Appn. Filed: 06/14/2000
Applicant(s): Roy Shkedi
Appn. Title: A Descriptive-Profile Mercantile Method
Examiner/GAU: Ouellette, Jonathan P. / 3629

Request For Continued Examination

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

Dear Sir or Madam:

In response to the Office Action mailed 11/15/04, applicant hereby requests continued examination of this application under 37 CFR 1.114, and that Amendment D in the application (faxed into the Office on 12/10/04) be entered. The requisite fee under 37 CFR 1.17(e) is attached.

Respectfully,

John A. Galbreath
Registered Practitioner #46,718

12/14/2004 BBONNER 00000008 09593993
01 FC:2801 395.00 OP

2516 Chestnut Woods Court
Reisterstown, MD 21136
Tel. (410) 666-7274

Certificate of Fax Transmission: I certify that on the date below, this document and referenced attachments, if any, was faxed to the U.S. Patent Office at 703-872-9306.

13 December 2004

John A. Galbreath

PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 395

Complete if Known	
Application Number	09/593,993
Filing Date	6/14/2000
First Named Inventor	Shkedi, Roy
Examiner Name	Ouellette, Jon
Art Unit	3629
Attorney Docket No.	

METHOD OF PAYMENT *(check all that apply)*

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Commissioner is authorized to: *(check all that apply)*

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, **except for the filing fee** to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims		Fee from below	Fee Paid
Total Claims		-20** =		x =
Independent Claims		- 3** =		x =
Multiple Dependent				=

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	260	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	$395
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** ($) 395

SUBMITTED BY				(Complete *if applicable*)	
Name (Print/Type)	John A. Galbreath	*Registration No. (Attorney/Agent)*	46718	*Telephone*	410-666-7274
Signature				*Date*	12/13/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. 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, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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The Bright Ideas Company, Inc.

Confidential

To: USPTO-GAU 3629	From: John A. Galbreath
Company:	
Fax Number: 1-703-872-9306	Fax Number: 1-410-666-7274

Message:

10 Dec. 2004

After-Final Amendment

Dear Sir or Madam:

Please enter the attached after-final Amendment D in Appl. # 09/593,993, and forward to Examiner Jon Ouellette in GAU 3629 as soon as possible. If you have any questions, please call me at 410-666-7274.

Best regards,

John Galbreath
#46,718

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DEC 10 2004

In the United States Patent and Trademark Office

Serial Number: 09 / 593,993
Appn. Filed: 06/14/2000
Applicant(s): Roy Shkedi
Appn. Title: A Descriptive-Profile Mercantile Method
Examiner/GAU: Ouellette, Jonathan P. / 3629

Amendment D

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

Dear Sir or Madam:

In reply to the Office Action mailed 11/15/04 and in accordance with the agreement reached in Applicant's 12/9/04 interview with the Examiner, applicant requests that the application be amended as follows:

CLAIM AMENDMENTS

1. (Currently amended) A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

a) from a entity who owns or represents a right to multiple profiles, electronically receiving a transaction having therein a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or placed on the single visitor;

b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile;

c) i) between the entity and the databank, electronically contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the entity and the databank, electronically contracting for a royalty payment for the entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user entity the second mutually agreed portion of the second profile.

2. (Previously presented) The method according to claim 1 wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank.

3. (Previously presented) The method according to claim 2 wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. (Previously presented) The method according to claim 1 wherein electronically contracting includes selecting a pricing structure according to a rating of the entity.

5. (Previously presented) The method according to claim 1 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or

transfer of the agreed portion.

6. (Original) The method according to claim 1 wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

7. (Original) The method according to claim 6 wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank.

8. (Previously presented) The method according to claim 7 wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. (Previously presented) The method according to claim 1 wherein electronically receiving a transaction includes consulting an external database.

10. (Previously presented) The method according to claim 1 further including

i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

11. (Currently amended) A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to receive a transaction from a entity who owns or represents a right to multiple profiles, the transaction having therein a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or placed on the single visitor;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable

program code:

i) for causing the computer to contract for a royalty payment between the entity and the databank for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

ii) for causing the computer to contract for a royalty payment between the entity and the databank for the entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the entity the second mutually agreed portion of the second profile.

12. (Currently amended) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

a) from a entity who owns or represents a right to multiple profiles, receiving a transaction having therein a first partial profile <u>of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or</u>

placed on the single visitor;

b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) i) between the entity and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the entity and the databank, contracting for a royalty payment for the entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the entity the second mutually agreed portion of the second profile.

13. (Currently amended) A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a entity who owns or represents a right to multiple profiles, receiving a transaction having therein a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or placed on the single visitor;

ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) (1) between the entity and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

(2) between the entity and the databank, contracting for a royalty payment for

the entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the entity the second mutually agreed portion of the second profile.

REMARKS

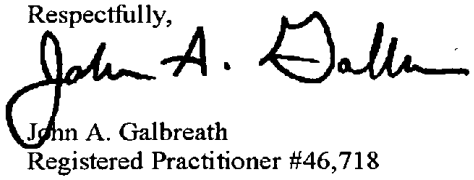
As agreed in the 12/9/04 interview, the amendments to independent claims 1 and 11-13 define over the method described in the Acxiom article, as well as the other prior art – none of which discloses or suggests a method with a transaction having therein a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an identifier is recognized or placed on the single visitor.

In addition, since independent claim 1 defines patentably over the prior art, its dependent claims 2-10 also define patentably, for the same reasons.

CONCLUSION

For all of the above reasons, Applicant submits that the claims all define patentably over the prior art. Therefore Applicant submits that this application is now in condition for allowance, which action they respectfully solicit.

Respectfully,

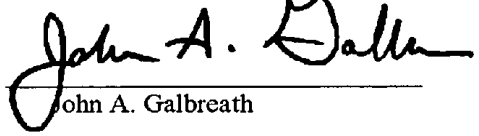


John A. Galbreath
Registered Practitioner #46,718

2516 Chestnut Woods Court
Reisterstown, MD 21136
Tel. (410) 666-7274

Certificate of Fax Transmission: I certify that on the date below, this document and referenced attachments, if any, was faxed to the U.S. Patent Office at 703-872-9306.

10 December 2004



John A. Galbreath

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DEC 10 2004

The Bright Ideas Company, Inc.

Confidential

To: USPTO-GAU 3629	From: John A. Galbreath
Company:	
Fax Number: 1-703-872-9306	Fax Number: 1-410-666-7274

Message:

10 Dec. 2004

After-Final Amendment

Dear Sir or Madam:

Please enter the attached after-final Amendment D in Appl. # 09/593,993, and forward to Examiner Jon Ouellette in GAU 3629 as soon as possible. If you have any questions, please call me at 410-666-7274.

Best regards,

John A. Galbreath
#46,718

Incomplete missing pages #3-11

PAGE 1/3 * RCVD AT 12/10/2004 1:06:31 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:410-666-7274 * DURATION (mm-ss):02-28

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DEC 10 2004

In the United States Patent and Trademark Office

Serial Number: 09 / 593,993
Appn. Filed: 06/14/2000
Applicant(s): Roy Shkedi
Appn. Title: A Descriptive-Profile Mercantile Method
Examiner/GAU: Ouellette, Jonathan P. / 3629

Amendment D

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

Dear Sir or Madam:

In reply to the Office Action mailed 11/15/04 and in accordance with the agreement reached in Applicant's 12/9/04 interview with the Examiner, applicant requests that the application be amended as follows:

CLAIM AMENDMENTS

1. (Currently amended) A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

a) from a entity who owns or represents a right to multiple profiles, electronically receiving a transaction having therein a first partial profile of a single visitor to the entity, said transaction including real-time access to the single visitor wherein an



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

24271 7590 11/15/2004

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

EXAMINER	
OUELLETTE, JONATHAN P	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 11/15/2004

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

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 August 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *20040517*.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

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

   A person shall be entitled to a patent unless -

   (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. **Claims 1-3, 5, and 9-13 are rejected under 35 U.S.C. 102(a) as being anticipated by Acxiom ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).**

3. As per **independent Claims 1 and 11-13**, Acxiom discloses a descriptive-profile mercantile method (computer program product, program storage device, computer system), for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of: a) from an entity who owns or represents a right to multiple profiles, electronically receiving a transaction having therein a first partial profile (e-mail addresses/ postal names and addresses); b) using the first partial profile, electronically searching a databank (Acxiom) having a plurality of second partial profiles (e-mail addresses/ postal names and addresses), wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile (inherent to database searching); i) between the entity and the databank, electronically contracting for a royalty payment for the databank to own or

represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; *or* ii) between the entity and the databank, electronically contracting for a royalty payment for the entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

4. As per Claim 2, Acxiom discloses wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile (e-mail address); wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank.
5. As per Claim 3, Acxiom discloses wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.
6. As per Claim 5, Acxiom discloses wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.
7. As per Claim 9, Acxiom discloses wherein electronically receiving a transaction includes consulting an external database.

8. As per Claim 10, Acxiom discloses i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

Claim Rejections - 35 USC § 103

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

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

10. **Claims 4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acxiom.**

11. As per Claim 4, Acxiom fails to expressly disclose wherein electronically contracting includes selecting a pricing structure according to a rating of the entity.

12. However, Acxiom does disclose offering a royalty payment to participants based on the usage of their content, and it would have been obvious to one of ordinary skill in the art to structure the payment based on quantity and quality of the content provided, as such a pricing structure was well known in business at the time the invention was made.

13. As per Claim 6, Acxiom fails to expressly disclose wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

14. However Acxiom does disclose integrating data with several other content providers and it would have been obvious to one of ordinary skill in the art at the time the invention was made, for Acxiom to ensure the credibility of the data provided before integrating it into the databank, in order to reduce the risk of corruption.

15. As per Claim 7, Acxiom discloses wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank (see rejection of claim 6 – how the credibility weighting was assigned would be non-functional descriptive material).

16. As per Claim 8, Acxiom discloses wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting (see rejection of claim 4 and claim 6).

Response to Arguments

17. Applicant's arguments filed 8/9/2004, regarding Claims 1-13, have been considered but are moot in view of the new ground(s) of rejection.

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

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

Conclusion

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

22. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

November 10, 2004

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Interview Summary	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Jonathan Ouellette*. (3)*John Galbreath*.

(2) *Dean Nguyen*. (4)*Roy Shkedi*.

Date of Interview: *01 July 2004*.

Type: a)☐ Telephonic b)☐ Video Conference

c)☒ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *1 and 11-13*.

Identification of prior art discussed: *Katz and Goldhaber*.

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *See Continuation Sheet*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Shkedi explained the basic concept of the instant invention and how it was different than the sited prior art. Mr. Galbreath presented a potential amendment (see attached) to the independent claims that would further incorporate the basic concept of the instant invention into the independent claims and distinguish the invention from the sited prior art. Primary Exmainer Nguyen suggested changing "user" to "entity" in the claims to further clarify the concept. Examiner Ouellette agreed that the sited prior art does not read on the proposed amendment to the independent claims.

Notice of References Cited	Application/Control No. 09/593,993	Applicant(s)/Patent Under Reexamination SHKEDI, ROY	
	Examiner Jonathan Ouellette	Art Unit 3629	Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	"Their Time Has Come," Direct, v11, n8, p1+, June 1999.
	V	www.acxiom.com, retrived from internet wayback machine, www.archive.org, date range: 2/24/1999-11/14/1999.
	W	Axciom, D7B Enter Marketing Alliance," DM News, v21, n26, p1+, July 12, 1999.
	X	Barrett, Jennifer, "Databasing in the 90s: data and what we're doing with it!" Dirent Marketing, v58, n4, p40, August 1995.

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

Notice of References Cited	Application/Control No. 09/593,993	Applicant(s)/Patent Under Reexamination SHKEDI, ROY	
	Examiner Jonathan Ouellette	Art Unit 3629	Page 2 of 2

U.S. PATENT DOCUMENTS

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	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
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	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Odell, Patricia, "Sweetening the pot." Direct, v10, n9, p91, July 1998.
	V	Hatch, Denny, "Co-op databases," Target Marketing, v21n5, pp:38-42, May 1998.
	W	
	X	

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

Index of Claims

Application No.	Applicant(s)	
09/593,993	SHKEDI, ROY	
Examiner	**Art Unit**	
Jonathan Ouellette	3629	

√	Rejected	–	(Through numeral) Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

Claim		Date								
Final	Original	11/9/04								
	1	√								
	2	√								
	3	√								
	4	√								
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Search Notes

Application No.	Applicant(s)	
09/593,993	SHKEDI, ROY	
Examiner	**Art Unit**	
Jonathan Ouellette	3629	

SEARCHED			
Class	Subclass	Date	Examiner
705	1	11/10/2004	JO

INTERFERENCE SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES (INCLUDING SEARCH STRATEGY)		
	DATE	EXMR
DIALOG (All Mand0 - See Attached	11/9/2004	JO

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         (c) 2004 The New York Times
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         (c) 2004 The HW Wilson Co.
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         (c)2004 Info.Sources Inc
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         (c) 2004 European Patent Office
File 349:PCT FULLTEXT 1979-2002/UB=20041104,UT=20041028
         (c) 2004 WIPO/Univentio
File 347:JAPIO Nov 1976-2004/Jul(Updated 041102)
         (c) 2004 JPO & JAPIO
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Reviewed All Content

Set	Items	Description
S1	6000	INFOMEDIAR?
S2	26	S1 AND ROYALTY
S3	15	RD (unique items)
S4	4968	INFOUSA
S5	32	S1 AND PARTIAL
S6	20	RD (unique items)
S7	12320	DIGITAL(W)ASSET(W)MANAGEMENT
S8	36	S7 AND DEMOGRAPHIC(W)INFORMATION
S9	21	RD (unique items)
S10	2079566	PERSONAL(W)INFORMATION OR PROFILE OR USER(W)INFORMATION OF DEMOGRAPHIC(W)INFORMATION OR CONSUMER(W)INFORMATION
S11	12061	S10 AND ROYALTY
S12	1615	S11 AND MATCH?
S13	1404	S12 AND PART?
S14	143	S12 AND PARTIAL
S15	124	RD (unique items)
S16	11703	ACXIOM
S17	467734	ROYALT?
S18	100	S16 AND S17
S19	56	RD (unique items)

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AUG 09 2004

The Bright Ideas Company, Inc.

OFFICIAL

Confidential

To: USPTO-GAU 3629	From: John A. Galbreath
Company:	
Fax Number: 1-703-872-9306	Fax Number: 1-410-666-7274

Message:

9 August 2004

Appl. # 09/593,993

Dear Sir or Madam:

In reply to the Notice of Non-Compliant Amendment mailed 5 August 2004, attached is a corrected Claim Amendments section in Appl. # 09/593,993. Please process this correction as soon as possible, since the original amendment was faxed in on 2 July 2004 - over a month ago - and forward to Examiner Jon Ouellette in GAU 3629. If you have any questions, just give me a call at 410-666-7274.

Best regards,

John A. Galbreath

CLAIM AMENDMENTS

1. (Currently Amended) A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

a) from a ~~user~~ entity who owns or represents a right to multiple profiles, electronically receiving a transaction having therein a first partial profile;

b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile;

c) i) between the ~~user~~ entity and the databank, electronically contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the ~~user~~ entity and the databank, electronically contracting for a royalty payment for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially

thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

2. (Previously Presented) The method according to claim 1 wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank.

3. (Previously Presented) The method according to claim 2 wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. (Currently Amended) The method according to claim 1 wherein electronically contracting includes selecting a pricing structure according to a rating of the ~~user~~ entity.

5. (Previously Presented) The method according to claim 1 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.

6. (Original) The method according to claim 1 wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

7. (Original) The method according to claim 6 wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank.

8. (Previously Presented) The method according to claim 7 wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. (Previously Presented) The method according to claim 1 wherein electronically receiving a transaction includes consulting an external database.

10. (Previously Presented) The method according to claim 1 further including

i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

11. (Currently Amended) A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to receive a transaction from a ~~user~~ entity who owns or represents a right to multiple profiles, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included

in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code:

i) for causing the computer to contract for a royalty payment between the ~~user~~ entity and the databank for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

ii) for causing the computer to contract for a royalty payment between the ~~user~~ entity and the databank for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the ~~user~~ entity the second mutually agreed portion of the second profile.

12. (Currently Amended) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith

a maintained databank of partial profiles, said method steps including:

a) from a ~~user~~ entity who owns or represents a right to multiple profiles, receiving a transaction having therein a first partial profile;

b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) i) between the ~~user~~ entity and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the ~~user~~ entity and the databank, contracting for a royalty payment for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

13. (Currently Amended) A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a ~~user~~ entity who owns or represents a right to multiple profiles, receiving a transaction having therein a first partial profile;

ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) (1) between the ~~user~~ entity and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the

first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

(2) between the ~~user~~ entity and the databank, contracting for a royalty payment for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

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Best Available Copy

PATENT APPLICATION FEE DETERMINATION RECORD
Effective December 29, 1999

Application or Docket Number: 09593993

CLAIMS AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	13 minus 20=	*
INDEPENDENT CLAIMS	4 minus 3 =	* 1
MULTIPLE DEPENDENT CLAIM PRESENT		

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
	345.00	OR		690.00
X$ 9=		OR	X$18=	
X39=	39.00	OR	X78=	
+130=		OR	+260=	
TOTAL	384.00	OR	TOTAL	

CLAIMS AS AMENDED - PART II

AMENDMENT A

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	* 13	Minus	** 20	= 0
Independent	* 4	Minus	*** 4	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT B

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
RCE				
Total	* 13	Minus	** 20	=
Independent	* 4	Minus	*** 4	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

8/9/-4

AMENDMENT C

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	* 13	Minus	** 20	= 8
Independent	* 4	Minus	*** 4	= 8
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

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

FORM PTO-875
(Rev. 12/99)

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
*U.S. GPO: 2000-463-433/28044

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

24271 7590 08/05/2004

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

EXAMINER	
OUELLETTE, JONATHAN P	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 08/05/2004

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

PTO-90C (Rev. 10/03)

UNITED STATES PATENT AND TRADEMARK OFFICE

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ALEXANDRIA, VA 22313-1450
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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 7/2/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
- ☐ B. New paragraph(s) should not be underlined.
- ☐ C. Other_____

☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
- ☐ B. Other_____

☐ 3. Amendments to the drawings: _____

☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
- ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
- ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
- ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
- ☒ E. Other: "Previously Amended" is not a correct status identifier.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf .

If the non-compliant amendment is a **PRELIMINARY AMENDMENT,** applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE),** and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION,** this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Sonya Hilliard — Legal Instruments Examiner (LIE)

703/308-9032 — Telephone No.

Rev. 10/03

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In the United States Patent and Trademark Office

Serial Number: 09 / 593,993
Appn. Filed: 6/14/2000
Applicant(s): Roy Shkedi
Appn. Title: A Descriptive-Profile Mercantile Method
Examiner/GAU: Ouellette, Jonathan P. / 3629

Amendment C

Mail Stop Non-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to the Office Action mailed 6/9/04, and consistent with the discussion and agreements reached in Applicant's 7/1/04 interview with Examiner, Applicant requests that the above application be amended as follows:

CLAIM AMENDMENTS

1. (Currently Amended) A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

a) from a ~~user~~ entity who owns or represents a right to multiple profiles, electronically receiving a transaction having therein a first partial profile;

b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile;

c) i) between the ~~user~~ entity and the databank, electronically contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the ~~user~~ entity and the databank, electronically contracting for a royalty payment for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially

thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

2. (Previously Amended) The method according to claim 1 wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank.

3. (Previously Amended) The method according to claim 2 wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. (Currently Amended) The method according to claim 1 wherein electronically contracting includes selecting a pricing structure according to a rating of the ~~user~~ entity.

5. (Previously Amended) The method according to claim 1 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.

6. (Original) The method according to claim 1 wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

7. (Original) The method according to claim 6 wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank.

8. (Previously Amended) The method according to claim 7 wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. (Previously Amended) The method according to claim 1 wherein electronically receiving a transaction includes consulting an external database.

10. (Previously Amended) The method according to claim 1 further including

i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

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b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included

in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code:

i) for causing the computer to contract for a royalty payment between the ~~user~~ entity and the databank for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

ii) for causing the computer to contract for a royalty payment between the ~~user~~ entity and the databank for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the ~~user~~ entity the second mutually agreed portion of the second profile.

12. (Currently Amended) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith

a maintained databank of partial profiles, said method steps including:

a) from a ~~user~~ entity who owns or represents a right to multiple profiles, receiving a transaction having therein a first partial profile;

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c) i) between the ~~user~~ entity and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the ~~user~~ entity and the databank, contracting for a royalty payment for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

13. (Currently Amended) A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a ~~user~~ entity who owns or represents a right to multiple profiles, receiving a transaction having therein a first partial profile;

ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) (1) between the ~~user~~ entity and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the

first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

(2) between the ~~user~~ entity and the databank, contracting for a royalty payment for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

REMARKS

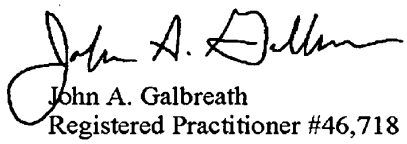
In the 6/9/04 interview, Applicant and Examiner agreed that the above claim amendments distinguish the invention over the proposed combination of Katz '513 and Goldhaber '008, because the amendments further define the user as an entity who owns or represents a right to *multiple profiles*. Katz nor Goldhaber are both directed to users who are consumers, and who thus own their own profile but not those of others. Therefore, a combination of Katz and Goldhaber would not exhibit the claimed features.

Finally, since independent Claims 1 and 11-13 now define patentably over the prior art, dependent claims 2-10 also define patentably.

CONCLUSION

For all of the above reasons, Applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore Applicant submits that this application is now in condition for allowance, which action they respectfully solicit.

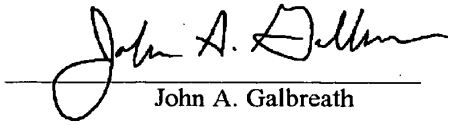
Very respectfully,



John A. Galbreath
Registered Practitioner #46,718
2516 Chestnut Woods Court
Reisterstown, MD 21136
Tel. (410) 666-7274

Certificate of Fax Transmission: I certify that on the date below, this document and referenced attachments, if any, was faxed to the U.S. Patent Office at 703-872-9306.

2 July 2004



John A. Galbreath

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The Bright Ideas Company, Inc.

OFFICIAL

Confidential

To: USPTO - GAU 3629	From: John A. Galbreath
Company:	
Fax Number: 1-703-872-9306	Fax Number: 1-410-666-7274

Message:

2 July 2004

Dear Sir or Madam:

Please enter the attached formal amendment to Appl. # 09/593,993,
and forward to Examiner Jonathan Ouellette in GAU 3629 as soon as possible.
If you have any questions, just give me a call at 410-666-7274.

Best regards,

John A. Galbreath

John Galbreath
Reg. Pract. # 46,718

Received on
7/6/04

PAGE 1/11 * RCVD AT 7/2/2004 4:20:51 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:410-666-7274 * DURATION (mm-ss):02-50

Interview Summary	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Jonathan Ouellette*.

(2) *Dean Nguyen*.

(3)*John Galbreath*.

(4)*Roy Shkedi*.

Date of Interview: *01 July 2004*.

Type: a)☐ Telephonic b)☐ Video Conference

c)☒ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *1 and 11-13*.

Identification of prior art discussed: *Katz and Goldhaber*.

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *See Continuation Sheet*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

7/1/04

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Mr. Shkedi explained the basic concept of the instant invention and how it was different than the sited prior art. Mr. Galbreath presented a potential amendment (see attached) to the independent claims that would further incorporate the basic concept of the instant invention into the independent claims and distinguish the invention from the sited prior art. Primary Exmainer Nguyen suggested changing "user" to "entity" in the claims to further clarify the concept. Examiner Ouellette agreed that the sited prior art does not read on the proposed amendment to the independent claims.

U.S. Appl. # 09/593,993 - A Descriptive-Profile Mercantile Method

Claims Through Amendment B

1. A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

a) from a ~~user~~ entity who owns or represents a right to multiple profiles electronically receiving a transaction having therein a first partial profile;

b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile;

c) i) between the ~~user~~ entity and the databank, electronically contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the ~~user~~ entity and the databank, electronically contracting for a royalty payment for the ~~user~~ entity to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

2. The method according to claim 1 wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank.

3. The method according to claim 2 wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. The method according to claim 1 wherein electronically contracting includes selecting a pricing structure according to a rating of the ~~user~~ entity.

5. The method according to claim 1 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.

6. The method according to claim 1 wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

7. The method according to claim 6 wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank.

8. The method according to claim 7 wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. The method according to claim 1 wherein electronically receiving a transaction includes consulting an external database.

10. The method according to claim 1 further including

i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

11. A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to receive a transaction from a ~~user~~, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code:

i) for causing the computer to contract for a royalty payment between the ~~user~~ and the databank for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

ii) for causing the computer to contract for a royalty payment between the ~~user~~ and the databank for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the ~~user~~ the second mutually agreed portion of the second profile.

12. A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

a) from a ~~user~~ receiving a transaction having therein a first partial profile;

b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) i) between the ~~user~~ and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and

substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the ~~user~~ entity and the databank, contracting for a royalty payment for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

13. A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a ~~user~~ entity who owns or represents a right to multiple profiles receiving a transaction having therein a first partial profile;

ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) (1) between the ~~user~~ entity and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

(2) between the ~~user~~ entity and the databank, contracting for a royalty payment for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the ~~user~~ entity the second mutually agreed portion of the second profile.

UNITED STATES
PATENT AND
TRADEMARK OFFICE

An Agency of the United States
Department of Commerce

Fax Cover Sheet

To: John Galbreath

Fax: (410) 666-7274

From: Jon Ouellette

Fax: (703) 308-3691

Documents Attached: 8
(Including Cover)

Re: Application 09/593,993

7/6/2004

Please find and review the attached Examiner Interview Summary.

If you require additional information or corrections – please call me (703) 605-0662.

Thank You,

Jonathan Ouellette

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

24271 7590 06/09/2004

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

EXAMINER	
OUELLETTE, JONATHAN P	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 06/09/2004

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

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	MW

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Request for Continued Examination

1. The Request filed on 1/21/2004 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/593,993 is acceptable and a RCE has been established. An action on the RCE follows.

Claim Rejections - 35 USC § 103

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

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

3. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz et al. (US 6,055,513) in view of Goldhaber (US 5,855,008).

4. As per independent Claims 1, and 11-13, Katz discloses a descriptive-profile mercantile method (computer program product, program storage device, computer system), for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of: a) from a user, electronically receiving a transaction having therein a first partial profile (C28 L11-14); b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles (C28 L11-14), wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate

second partial profile to the first partial profile (inherent); i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile (C28 L17-28); or ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile (C28 L17-28).

5. Katz fails to expressly disclose electronically contracting a royalty payment between the user and the databank.

6. However, Goldhaber discloses the registering (contracting) of users by a third party, to include profile and contact information (C12 L15-45), and providing compensation to users who agree to sell their information to individual marketers (abstract, C7 L1-10, C8 L59-61) - and it would have been obvious to pay the third party (databank) for the information, wherein the third party distributes a percentage of the fee to the profile owner, as licensing/royalty agreements were a well known way of paying for information when the invention was made.

7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included electronically contracting a royalty payment between the user and the databank, as disclosed by Goldhaber in the system disclosed by Katz, for the advantage of providing a descriptive-profile mercantile method with the ability to increase system effectiveness by offering several possible types of financial arrangements between the user and the databank.

8. As per Claim 2, Katz discloses wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank (C26 L13-17).
9. As per Claim 3, Katz discloses wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile (C17 L48-60).
10. As per Claim 4, Katz discloses wherein electronically contracting includes selecting a pricing structure according to a rating of the user (C13 L41-46).
11. As per Claim 5, Katz discloses wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion (C2 L41-49).
12. As per Claim 6, Katz discloses wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile (C9 L23-27).
13. As per Claim 7, Katz discloses wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank (C9 L57-62).
14. As per Claim 8, Katz discloses wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

15. As per Claim 9, Katz discloses wherein electronically receiving a transaction includes consulting an external database (C9 L57-62).

16. As per Claim 10, Katz discloses i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile (C9 L57-62).

Response to Arguments

17. Applicant's arguments filed 1/21/2004, regarding Claims 1-13, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for

the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

20. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

jo
June 1, 2004

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

T S9/FULL/5

9/19/5 (Item 1 from file: 9)
DIALOG(R)File 9:Business & Industry(R)
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2632044 Supplier Number: 02632044 (THIS IS THE FULLTEXT)
Web Marketing News: Firms Tout Cost-Effective Tracking Tool
(Cybergold **and Inference have jointly introduced Cash2 Register, which enables consumers to fill out virtual product registration cards online)**
DM News, v 21, n 41, p 26
November 01, 1999
DOCUMENT TYPE: Journal ISSN: 0194-3588 (United States)
LANGUAGE: English RECORD TYPE: Fulltext
WORD COUNT: 614

ABSTRACT:
Cybergold Inc. and Inference Corp. say they have come up with the first cost-effective way for manufacturers to know their customers and identify their buying habits. Analysts question the claim.

TEXT:
Analysts question product's first-to-market claim

By Ted Kemp

Cybergold Inc. and Inference Corp. say they have come up with the first cost-effective way for manufacturers to know their customers and identify their buying habits. Analysts question the claim.

Online incentives firm **Cybergold** , Oakland, CA, and e-commerce software firm Inference, Novato, CA, last month introduced Cash2Register, a program that lets consumers fill out virtual product registration cards online. People will receive a brightly colored slip of paper with the appliances, electronics and other products shipped to them, and that slip will direct them to a URL where they can register their new stuff. They'll receive a cash incentive offer in the process.

The program is meant to be an improvement over traditional, offline registration cards, which people mail in only between 1 percent and 3 percent of the time, according to Steven Farber, chief operating officer of **Cybergold** . He said buying trends and information on individual consumers can be valuable to manufacturers that want to more effectively target their market. Manufacturers using the program will pay a fee for each registered buyer.

Cybergold and Inference said in a prepared statement that before Cash2Register, "there was no efficient, cost-effective way for manufacturers to identify their customers, track buying patterns and develop one-to-one relationships." Farber told DM News that conversations with analysts from Jupiter Communications, New York, and Forrester Research, Cambridge, MA, affirmed the statement.

photo omitted

But Jim Nail, senior analyst at Forrester, said the companies might be hyping things a bit. "It's a novel idea, but give me a break," Nail said.

"Does the Internet give (manufacturers) an ability to do it more cost-efficiently, better, faster, smarter, cheaper than they've ever done it before? Absolutely. Does Cash2Register? Cash2Register's just a ... little piece," he said.

"I guess I would rephrase that" Jupiter analyst Melissa Shore said of the claims from **Cybergold** and Inference. She said the typical manufacturer

"doesn't necessarily have access to the data" it needs for setting up individual relationships with buyers. Shore noted that, for example, makers of products generally don't have consumer-monitoring programs that are as effective as the frequent shopper cards that grocery stores can use to track purchases.
Executives at **Cybergold** and Inference insisted that Cash2Register will be an effective marketing weapon. Farber said he expects the program's response rates to reach as high as 35 percent -- vastly better than traditional product registration cards.

Incentives will range between $1 and $15 depending on the product being registered, Farber said, though he could provide no specifics because Inference, which will sell Cash2Register under **license** from **Cybergold** , is still in talks with its first clients for the product. Incentives will account for at least half the total amount manufacturers will pay for each registration; the remainder will be go to Inference, which will, in turn, pay a **royalty** to **Cybergold** . Manufacturers will be allowed to pick and choose what questions they want to ask consumers during the registration process.

Should the program work, **Cybergold** stands to boost its base of registered members -- a pool of cybershoppers already 3.3 million-strong and growing by about 9,000 daily. Manufacturers will have their own individualized URLs where people register their products, but the cash rewards will be made available through **Cybergold** 's existing online incentives program.

The firm sets up accounts for its members, adding money when people take desired actions online such as making purchases. Consumers can transfer that money as they choose to their credit cards, bank accounts and charities, or they can apply it toward further purchases.

Cybergold and Inference plan to market Cash2Register to their existing members and corporate partners. Specifics on those campaigns are not yet available, executives said.

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COMPANY NAMES: **CYBERGOLD** INC; INFERENCE CORP
INDUSTRY NAMES: Applications software; Business services; Information industry; Online services; Software
PRODUCT NAMES: Advertising NEC (731900); Applications software packages NEC (737279); On-line service providers (737500)
CONCEPT TERMS: All company; All market information; All product and service information; Internet activity; Joint venture; Product introduction; Users
GEOGRAPHIC NAMES: North America (NOAX); United States (USA)
?

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SHOW FILES
File 149:TGG Health&Wellness DB(SM) 1976-2004/May W4
         (c) 2004 The Gale Group
File  43:Health News Daily - Subs 1990-2004/May 27
         (c) 2004 F-D-C reports Inc.
File 444:New England Journal of Med. 1985-2004/May W5
         (c) 2004 Mass. Med. Soc.
File   5:Biosis Previews(R) 1969-2004/May W4
         (c) 2004 BIOSIS
File  73:EMBASE 1974-2004/May W4
         (c) 2004 Elsevier Science B.V.
File 155:MEDLINE(R) 1966-2004/May W4
         (c) format only 2004 The Dialog Corp.
File  34:SciSearch(R) Cited Ref Sci 1990-2004/May W4
         (c) 2004 Inst for Sci Info
File 434:SciSearch(R) Cited Ref Sci 1974-1989/Dec
         (c) 1998 Inst for Sci Info
File 455:Drug News & Perspectives 1992-2004/Apr
         (c) 2004 Prous Science
File 129:PHIND(Archival) 1980-2004/May W4
         (c) 2004 PJB Publications, Ltd.
File 130:PHIND(Daily & Current) 2004/Jun 01
         (c) 2004 PJB Publications,Ltd.
File  74:Int.Pharm.Abs 1970-2004/May B1
         (c) 2004 Amer.Soc.of Health-Sys.Pharm.
File  42:Pharmaceuticl News Idx 1974-2004/May W3
         (c)2004 ProQuest Info&Learning
File 625:American Banker Publications 1981-2004/May 28
         (c) 2004 American Banker
File 637:Journal of Commerce 1986-2004/May 31
         (c) 2004 Commonwealth Bus. Media
File 169:Insurance Periodicals 1984-1999/Nov 15
         (c) 1999 NILS Publishing Co.
File  80:TGG Aerospace/Def.Mkts(R) 1986-2004/May 31
         (c) 2004 The Gale Group
File   6:NTIS 1964-2004/May W5
         (c) 2004 NTIS, Intl Cpyrght All Rights Res
File  63:Transport Res(TRIS) 1970-2004/Apr
         (c) fmt only 2004 Dialog Corp.
File 635:Business Dateline(R) 1985-2004/May 28
         (c) 2004 ProQuest Info&Learning
File 570:Gale Group MARS(R) 1984-2004/May 31
         (c) 2004 The Gale Group
File  22:Employee Benefits 1986-2004/May
         (c) 2004 Int.Fdn.of Empl.Ben.Plans
File  47:Gale Group Magazine DB(TM) 1959-2004/May 28
         (c) 2004 The Gale group
File   8:Ei Compendex(R) 1970-2004/May W4
         (c) 2004 Elsevier Eng.  Info. Inc.
File  94:JICST-EPlus 1985-2004/May W2
         (c)2004 Japan Science and Tech Corp(JST)
File   7:Social SciSearch(R) 1972-2004/May W4
         (c) 2004 Inst for Sci Info
File 268:Banking Info Source 1981-2004/May W3
         (c) 2004 ProQuest Info&Learning
File 626:Bond Buyer Full Text 1981-2004/May 28
         (c) 2004 Bond Buyer
File 267:Finance & Banking Newsletters 2004/Jun 01
         (c) 2004 The Dialog Corp.
File 139:EconLit 1969-2004/May
         (c) 2004 American Economic Association
File 608:KR/T Bus.News. 1992-2004/Jun 01
         (c)2004 Knight Ridder/Tribune Bus News
?
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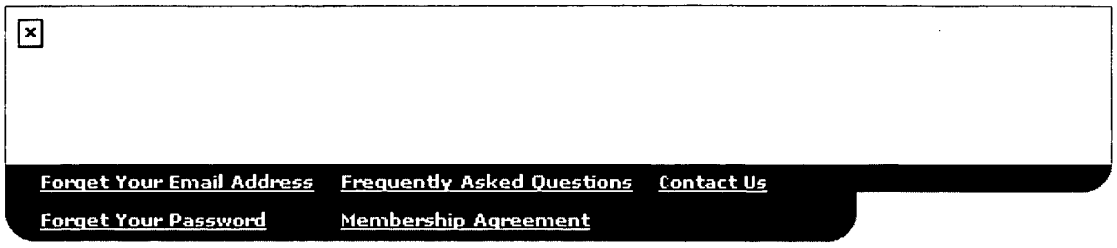
Set	Items	Description
S1	334	WINWIN?
S2	323	RD (unique items)
S3	23	S2 AND PROFILE
S4	15	MONEYFORMAIL?
S5	10	RD (unique items)
S6	195	CYBERGOLD
S7	15	S6 AND LICENSE
S8	14	RD (unique items)
S9	2	S8 AND ROYALTY
S10	2	S6 AND ROYALTY
S11	2	RD (unique items)

?

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SHOW FILES
File  15:ABI/Inform(R) 1971-2004/Jun 01
         (c) 2004 ProQuest Info&Learning
File   9:Business & Industry(R) Jul/1994-2004/May 28
         (c) 2004  The Gale Group
File 610:Business Wire 1999-2004/Jun 01
         (c) 2004 Business Wire.
File 810:Business Wire 1986-1999/Feb 28
         (c) 1999 Business Wire
File 275:Gale Group Computer DB(TM) 1983-2004/May 31
         (c) 2004 The Gale Group
File 476:Financial Times Fulltext 1982-2004/Jun 01
         (c) 2004 Financial Times Ltd
File 624:McGraw-Hill Publications 1985-2004/May 31
         (c) 2004 McGraw-Hill Co. Inc
File 621:Gale Group New Prod.Annou.(R) 1985-2004/May 28
         (c) 2004 The Gale Group
File 636:Gale Group Newsletter DB(TM) 1987-2004/May 31
         (c) 2004 The Gale Group
File 613:PR Newswire 1999-2004/Jun 01
         (c) 2004 PR Newswire Association Inc
File 813:PR Newswire 1987-1999/Apr 30
         (c) 1999 PR Newswire Association Inc
File  16:Gale Group PROMT(R) 1990-2004/May 31
         (c) 2004 The Gale Group
File 160:Gale Group PROMT(R) 1972-1989
         (c) 1999 The Gale Group
File 634:San Jose Mercury  Jun 1985-2004/May 25
         (c) 2004 San Jose Mercury News
File 148:Gale Group Trade & Industry DB 1976-2004/May 31
         (c)2004 The Gale Group
File  20:Dialog Global Reporter 1997-2004/Jun 01
         (c) 2004 The Dialog Corp.
File  35:Dissertation Abs Online 1861-2004/May
         (c) 2004 ProQuest Info&Learning
File 583:Gale Group Globalbase(TM) 1986-2002/Dec 13
         (c) 2002 The Gale Group
File  65:Inside Conferences 1993-2004/May W5
         (c) 2004 BLDSC all rts. reserv.
File   2:INSPEC 1969-2004/May W4
         (c) 2004 Institution of Electrical Engineers
File 233:Internet & Personal Comp. Abs. 1981-2003/Sep
         (c) 2003 EBSCO Pub.
File 474:New York Times Abs 1969-2004/May 31
         (c) 2004 The New York Times
File 475:Wall Street Journal Abs 1973-2004/May 28
         (c) 2004 The New York Times
File  99:Wilson Appl. Sci & Tech Abs 1983-2004/Apr
         (c) 2004 The HW Wilson Co.
File 256:SoftBase:Reviews,Companies&Prods. 82-2004/Apr
         (c)2004 Info.Sources Inc
File 348:EUROPEAN PATENTS 1978-2004/May W04
         (c) 2004 European Patent Office
File 349:PCT FULLTEXT 1979-2002/UB=20040527,UT=20040520
         (c) 2004 WIPO/Univentio
File 347:JAPIO Nov 1976-2004/Jan(Updated 040506)
         (c) 2004 JPO & JAPIO
?
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Set	Items	Description
S1	1018	WINWIN?
S2	820	RD (unique items)
S3	61	S2 AND PROFILE
S4	142	MONEYFORMAIL?
S5	58	RD (unique items)
S6	2264	CYBERGOLD
S7	136	S6 AND LICENSE
S8	83	RD (unique items)
S9	13	S8 AND ROYALTY
S10	39	S6 AND ROYALTY
S11	21	RD (unique items)

?



Your attention is valuable, and you deserve to be paid for it. Cybergold is working to create "win - win" exchanges between consumers and marketers. We are making it possible to literally pay for attention.

Cybergold is your "attention broker". We find advertisers that want to pay you for your attention. As with any trusted broker, participation is completely voluntary and privacy is protected absolutely. You can opt out at any time, and no advertiser will ever get your name or email address.

The site you see today is only the beginning. Cybergold technology will also match ads and other online information to your personal interests and demographics. We envision a world in which **"every ad is a wanted ad"**.

other help topics

Request a New Password
Request your exact Email Address
Read our Frequently Asked Questions "FAQs"
Review the Member Agreement

Ask Customer Service

Go back to the Log In Page

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Helpout popup-6+3

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Set     Items   Description
S1         12   PERSONAL(W)PROFILE AND ROYALTY(W5)PAY?
S2         12   RD (unique items)
S3       1818   PROFILE AND ROYALTY(W5)PAY?
S4       1172   RD (unique items)
S5         33   S4 AND PROFILE(W3)INFORMATION
S6    1552813   ROYALTY OR LICENSE
S7      27777   USER(W)PROFILE OR CUSTOMER(W)PROFILE OR CONSUMER(W)PROFILE
S8      34387   USER(W)PROFILE OR CUSTOMER(W)PROFILE OR CONSUMER(W)PROFILE
             OR PERSONAL(W)PROFILE
S9       1796   S6 AND S8
S10   2250960   DATABANK OR DATABASE
S11       861   S9 AND S10
S12       671   RD (unique items)
S13         1   S12 AND PARTIAL(W)PROFILE
S14       251   S12 AND CONTRACT?
S15        15   SELL(W3)PROFILE(W3)INFORMATION
S16         6   RD (unique items)
?
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T S28/FULL/52

28/9/52 (Item 1 from file: 608)
DIALOG(R)File 608:KR/T Bus.News.
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06761904 (THIS IS THE FULLTEXT)

Some Internet Users Gladly Give Up Personal Data for Even a Small Price

Kristi Heim
San Jose Mercury News, Calif
March 20, 2000
DOCUMENT TYPE: NEWSPAPER RECORD TYPE: FULLTEXT LANGUAGE: ENGLISH
WORD COUNT: 1377

TEXT: By Kristi Heim, San Jose Mercury News, Calif.

Mar. 20--How many people would give an Internet marketing company intimate details about their lives -- the names and birth dates of their kids, how much money they save each month, their health concerns and even the **license** plate number and mileage on the family Honda?

The answer: about 11 million, in the case of just one company that has found a way to persuade Americans to trade their personal information for advice, cash or $5 off the purchase of a new diet plan.

At a time when surveys show Web surfers are deeply worried about companies building huge databases about them, a growing number of online marketers have found they can collect the most revealing details about people simply by asking for them.

"Because the Internet is a more intimate media, it plays by different rules -- the first rule is permission," says Jim Nail, senior analyst with technology research firm Forrester. "If you want something from me, tell me why and what you're going to do with it. Show me a reason why giving up this information will improve my life."

That's what LifeMinders.com, WinWin.com, MoneyforMail.com and other companies in the growing "permission-based marketing" industry are trying to do.

Virginia-based LifeMinders raked in $14 million last year minding other people's business. It sends personalized e-mail greetings reminding registered users of anniversaries, telling them when it's time to prune the roses, warning parents about a recall of their children's toys or a breakout of Lyme disease in their neighborhood.

That's a hook that has prompted 500,000 new members a week to sign up, "opt in" and volunteer dozens of pieces of personal information on questionnaires tailored to the topics that interest them.

Take Joan Schramm, 46, a performing arts center manager in Washington, D.C. -- one of several users whose names the company provided with their approval. She has used LifeMinders for a year and has no qualms about giving the company details about her income, savings, car, pets, recreation and travel.

The messages remind her to get her oil changed and how to prepare taxes and research stocks. She even received notices about two recalls on her 1999 Ford Explorer.

"I found I wasn't getting all kinds of weird stuff, so gradually I signed up for more," she said, adding that she's not too worried about her personal data being abused.

"People are out there scrounging trash cans finding information, too," Schramm said. "There's a point at which you would not want to make yourself crazy worrying about it."

But she draws the line when it comes to giving her data to another company. "I'd be seriously upset," she says. "They said they wouldn't do that."

Krista Linza, a 27-year-old sales representative from Virginia, says she relies on her daily LifeMinders notices for information on disciplining children, buying gifts, remembering to take vitamins and finding out what movies to see. "You don't have a lot of time to read anymore," she says. "I get a lot of interesting news and articles that make me a more well-rounded person."

She and the other 11 million LifeMinders users also get a lot of advertising.

The company makes its money by wrapping ads around the reminders. Companies that have signed up include Healtheon/WebMD, PetSmart, Home Depot, Kimberly-Clark, Ralston Purina, Borders.com, eNutrition, Bank One, Providian Financial, InsWeb and onmoney.com.

All of these companies are eager to target their ads to the people most likely to buy. Dog owners, clearly, are more inclined to buy Purina Puppy Chow than someone who doesn't own a pet.

That same strategy is what's driving online advertising companies like DoubleClick, which track Web surfing patters in an attempt to serve up more relevant ads. The big difference: DoubleClick collects information on surfing habits without the user knowing, and the company isn't offering the kind of special inducements that LifeMinders and others do for that kind of detailed data.

DoubleClick became embroiled in controversy when it planned to match Web surfing behavior with millions of names and addresses in an offline **database** . Bowing to pressure from privacy advocates and consumers, DoubleClick has since scrapped those plans.

But as LifeMinders has discovered, users don't necessarily mind giving up data as long as they have a say in how it's used. In a recent survey of 10,000 Internet users by Forrester, more than two-thirds said they're willing to provide personal information, but 90 percent said they want to control how that information is used after it's collected. Forrester projects the market for online advertising to grow from $3.3 billion last year to $33 billion by 2004.

LifeMinders does not send out e-mail to people who have not opted in, said President and CEO Stephen R. Chapin Jr. LifeMinders matches information users provide about themselves with their buying habits collected automatically when they click on ads in their personalized e-mail messages.

While the company says it doesn't share members' names and addresses with anyone, LifeMinders does give advertisers a direct channel into mailboxes. The company guarantees that each advertiser appears in millions of personalized messages each month. Advertisers can tell whether the message was opened, and get a breakdown of the readers' ages, genders and income levels.

Chapin, who started his career building a data warehouse for credit card companies, said he believes his company can maintain customer loyalty. "If I sold that data, all my trust would be gone," he said.

"Usage increases over time because we learn more about you," he said. "Then we give you more of what you want."

Other companies seeking to capitalize on this kind of marketing include MoneyforMail.com, Cybergold and WinWin.com.

"People are perfectly happy to give out personal information as long as they get something back," says WinWin.com CEO Kieran Clifford. "Why would you let someone come and use your car as a taxi if they didn't even ask your permission or give you a share in the revenues from it?"

Consumer dissatisfaction with online ads is evident in declining click rates, he says.

Providing financial rewards to viewers is one way to make advertising more efficient, he says.

On the WinWin Web site, consumers fill out a **personal profile** and questionnaires related to their interests. They can then collect 20 percent of the value of the advertising they read. A banner ad costs the advertiser $1, so the consumer who clicks on it gets 20 cents. If the consumer simply mouses over the ad, he gets 10 cents.

"The reward is just incidental," Clifford maintains, adding that the company filters out people visiting just for money by measuring the time they spend at the site.

"We make no secret of the fact that we use a cookie. It can actually make your experience better if it's used ethically."

Consumers can see what information is collected on them and change or delete their profiles anytime, as they can on the LifeMinders site. Databases containing their names and addresses are on a separate computer

in a different location from the one on which their profiles are held.

"We're adamant that we won't get hacked, so we don't even trust a firewall," Clifford said.

Advertisers can see data on WinWin's Web site and zero in on their target customers. They can find out exactly how many people drink chardonnay and are fans of the Denver Broncos, for instance, Clifford says. They can then send banner ads to those specific customers.

Far from the depersonalized shopping experience of strip malls, Clifford says the wave of the future is creating an intimate experience connecting the business and consumer.

"Eventually, every business in America will be able to reach its target customer," he says.

To see more of the San Jose Mercury News, or to subscribe to the newspaper, go to http://www.sjmercury.com

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COMPANY NAMES: Bank One ; Borders ; Denver Broncos ; Eventually ; Home Depot ; Honda ; Kimberly Clark ; Knight Ridder/Tribune Business News ; LifeMinders ; PetSmart ; Providian Financial ; Ralston Purina ; San Jose Mercury News
DESCRIPTORS: Internet/Online
TICKER SYMBOLS: LFMN; F; HLTH; PETM; HD; KMB; RAL; BGP; ONE; PVN; DCLK
?

#11/RCE
Ellis
April 13, 04

In the United States Patent and Trademark Office

Serial Number: 09 / 593,993
Appn. Filed: 6/14/2000
Applicant(s): Roy Shkedi
Appn. Title: A Descriptive-Profile Mercantile Method
Examiner/GAU: Ouellette, Jonathan P. / 3629

Request For Continued Examination

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

Dear Sir or Madam:

In response to the Office Action mailed 11/20/03, and consistent with the procedural agreement reached in Applicant's 1/20/04 interview with Examiner, Applicant hereby requests continued prosecution of this application under 37 CFR 1.114, and that Amendment B in the application be entered. The requisite fee under 37 CFR 1.17(e) is attached.

01/23/2004 AWONDAF1 00000003 09593933
01 FC:2801 395.00 DP

Respectfully,

John A. Galbreath
Registered Practitioner #46,718

2516 Chestnut Woods Court
Reisterstown, MD 21136
Tel. (410) 666-7274

Certificate of Fax Transmission: I certify that on the date below, this document and referenced attachments, if any, was faxed to the U.S. Patent Office at 703-872-9306.

21 January 2004

John A. Galbreath

PTO/SB/17 (01-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

[X] Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 385

Complete if Known	
Application Number	09/593,993
Filing Date	6/14/2000
First Named Inventor	Shkedi, Roy
Examiner Name	Ouellette, Jonathan P.
Art Unit	3629
Attorney Docket No.	

METHOD OF PAYMENT *(check all that apply)*

[ ] Check [X] Credit card [ ] Money Order [ ] Other [ ] None

[ ] Deposit Account:

Deposit Account Number
Deposit Account Name

The Commissioner is authorized to: *(check all that apply)*

[X] Charge fee(s) indicated below [X] Credit any overpayments

[ ] Charge any additional fee(s) during the pendency of this application

[ ] Charge fee(s) indicated below, **except for the filing fee** to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) ($)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims		Fee from below	Fee Paid
Total Claims		-20** =	X	=
Independent Claims		- 3** =	X	=
Multiple Dependent				=

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	260	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) ($)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	$385
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** ($) 385

SUBMITTED BY				(Complete *if applicable*)	
Name (Print/Type)	John A. Galbreath	*Registration No. (Attorney/Agent)*	46718	*Telephone*	410-666-7274
Signature	[signature]			*Date*	1/21/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. 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, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

#10
DW

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OFFICE OF THE DIRECTOR
TC 3600

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

In re application of
Roy Shkedi
Application No. 09/593,993
Filed: June 14, 2000
For: DESCRIPTIVE-PROFILE MERCANTILE METHOD

DECISION ON REQUEST FOR WITHDRAWAL OF ATTORNEY

This is a decision on the request filed on July 7, 2003 under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

The request is **NOT APPROVED** as **MOOT**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. Besides giving due notice to his or her client and delivering to the client all papers and property to which the client is entitled as specified under 37 CFR 10.40, approval of such a request requires that the following conditions be met:

A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;

B) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided; and

C) If withdrawal is requested in accordance with 37 CFR 10.40(c) above, there must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a).

The request to withdraw as attorney in this application is not approved as moot because a revocation of power of attorney to all attorneys named in the original declaration and a new power of attorney to Customer No. 24271 was submitted to the United States Patent and Trademark Office on October 14, 2003. The power of attorney therefore has already been withdrawn as per the Notice to that effect mailed October 2, 2003.

Steven N. Meyers
Special Programs Examiner
Patent Technology Center 3600
(703) 308-3868

SNM/mjz: 2/23/04

cc:

Jay F. Moldovanyi Esq.
Fay Sharpe Fagan Minnich & McKee LLP
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114-2518

PreAmdt 12/8
Ellis
April 13, 04
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Serial Number: 09 / 593,993
Appn. Filed: 6/14/2000
Applicant(s): Roy Shkedi
Appn. Title: A Descriptive-Profile Mercantile Method
Examiner/GAU: Ouellette, Jonathan P. / 3629

Amendment B

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

Dear Sir or Madam:

In response to the Office Action mailed 11/20/03, and consistent with the discussion and agreements reached in Applicant's 1/20/04 interview with Examiner, Applicant requests that the above application be amended as follows. Please note that attached to this amendment is a Request for Continued Examination and the requisite fee, such that the amendment may be immediately entered.

CLAIM AMENDMENTS

1. (Currently Amended) A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

a) from a user, electronically receiving a transaction having therein a first partial profile;

B1

b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile;

c) ~~between the user and the databank, electronically contracting:~~

i) between the user and the databank, electronically contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the user and the databank, electronically contracting for a royalty payment for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

B1

2. (Previously Amended) The method according to claim 1 wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank.

3. (Previously Amended) The method according to claim 2 wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. (Previously Amended) The method according to claim 1 wherein electronically contracting includes selecting a pricing structure according to a rating of the user.

5. (Previously Amended) The method according to claim 1 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.

6. (Original) The method according to claim 1 wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

B1

7. (Original) The method according to claim 6 wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank.

8. (Previously Amended) The method according to claim 7 wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. (Previously Amended) The method according to claim 1 wherein electronically receiving a transaction includes consulting an external database.

10. (Previously Amended) The method according to claim 1 further including

B1

i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

11. (Currently Amended) A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to receive a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code ~~for causing the computer to contract between the user and the databank~~:

B1

i) for causing the computer to contract for a royalty payment between the user and the databank for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

ii) for causing the computer to contract for a royalty payment between the user and the databank for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the user the second mutually agreed portion of the second profile.

12. (Currently Amended) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

B1

a) from a user, receiving a transaction having therein a first partial profile;

b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) ~~between the user and the databank, contracting:~~

i) between the user and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) between the user and the databank, contracting for a royalty payment for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

13. (Currently Amended) A computer system for facilitating a descriptive-profile mercantile method, the system including:

B1

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a user, receiving a transaction having therein a first partial profile;

ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) ~~between the user and the databank, contracting:~~

(1) between the user and the databank, contracting for a royalty payment for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

B1

(2) between the user and the databank, contracting for a royalty payment for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

REMARKS

In the 1/21/04 interview, Applicant and Examiner agreed that the above claim amendments distinguish the invention over Katz '513, because the amendments further define the contracting aspect of the invention as involving a royalty payment. Katz does not disclose nor contemplate contracting for a royalty payment.

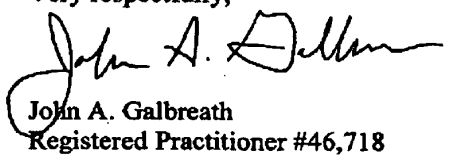
Further, consistent with the discussion during the interview, in independent Claims 1 and 11-13 the preamble preceding the alternative sections (connected with an "or") has been moved down into each alternative section, in order to clarify that the elements in the preamble and the additional royalty payment element apply to each alternative section.

Finally, since independent Claims 1 and 11-13 now define patentably over the prior art, dependent claims 2-10 also define patentably.

CONCLUSION

For all of the above reasons, Applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore Applicant submits that this application is now in condition for allowance, which action they respectfully solicit.

Very respectfully,



John A. Galbreath
Registered Practitioner #46,718
2516 Chestnut Woods Court
Reisterstown, MD 21136
Tel. (410) 666-7274

Certificate of Fax Transmission: I certify that on the date below, this document and referenced attachments, if any, was faxed to the U.S. Patent Office at 703-872-9306.

21 January 2004

John A. Galbreath

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The Bright Ideas Company, Inc.

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To: USPTO - GAU 3629	From: John A. Galbreath
Company:	
Fax Number: 1-703-872-9306	Fax Number: 1-410-666-7274

Message:

21 Jan. 2004

After-Final

Dear Sir or Madam:

Please enter the attached formal amendment to Appl. # 09/593,993, and forward to Examiner Jonathan Ouellette in GAU 3629 as soon as possible. Please note that also included is a Request for Continued Examination and the requisite fee, so that the amendment may be immediately entered. If you have any questions, just give me a call at 410-666-7274.

Best regards,

John A. Galbreath

PAGE 1/16 * RCVD AT 1/21/2004 3:12:19 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/6 * DNIS:8729306 * CSID:410-666-7274 * DURATION (mm-ss):12-00

Interview Summary	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Jonathan Ouellette*.

(2) *John Weiss (SPE)*.

(3) *John Galbreath*.

(4) *Roy Shkedi*.

Date of Interview: *20 January 2004*.

Type: a)☐ Telephonic b)☐ Video Conference

c)☒ Personal [copy given to: 1)☒ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *1 and 11-13*.

Identification of prior art discussed: *Katz (US 6,055,513)*.

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *See Continuation Sheet*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant and attorney reviewed the basic concepts of the invention and outlined the similarities and differences with the prior art of Katz. Mr. Galbreath proposed an amendment to the independent claims (1 and 11-13), which would integrate the "royalty payments" element described in the specification. Agreement was reached between Examiner Ouellette, Mr. Weiss, Mr. Galbreath, and Mr. Shkedi that the prior art of Katz did not contain a royalty payment element, and submitting the amendment would distinguish the instant invention from the cited prior art of Katz. Examiner Ouellette suggested filing an RCE, as the amendment would be after-final, and would neccesitate an additional search.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

24271 7590 11/20/2003

JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

EXAMINER	
OUELLETTE, JONATHAN P	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 11/20/2003

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

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)	
	09/593,993	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 September 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. §§ 119 and 120

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

a)☒ All b)☐ Some * c)☐ None of:

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

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

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

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

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1. The objection to the Applicant's Drawings is withdrawn.

Claim Rejections - 35 USC § 101

2. The rejection of Claims 1-10 under 35 U.S.C. 101 is withdrawn due to Applicant's Amendment.

Claim Rejections - 35 USC § 102

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

> A person shall be entitled to a patent unless –
>
> > (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Katz et al. (US 6,055,513).

5. As per independent Claims 1, and 11-13, Katz discloses a descriptive-profile mercantile method (computer program product, program storage device, computer system), for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of: a) from a user,

electronically receiving a transaction having therein a first partial profile (C28 L11-14); b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles (C28 L11-14), wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile (inherent) c) between the user and the databank, electronically contracting: i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile (C28 L17-28); or ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile (C28 L17-28).

6. As per Claim 2, Katz discloses wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank (C26 L13-17).
7. As per Claim 3, Katz discloses wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile (C17 L48-60).
8. As per Claim 4, Katz discloses wherein electronically contracting includes selecting a pricing structure according to a rating of the user (C13 L41-46).

9. As per Claim 5, Katz discloses wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion (C2 L41-49).
10. As per Claim 6, Katz discloses wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile (C9 L23-27).
11. As per Claim 7, Katz discloses wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank (C9 L57-62).
12. As per Claim 8, Katz discloses wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting ().
13. As per Claim 9, Katz discloses wherein electronically receiving a transaction includes consulting an external database (C9 L57-62).
14. As per Claim 10, Katz discloses i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile (C9 L57-62).

Response to Arguments

15. Applicant's arguments filed 10/2/2003, regarding Claims 1-13, have been fully considered but they are not persuasive. The rejection will remain as final, based on the sited prior art.

16. The application makes the argument that the prior art fails to teach the "knowledge transfer value" aspect of e-commerce (applicant's "brokerage representation model"), with regards to the contracting/transferring of partial profiles between the e-commerce merchant and "the databank."

17. However, Katz does disclose wherein the telemarketing system acquires primary transaction data/customer identification data from a user (first partial profile), and using the primary transaction data (SSN) to search third party databases, in order to obtain a second data element relating to the user (second partial profile) (Abstract, C8 L34-67, C9 L21-64). Katz further discloses wherein the third party databases include credit worthiness agencies (Experian, Equifax, etc.). So, while the prior art of Katz does not solely disclose the method/concept of "knowledge transfer value" – the system disclosed by Katz does incorporate the method, when integrating the system with third party databases to obtain the second data element used for the telemarketing upsell.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-

0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.

20. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

jo
November 18, 2003

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

L Number	Hits	Search Text	DB	Time stamp
-	3	(("6055513") or ("6321212") or ("5262942")).PN.	USPAT; US-PGPUB	2003/11/18 10:12
-	26	6055513.URPN.	USPAT	2003/11/18 10:01
-	0	selling near3 profile adj data	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:13
-	30	selling near3 profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:17
-	23	consumer near2 profile.ti.	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:26
-	0	profile adj data$7.ti. and partial adj profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:27
-	441	profile adj data$7.ti.	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:28
-	8	profile adj data$7.ti. and contract$5	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:30
-	12	Sell$5 near5 profile adj data$7	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:33
-	256	Sell$5 near5 profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:51
-	2	first adj partial adj profile and second adj partial adj profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 10:52
-	42	("4792968" | "4799156" | "4825045" | "4833308" | "4845739" | "4870579" | "4908761" | "4910672" | "4996642" | "5053957" | "5056019" | "5173851" | "5201010" | "5305196" | "5327508" | "5353218" | "5353219" | "5388165" | "5412708" | "5430644" | "5448471" | "5481094" | "5495284" | "5502636" | "5504675" | "5576951" | "5583763" | "5592560" | "5612868" | "5615342" | "5621812" | "5625776" | "5638457" | "5642485" | "5644723" | "5649114" | "5659469" | "5689553" | "5710887" | "5715399" | "5758328" | "5794207").PN.	USPAT	2003/11/18 10:53
-	13	contract$6 near5 user adj profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:04

-	22	mitel adj corporation and profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:08
-	446	user near10 profile near10 transaction	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:08
-	104	user near10 profile near10 transaction and contract$7	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:18
-	0	knowledge adj transfer adj value and user adj profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:18
-	0	knowledge adj transfer adj value	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:18
-	85	knowledge adj transfer and profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:26
-	6	user adj profile and third adj party and buy near profile	USPAT; US-PGPUB; EPO; JPO; DERWENT; IBM_TDB	2003/11/18 11:28
-	159	5754939.URPN.	USPAT	2003/11/18 11:30
-	159	5754939.URPN.	USPAT	2003/11/18 11:30

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005

CONFIRMATION NO. 8221

OC000000010972362

24271
JOHN ALEXANDER GALBREATH
2516 CHESTNUT WOODS CT
REISTERSTOWN, MD 21136

Date Mailed: 10/02/2003

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/14/2003.

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

LORRAINE E WALDEN
3600 (703) 308-9666

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005

CONFIRMATION NO. 8221

OC000000010972309

Jay F Moldovanyi Esq
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1100 Superior Avenue
7th Floor
Cleveland, OH 44114-2518

Date Mailed: 10/02/2003

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/14/2003.

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

LORRAINE E WALDEN
3600 (703) 308-9666

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PATENTS ONLY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Roy Shkedi
For	:	A DESCRIPTIVE-PROFILE MERCANTILE METHOD
Serial No.	:	09/593,993
Filing Date	:	June 14, 2000
Last Office Action	:	January 3, 2003
Examining Attorney	:	Theoplis E. Stewart
Art Unit	:	3629
Attorney Docket No.	:	JMB 2 0005

Cleveland, Ohio 44114-2518
April 3, 2003

AMENDMENT

Assistant Commissioner for Patents
BOX: AMENDMENT - NO FEE
Washington, DC 20231

Dear Sir:

In response to the Examiner's Office Action mailed January 3, 2003, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231, on April 3, 2003.

Kathleen A. Nimrichter

IN THE CLAIMS:

Please replace the currently pending claims with the following claims:

1. (Currently Amended) A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

a) from a user, electronically receiving a transaction having therein a first partial profile;

b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, electronically contracting:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

2. (Currently Amended) The method according to claim 1 wherein electronically receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the electronic searching of the databank.

3. (Currently Amended) The method according to claim 2 wherein extracting includes constructing at least one composite key for the electronic searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. (Currently Amended) The method according to claim 1 wherein electronically contracting includes selecting a pricing structure according to a rating of the user.

5. (Currently Amended) The method according to claim 1 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.

6. (Original) The method according to claim 1 wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

7. (Original) The method according to claim 6 wherein incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the databank.

8. (Currently Amended) The method according to claim 7 wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. (Currently Amended) The method according to claim 1 wherein electronically receiving a transaction includes consulting an external database.

10. (Currently Amended) The method according to claim 1 further including

i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, electronically contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

11. (Original) A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to receive a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code for causing the computer to contract between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the user the second mutually agreed portion of the second profile.

12. (Original) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

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ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially

thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

13. (Original) A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a user, receiving a transaction having therein a first partial profile;

ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, contracting:

(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

REMARKS

The applicant has had an opportunity to carefully consider the Examiner's Office Action of January 3, 2003, and believes this amendment is fully responsive to every point raised by the Examiner. Reconsideration of the application, as amended, is respectfully requested. Claims 1-13 remain in the application after this amendment is entered.

The Office Action:

The drawings were objected to for not offering further understanding of the invention.

The claimed invention stands rejected under 35 U.S.C. § 101 for lack of technological detail.

Claims 1-13 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,055,513 to Katz et al.

The Non-Art Objections:

The originally-filed drawings comply with 37 CFR 1.81 and sufficiently facilitate understanding of the invention.

The applicant's attorney contacted the Examiner to determine the Examiner's reasons for objecting to the drawings. After discussing the drawing objection with the Examiner and the Examiner's supervisor, the applicant's attorney understood that the Examiner agreed to withdraw the drawing objection. Accordingly, the applicant hereby requests that the drawing objection be removed.

The Art Rejections:

Claims 1-10 are directed to patentable subject matter.

The Examiner has rejected the claimed invention under 35 U.S.C. § 101. In support, the Examiner stated "the claimed invention is primarily conceptual and lacks technological details." More generally, the Examiner contended that the steps of "receiving," "searching," and "contracting" can be done manually, as well as by computer.

The applicant's attorney also discussed the Examiner's rejections under 35 U.S.C. §101 with the Examiner and the Examiner's supervisor. After this discussion, the applicant's attorney understands that this rejection is limited to claims 1-10. Additionally, the applicant's attorney understands that amending claims 1-10 by inserting "electronically" ahead of the "receiving," "searching," and "contracting" actions would be sufficient to overcome this rejection. One or more of these three terms were found in claims 1-8. Therefore, claims 1-8 have been amended as described above. Accordingly, claims 1-10, as amended, are directed to proper patentable subject matter. Therefore, the applicant submits that claim rejections under 35 U.S.C. § 101 should be removed as a result of this amendment.

Claims 1-13 patentably distinguish over Katz.

The Examiner has rejected claims 1-13 under 35 U.S.C. § 102(e) as anticipated by Katz. The applicant respectfully disagrees.

Clearly, neither the instant application nor Katz pretends to have invented relational data base technology, but only makes claim to a use of that type of technology in electronic commerce.

Essentially, Katz describes a situation in electronic commerce where integrating a profile of a potential buyer with information known about persons having such a profile will facilitate suggesting additional commercial offers to the potential buyer. For example, a potential buyer identifies himself as John Doe, age 35 from Alaska, which allows the e-commerce merchant technology to query some database and disclose that 35 year olds like to buy bargain tickets to Las Vegas - so it makes good business sense to offer these tickets to John.

The instant application is not interested in this chain of e-commerce events whatsoever. The instant application is

concerned with property rights to information in the chain. For example, a database receiving the query knew that John Doe was from Alaska and knew that he is married but did not know that he was 35 years old. Now, is the value of knowing that John is 35 equal to the value of knowing that John is married - or does this represent an asymmetric information transfer - for which some economic credit must be given to the merchant or alternatively to the database.

Katz is silent and oblivious to the "knowledge transfer value" aspect of e-commerce - while the instant application is exclusively concerned with this aspect (e.g. the instant application's "brokerage representation model"). Katz presumes that profile information for the potential buyer either exists or doesn't - but makes no provisions whatsoever for the accumulation of new profile information in the course of the e-commerce nor especially for the economic exploitation of the new information as, for example, a commodity.

Simply stated, in a narrow context of electronic commerce and partial profiles therein, the Examiner may have misunderstood the meaning of "contracting" in the instant application. For Katz, "contracting" deals with exchanges of goods, service, or money between the potential buyer and the e-commerce merchant - even if the merchant consults database using profile information about the potential buyer. For the instant application, "contracting" deals with an exchange of information or economic credit between the e-commerce merchant and "the databank".

Furthermore, the instant application is concerned with applications beyond e-commerce, such as electronic advertising, and other information media transfer technologies.

Based on the above arguments, the applicant respectfully submits that Katz does not teach, nor suggest, the inventions recited in claims 1-13. Accordingly, Katz does not anticipate

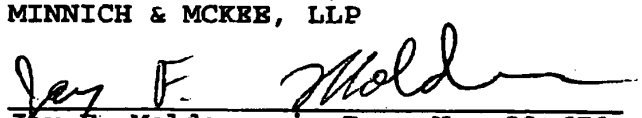
claims 1-13 and applicant submits that claims 1-13 are currently in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, applicant submits that the present application is in condition for allowance. Notice of such allowance is hereby respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP



Jay F. Moldovanyi, Reg. No. 29,678
Alan C. Brandt, Reg. No. 50,218
1100 Superior Avenue
Suite 700
Cleveland, OH 44114-2518
(216) 861-5582

The Bright Ideas Company, Inc.

Confidential

To: USPTO-Jon Ouellette	From: John A. Galbreath
Company:	
Fax Number: 1-703-308-3687	Fax Number: 1-410-666-7274

Message:

9 Sept. 2003

Dear Jonathan:

As requested, enclosed is a copy of the amendment in Appl. # 09/593,993, that was submitted by mail on April 3, 2003. A certificate of mailing is shown on the first page of the amendment, establishing the mailing date.
A return receipt postcard was never received for this amendment, and apparently, the amendment was lost in the mail or misplaced at the Office.

Please enter the amendment, and if you have any questions or if I may help further, please don't hesitate to contact me at 410-666-7274.

Best regards,

John A. Galbreath

3629

OIPE JC26 AUG 14 2003 PATENT & TRADEMARK OFFICE

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PTO/SB/81 (03-01)
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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/593,993
Filing Date	06/14/00
First Named Inventor	Shkedi, Roy
Title	A Descriptive-Profile Mercantile Method
Group Art Unit	N/A
Examiner Name	N/A
Attorney Docket Number	

I hereby appoint:

[X] Practitioners at Customer Number 24271 → *Place Customer Number Bar Code Label here*

OR

[ ] Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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OR

[ ] Practitioners at Customer Number [ ] → *Place Customer Number Bar Code Label here*

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Address					
City		State		Zip	
Country					
Telephone		Fax			

I am the:

[ ] Applicant/Inventor.

[X] Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

RECEIVED
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GROUP 3600

SIGNATURE of Applicant or Assignee of Record

Name	AlmondNet Inc.
Signature	Roy Shkedi
Date	7/23/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

[ ] *Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/593,993
Filing Date	06/14/00
First Named Inventor	Shkedi, Roy
Group Art Unit	N/A
Examiner Name	N/A
Attorney Docket Number	

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☐ Please change the correspondence address for the above-identified application to:

☐ Customer Number [ ] →

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Address					
City					
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Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

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GROUP 360

SIGNATURE of Applicant or Assignee of Record

Name	AlmondNet Inc.
Signature	Roy Shkedi
Date	7/13/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Shkedi, Roy

Application No./Patent No.: 09/593,993 Filed/Issue Date: 06/14/00

Entitled: A Descriptive-Profile Mercantile Method

AlmondNet Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. [X] the assignee of the entire right, title, and interest; or

2. [ ] an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010893, Frame 0713, or for which a copy thereof is attached.

NI

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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

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

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

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

[ ] Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

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

7/23/03
Date

917-545-7157
Telephone number

Roy Shkedi
Typed or printed name

Signature

CEO
Title

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AUG 18 2003
GROUP 36

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. 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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3629

#9 nzw 11-28-03

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Roy Shkedi
Entitled	:	**A DESCRIPTIVE-PROFILE MERCANTILE METHOD**
Serial No.	:	09/593,993
Filed	:	June 14, 2000
Examining Attorney	:	Theoplis E. Stewart
Art Unit	:	3629
Attorney Docket No.	:	JMBZ 2 00005

Cleveland, Ohio 44114-2518
July 3, 2003

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

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REQUEST TO WITHDRAW AS ATTORNEY OF RECORD

Dear Sir:

The undersigned hereby applies to withdraw as attorney of record in connection with the above-identified application.

The reason for this request is that the undersigned has been discharged.

Please change the correspondence address in connection with

CERTIFICATE OF MAILING

I hereby certify that this Request To Withdraw As Attorney Of Record is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 3, 2003.

Kathleen A. Nimrichter

Kathleen A. Nimrichter

this case and direct all further correspondence to:

Mr. John Galbreath
The Bright Ideas Company, Inc.
2516 Chestnut Woods Ct.
Reisterstown, Maryland 21136

In view of the foregoing, the undersigned will have no duty to represent the applicant in any proceedings before the U.S. Patent and Trademark Office connection with the above-identified application.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

3 July 2003
Date

Jay F. Moldovanyi
Reg. No. 29,678
1100 Superior Avenue
Suite 700
Cleveland, OH 44114-2518
(216) 861-5582

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In re Application of	:	Roy Shkedi
For	:	A DESCRIPTIVE-PROFILE MERCANTILE METHOD
Serial No.	:	09/593,993
Filing Date	:	June 14, 2000
Last Office Action	:	January 3, 2003
Examining Attorney	:	Theoplis E. Stewart
Art Unit	:	3629
Attorney Docket No.	:	JMB 2 0005

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GROUP 3600

Cleveland, Ohio 44114-2518
April 3, 2003

AMENDMENT

Assistant Commissioner for Patents
BOX: AMENDMENT - NO FEE
Washington, DC 20231

Dear Sir:

In response to the Examiner's Office Action mailed January 3, 2003, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

CERTIFICATE OF MAILING

I hereby certify that this Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231, on April 3, 2003.

Kathleen A. Nimrichter

Kathleen A. Nimrichter

IN THE CLAIMS:

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b) using the first partial profile, electronically searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said electronic searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, electronically contracting:

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5. (Currently Amended) The method according to claim 1 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.

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8. (Currently Amended) The method according to claim 7 wherein electronically contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. (Currently Amended) The method according to claim 1 wherein electronically receiving a transaction includes consulting an external database.

10. (Currently Amended) The method according to claim 1 further including

i) electronically searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

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11. (Original) A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to receive a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code for causing the computer to contract between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

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i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially

thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

13. (Original) A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a user, receiving a transaction having therein a first partial profile;

ii) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, contracting:

(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

REMARKS

The applicant has had an opportunity to carefully consider the Examiner's Office Action of January 3, 2003, and believes this amendment is fully responsive to every point raised by the Examiner. Reconsideration of the application, as amended, is respectfully requested. Claims 1-13 remain in the application after this amendment is entered.

The Office Action:

The drawings were objected to for not offering further understanding of the invention.

The claimed invention stands rejected under 35 U.S.C. § 101 for lack of technological detail.

Claims 1-13 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,055,513 to Katz et al.

The Non-Art Objections:

The originally-filed drawings comply with 37 CFR 1.81 and sufficiently facilitate understanding of the invention.

The applicant's attorney contacted the Examiner to determine the Examiner's reasons for objecting to the drawings. After discussing the drawing objection with the Examiner and the Examiner's supervisor, the applicant's attorney understood that the Examiner agreed to withdraw the drawing objection. Accordingly, the applicant hereby requests that the drawing objection be removed.

The Art Rejections:

Claims 1-10 are directed to patentable subject matter.

The Examiner has rejected the claimed invention under 35 U.S.C. § 101. In support, the Examiner stated "the claimed invention is primarily conceptual and lacks technological details." More generally, the Examiner contended that the steps of "receiving," "searching," and "contracting" can be done manually, as well as by computer.

The applicant's attorney also discussed the Examiner's rejections under 35 U.S.C. §101 with the Examiner and the Examiner's supervisor. After this discussion, the applicant's attorney understands that this rejection is limited to claims 1-10. Additionally, the applicant's attorney understands that amending claims 1-10 by inserting "electronically" ahead of the "receiving," "searching," and "contracting" actions would be sufficient to overcome this rejection. One or more of these three terms were found in claims 1-8. Therefore, claims 1-8 have been amended as described above. Accordingly, claims 1-10, as amended, are directed to proper patentable subject matter. Therefore, the applicant submits that claim rejections under 35 U.S.C. § 101 should be removed as a result of this amendment.

Claims 1-13 patentably distinguish over Katz.

The Examiner has rejected claims 1-13 under 35 U.S.C. § 102(e) as anticipated by Katz. The applicant respectfully disagrees.

Clearly, neither the instant application nor Katz pretends to have invented relational data base technology, but only makes claim to a use of that type of technology in electronic commerce.

Essentially, Katz describes a situation in electronic commerce where integrating a profile of a potential buyer with information known about persons having such a profile will facilitate suggesting additional commercial offers to the potential buyer. For example, a potential buyer identifies himself as John Doe, age 35 from Alaska, which allows the e-commerce merchant technology to query some database and disclose that 35 year olds like to buy bargain tickets to Las Vegas - so it makes good business sense to offer these tickets to John.

The instant application is not interested in this chain of e-commerce events whatsoever. The instant application is

concerned with property rights to information in the chain. For example, a database receiving the query knew that John Doe was from Alaska and knew that he is married but did not know that he was 35 years old. Now, is the value of knowing that John is 35 equal to the value of knowing that John is married - or does this represent an asymmetric information transfer - for which some economic credit must be given to the merchant or alternatively to the database.

Katz is silent and oblivious to the "knowledge transfer value" aspect of e-commerce - while the instant application is exclusively concerned with this aspect (e.g. the instant application's "brokerage representation model"). Katz presumes that profile information for the potential buyer either exists or doesn't - but makes no provisions whatsoever for the accumulation of new profile information in the course of the e-commerce nor especially for the economic exploitation of the new information as, for example, a commodity.

Simply stated, in a narrow context of electronic commerce and partial profiles therein, the Examiner may have misunderstood the meaning of "contracting" in the instant application. For Katz, "contracting" deals with exchanges of goods, service, or money between the potential buyer and the e-commerce merchant - even if the merchant consults database using profile information about the potential buyer. For the instant application, "contracting" deals with an exchange of information or economic credit between the e-commerce merchant and "the databank".

Furthermore, the instant application is concerned with applications beyond e-commerce, such as electronic advertising, and other information media transfer technologies.

Based on the above arguments, the applicant respectfully submits that Katz does not teach, nor suggest, the inventions recited in claims 1-13. Accordingly, Katz does not anticipate

claims 1-13 and applicant submits that claims 1-13 are currently in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, applicant submits that the present application is in condition for allowance. Notice of such allowance is hereby respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

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IPE
APR 09 2003
PATENT & TRADEMARK OFFICE

3629

Copy

AMENDMENT TRANSMITTAL LETTER

Attorney Docket No.: JMB 2/0005

Serial No.: 09/593,993	Filing Date: June 14, 2000	Examiner: Theople E. Stewart
Group Art Unit: 3629	Invention: A DESCRIPTIVE-PROFILE MERCANTILE METHOD	

To the Assistant Commissioner for Patents:

Transmitted herewith is a amendment in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	13	Minus	20	0	X 18	$ 0.00
Indep. Claims	4	Minus	4	0	X 84	$ 0.00

__X__ No additional fee is required.
_____ A check in the amount of $ _____ for additional claims is enclosed.
_____ A check in the amount of $ _____ for a _____ month extension of time is enclosed.
_____ Please charge $_____ to Deposit Account No. 06-0308 for _____.
__X__ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

Jay F. Moldovanyi

Date: April 3, 2003

RECEIVED
APR 10 2003
GROUP 3600

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CERTIFICATE OF MAILING

I hereby certify that this Amendment Transmittal Letter is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231, on April 3, 2003.

Kathleen A. Nimrichter

Kathleen A. Nimrichter

TH

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/593,993	06/14/2000	Roy Shkedi	JMB-2-0005	8221

7590 01/03/2003

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EXAMINER
STEWART, THEOPLIS E

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 01/03/2003

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

PTO-90C (Rev. 07-01)

Office Action Summary	Application No.	Applicant(s)
	09/593,993	SHKEDI, ROY
	Examiner	Art Unit
	Theoplis E Stewart	3629

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-13 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-13 is/are rejected.

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

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

Application Papers

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

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

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

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Detailed Action

Drawings

1. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing. Submitted drawing offers no further understanding of invention as is.

Claim Rejections - 35 USC § 101

2.0. 35 U.S.C. 101 reads as follows:

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

2-1. The claimed invention is primarily conceptual and lacks technological details. For example: receiving, searching, and contracting as applied in claimed steps do not necessarily require a computer or computer network implementation to accomplish applicant's objective. These same steps can equally be executed via manual intervention.

Claim Rejections - 35 USC § 102

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

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.0 Claims **1-13** are rejected under 35 U.S.C. 102(e) as being anticipated by Katz et al **(6,055,513).**

3.1. Regarding claim **1, 11, 12,** and **13**;

Katz discloses a descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of

- receiving a transaction having therein a first partial profile;(*Column 28, lines 11-14,* "obtaining primary transaction data with respect to the primary transaction, including the identity of the prospective customer and of the good or service for purchase in the primary transaction,") Whereas obtaining primary transaction data is receiving a transaction of profile data.

- searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; (*Column 28, lines 11-14,* "obtaining primary transaction data with respect to the primary transaction, including the identity of the prospective customer and of the good or service for purchase in the primary transaction,") Whereas the process identity of prospective customer step is similar to searching profiles on a databank.

- contracting for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; (*Column 28, lines 17-28*, " utilizing the identity of the prospective customer to obtain at least a second data element relating to the user, utilizing at least in part the primary transaction data including the identity of the good or service of the primary transaction and the second data element and determining at least one item for a prospective upsell transaction with the prospective customer, and offering the item to the prospective customer and receiving an acceptance of the offer from at least one user in real time during the course of the user initiated communication. ") Whereas primary data has been identified, and the gaining access to secondary data on an user to then enter into a purchase offer and acceptance. The steps in this process are known by both entities.

- contracting for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile. (*Column 28, lines 17-28*, " utilizing the identity of the prospective customer to obtain at least a second data element relating to the user, utilizing at least in part the primary transaction data including the identity of the good or service of the primary transaction and the second data element and determining at least one item for a prospective upsell transaction with the prospective customer, and offering the item to the prospective customer and receiving an acceptance of the offer from at least one user in real time during the course of the user initiated communication. ") Whereas after a

purchase of a product secondary data has been provided to complete the sale of a product. It is common for an user in the electronic marketplace to provide additional data to complete a sale. This is a mutually agreed upon transaction.

3-2. Regarding claim **2**;

Katz further discloses:

- receiving a transaction includes extracting at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the searching of the databank. (*Column 26, lines 13-17*, "Upon receiving an initial contact, the transaction type may be determined at step. Various identification determinations may be collected and then used in determining whether any limitations are to be applied.)

3-3. Regarding claim **3**;

Katz further discloses:

- extracting includes constructing at least one composite key for the searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile. (*Column 17, lines 48-60,* "ANI data, which may be utilized by the control unit 100 to retrieve information from the database particular to the customer. In addition to database 98, geographic designator programs exist which may be utilized to receive ANI data and to identify the geographic location of a customer such as by zip code, or more particularly, by zip code plus four. Based upon the retrieved information as provided to the live operator, a dialog is conducted relating to the primary transaction for which the customer made the primary or initial contact with the system. While handling the primary transaction, the system may access one or more databases, such as a credit database and a inventory database.") Whereas ANI data is captured and stored in a database for future use to identify a customer profile.

3-4. Regarding claim **4**;

Katz further discloses:

- contracting includes selecting a pricing structure according to a rating of the user. (*Column 13, lines 41-46*, "The term "upsell" means an offer or provision of a good or service which is selected for offer to the customer and differs from the good or service for which the primary contact was made. The term "upsell" is not limited to the context in which a primary transaction is intended to be a sales transaction, but additionally includes the offer of a good or service offered in accordance with the selection criteria of the invention even if the primary transaction is not principally sales motivated,") Throughout the specification of this Katz, the term upsell is used to imply further action is taken electronically to the databases, and further communication (offers) takes place with call of which is initiate by profile data already obtained in the database. An offer (agreement) is presented to the call to based on secondary data obtained on the call to

establish a sell. This would include establishing a price structure possibly offered to only to callers within a certain profile.

3-5. Regarding claim **5**;

Katz further discloses:

- contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.(*Column 2, lines 41-49*, "the caller may be prompted to enter an item number for purchase, utilizing an item number designation from the catalog or otherwise interact with the system to identify the good or service desired. Provision is made for user entry of payment information, such as the entry of a credit card number and type identifier") This step obligates the user to pay for product and service.

3-6. Regarding claim **6**;

Katz further discloses:

- incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile. (*Column 9, lines 23-27*, "Yet another aspect of primary transaction data may include customer identification data. Such data may be specific data in that it uniquely identifies the contact, such as in person specific data comprising an electronic address, an e-mail address, customer number, billing data or credit card number.") Whereas the plurality of personal data provides a level of credibility and places additional emphasis to the agreement.

3-7. Regarding claim **7**;

Katz further discloses:

- incorporating includes convoluting the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second probe; and storing the convoluted new credibility weighting for the agreed portion in the databank. (*Column 9, lines 57-62*, "The collection of input information for the system may be effected based upon local resident databases, such as a telemarketer's database, or through use of third party databases, such as credit card or credit worthiness databases, or possibly, a combination of both local and remote databases.") Whereas the combination of data from different databases are assigned credible weight between profiles. The combined data form a new set of credible information on an user.

3-8. Regarding claim **8**;

Katz further discloses:

- contracting includes selecting a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

3-9. Regarding claim **9**;

Katz further discloses:

- receiving a transaction includes consulting an external database. (*Column 9, lines 57-62*, "The collection of input information for the system may be effected based upon local resident databases, such as a telemarketer's database, or through use of third party databases, such as credit card or credit worthiness databases")

3-10. Regarding claim **10**;

Katz further discloses:

- searching at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and between the database and the databank, contracting for the databank to own or represent a right to a first mutually agreed portion of the complementing fist partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile. (*Column 9, lines 57-62*, "The collection of input information for the system may be effected based upon local resident databases, such as a telemarketer's database, or through use of third party databases, such as credit card or credit worthiness databases, or possibly, a combination of both local and remote databases.") Whereas the combination of data from different databases are assigned credible weight between profiles. Invention uses different databases in the process. The combined data form a new set of credible information on an user.

Pertinent Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Scroggie Michael et al (5970469) - consumers based on a consumer purchase history and transmitted to consumers' computers using electronic mail addresses stored in a consumer database
- Foreign: 200023928 WO 4-2000
- NPL: InfoUSA.com Partners With DoubleClick to Sell Advertising on its WEBsite; Business Wire; New York; April 13, 1999

Conclusion

Any communications concerning this communications or earlier communications from the examiner should be directed to Theoplis Stewart whose telephone number is (703) 305-5344. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) - 308-1113.

If in attempts to reach the examiner by phone is unsuccessfully, the examiner's supervisor, John Weiss can be reached at 703-308-2702. Responses to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C 20231

THOMAS A. DIXON
PRIMARY EXAMINER

12-11-02

T.E.S
TS

Notice of References Cited	Application/Control No. 09/593,993	Applicant(s)/Patent Under Reexamination SHKEDI, ROY	
	Examiner Theoplis E Stewart	Art Unit 3629	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6055513	04-2000	Katz et al	705/26
	B	US-6321212	11-2001	Lange et al	705/37
	C	US-5262942	11-1993	Earle et al	364/408
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	200023928	04-2000	WO	Alvin Hardwarestreet.com	G06F)17/60G06F 017
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	InfoUSA.com Partners With DoubleClick to Sell Advertising on its Web Site; Business Wire; New York; Apr 13 1999
	V	
	W	
	X	

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

	Type	Hits	Search Text	DBs	Time Stamp
1	BRS	1	mercantile same broker	USPAT; EPO; JPO; DERWENT	2002/12/11 15:54
2	BRS	0	(mercantile same broker) and profile	USPAT; EPO; JPO; DERWENT	2002/12/11 15:54
3	BRS	1	(mercantile same broker) and transaction	USPAT; EPO; JPO; DERWENT	2002/12/11 16:05
4	BRS	0	((mercantile same broker) and transaction) and databank	USPAT; EPO; JPO; DERWENT	2002/12/11 15:55
5	BRS	0	((mercantile same broker) and transaction) and database	USPAT; EPO; JPO; DERWENT	2002/12/11 15:55
6	BRS	0	((mercantile same broker) and transaction) and systems	USPAT; EPO; JPO; DERWENT	2002/12/11 15:59
7	BRS	0	((mercantile same broker) and transaction) and internet	USPAT; EPO; JPO; DERWENT	2002/12/11 15:59
8	BRS	0	((mercantile same broker) and transaction) and banks	USPAT; EPO; JPO; DERWENT	2002/12/11 16:05
9	BRS	1	((mercantile same broker) and transaction) and financial	USPAT; EPO; JPO; DERWENT	2002/12/11 16:06
10	BRS	40	mercantile and bank	USPAT; EPO; JPO; DERWENT	2002/12/17 11:12
11	BRS	6	((mercantile and bank) and (internet same servers))	USPAT; EPO; JPO; DERWENT	2002/12/17 12:33
12	BRS	0	((((mercantile and bank) and (internet same servers))) and (internet same cookies))	USPAT; EPO; JPO; DERWENT	2002/12/17 11:17
13	BRS	17	advertisment and sales	USPAT; EPO; JPO; DERWENT	2002/12/17 12:34
14	BRS	213	telemarketing and sales	USPAT; EPO; JPO; DERWENT	2002/12/17 12:34
15	BRS	2	(telemarketing and sales) and (advertisment and sales)	USPAT; EPO; JPO; DERWENT	2002/12/17 20:02
16	BRS	20	ecommerce and catalog	USPAT; EPO; JPO; DERWENT	2002/12/17 20:07
17	BRS	4	((ecommerce and catalog) and (order and agreement))	USPAT; EPO; JPO; DERWENT	2002/12/17 20:05
18	BRS	1	((((ecommerce and catalog) and (order and agreement))) and (product and merchant))	USPAT; EPO; JPO; DERWENT	2002/12/17 20:05

	Type	Hits	Search Text	DBs	Time Stamp
19	BRS	2828	(internet and (product and purchase))	USPAT; EPO; JPO; DERWENT	2002/12/17 20:09
20	BRS	205	(((internet and (product and purchase))) and (order and fulfillment))	USPAT; EPO; JPO; DERWENT	2002/12/17 20:10
21	BRS	86	(((((internet and (product and purchase))) and (order and fulfillment))) and (catalog and purchase))	USPAT; EPO; JPO; DERWENT	2002/12/17 20:11

#2

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/958,178	Wolfgang Leitl	3286-0178P

INTERNATIONAL APPLICATION NO.	
PCT/DE00/00905	
I.A. FILING DATE	PRIORITY DATE
03/24/2000	04/06/1999

2292
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

CONFIRMATION NO. 3378

371 ACCEPTANCE LETTER

OC000000007073856

Date Mailed: 11/15/2001

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.494 OR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495) , has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

10/05/2001	10/05/2001
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF RECEIPT OF ALL 35 U.S.C. REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** *The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).* Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- U.S. Basic National Fee
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

- Substitute Specification

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

BARBARA A CAMPBELL
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Roy Shkedi

For A DESCRIPTIVE-PROFILE MERCANTILE METHOD

Serial No. : 09/593,993

Filing Date : 14 June 2000

Attorney Docket No. : JMB 2 0005

Cleveland, Ohio 44114-2518
September 11, 2000

Assistant Commissioner For Patents
Washington, D.C. 20231

CLAIM FOR RIGHT OF PRIORITY

Dear Sir:

Pursuant to 37 C.F.R. §1.55 and MPEP §201.14, Applicant claims the benefit of the filing date of a prior Israel patent application having Application No. 133489, filed on December 13, 1999, under conditions specified in 35 U.S.C. §119.

A certified copy of the foreign application is being filed herewith.

Respectfully submitted,

September 11, 2000
Date

Jay F. Moldovanyi
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CERTIFICATE OF MAILING

I hereby certify that this **Claim For Right of Priority** is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231, on **September 11, 2000**.

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חוק הפטנטים, תשכ"ז - 1967
PATENT LAW, 5727-1967

ב ק ש ה ל פ ט נ ט
Application for Patent

לשימוש הלשכה
For Office Use

133484	מספר : Number
13 -12- 1999	תאריך : Date
	הוקדם/ נדחה Ante/Post-dated

אני, (שם המבקש, מענו ולגבי גוף מאוגד - מקום התאגדותו)
I (Name and address of applicant, and in case of body corporate-place of incorporation)

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A US Company

Inventor:
Roy Shkedi

בעל אמצאה מכח — הדין — שמה הוא

of an invention the title of which is — the Law — Owner, by virtue of

(בעברית)
(Hebrew) שיטה מסחרי של פרופיל תיאורי
(באנגלית)
(English) A DESCRIPTIVE-PROFILE MERCANTILE METHOD

מבקש בזאת כי ינתן לי עליה פטנט
hereby apply for a patent to be granted to me in respect thereof.

בקשת חלוקה Application of Division	בקשת פטנט מוסף Application for Patent Addition	דרישה דין קדימה Priority Claim		
מבקשת פטנט from Application	לבקשה / לפטנט to Patent / Appl.	מספר/סימן Number / Mark	תאריך Date	מדינת האגוד Convention Country
No._____ מס' dated_____ מיום	No._____ מס' dated_____ מיום			
יפוי כח: כללי / מיוחד / - רצוף בזה / עוד יוגש P.O.A. : general / individual-attached / to be filed later filed in case_____ הוגש בענין				
המען למסירת מסמכים בישראל: ירמיהו מ. בן-דוד ושות' בע"מ ת.ד. 45087 ירושלים 91450 Address for Service in Israel: Jeremy M. Ben-David & Co. Ltd. PO Box 45087 Jerusalem 91450				
חתימת המבקש Signature of Applicant		היום 13 בחודש דצמבר 1999 This 13 day of December of the year 1999		

Our ref.: ALM 307/1.1 מספרנו:

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This form, impressed with the Seal of the Patent Office and indicating the number and date of filing, certifies the filing of the application, the particulars of which are set out above.

שיטה מסחרי של פרופיל תיאורי

A DESCRIPTIVE-PROFILE MERCANTILE METHOD

AlmondNet, Inc.

ALM 307/1.1

A Descriptive-Profile Mercantile Method

שיטה מסחרי של פרופיל תיאורי

FIELD OF THE INVENTION

The present invention generally relates to a mercantile method.

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

BACKGROUND OF THE INVENTION

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

Sometimes, whole databases are merged to form higher precision data clusters. For example, voting turnout lists may be integrated with census data to

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

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

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

NOTICES

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

In describing the present invention, explanations are presented in light of currently accepted theories and models; be they scientific, economic,

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

GLOSSARY

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

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

Cookie: A text (or alphanumeric) string that is put on a computer hard disk of a visitor to a web site by the web site's server. The cookie enables the identification of the specific computer on its future visits to the web site. Each cookie is reported (by the computer browser) only to the web site server that installed that cookie. Therefore, it should be clearly understood that the only way for a third party to acquire cookie data is to receive that data from the server that installed that cookie, or from another third party who so acquired the data from a chain of parties going back to that cookie setting server, etc.

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

SUMMARY OF THE INVENTION

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

(a) from a user, receiving a transaction having therein a first partial profile;

(b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

(c) between the user and the databank, contracting:

i. for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii. for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

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

An electronically facilitated visitor to an Internet web-site presents his credentials. These credentials could be the visitor profile itself or a cookie or a

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

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

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

Secondly, the databank may contain new attributes that were not in the initial visitor credentials. In this case, the user is told that such attributes exist for purchase, what these new attributes describe (e.g. education level associated with the visitor), and the micro-payment royalty plus brokerage fee that is

charged for each respective attribute. If the user is interested in any of these attributes, then a contract is agreed to, resulting in a micro-payment transfer from the user to the broker and to the royalty owner, and a transfer of a copy of the attribute to the user (the buyer).

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

BRIEF DESCRIPTION OF THE FIGURES AND APPENDICES

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

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

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

Figure 3 illustrates a schematic view of a computer program product;

Figure 4 illustrates a schematic view of a program storage device; and

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

DETAILED DESCRIPTION OF THE INVENTION

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

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

(a) from a user (3), receiving (5) a transaction having therein a first partial profile;

(b) using the first partial profile, searching (6) a databank (7) having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

(c) between the user and the databank, contracting:

i. (10) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii. (9) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

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

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

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

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

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

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

i) **searching** at least one external database (11) for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, **contracting** for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile.

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

a) first computer readable program code (20) for causing a computer to **receive** a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code (21) for causing the computer to use the first partial profile to **search** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code (22) for causing the computer to **contract** between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to **incorporate** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to **transmit** to the user the second mutually agreed portion of the second profile.

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

a) from a user, **receiving** a transaction having therein a first partial profile;

b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, **contracting**:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

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

a) a computer (40) installed at a juncture in a data-communications topology (1);

b) associated with said computer, a storage device (42) for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances (41) for performing method steps including:

i) from a user, **receiving** a transaction having therein a first partial profile;

ii) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, **contracting**:

(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

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

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

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

In the context of the preferred embodiment of the present invention, "Information" relates to the collection of all Attributes known by a User about a Visitor.

In the context of the preferred embodiment of the present invention, "Pricing Structure" relates to the price and payments for Data exchanged by the User and the System.

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

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

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

In the context of the preferred embodiment of the present invention, "Transaction" relates to a process to complete a communicative activity between the parties that reciprocally affect or influence the other party. It may include a partial profile, an identification of the User, a reference to a contractual mechanism related to the acquisition, screening, and/or distribution of new Data and a Pricing Structure

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

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

INTRODUCTION

This invention relates to gaining an ability to buy, sell, broker, and trade specific pieces of Data between two disjoint parties within the context of a System that may include a Databank and that may include a micro-payment royalty arrangement as a Pricing Structure in connection with the aforesaid exchange of Data.

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

In the normal course of a Transaction between a User and an embodiment of a System according to the present invention a typical scenario ensues:

1. A Visitor arrives at a web site of the User. The web site of the User collects a variety of specific Data about the Visitor that may include the Visitor's cookie and any other Information that the Visitor voluntarily disclosed to the web site.
2. The web site has a number of interests in the Visitor and the Information that the web site possesses about the Visitor. In connection to a profile of the Visitor, there would be a benefit to the web site if the web site could acquire additional Information as to the specific Visitor or at least acquire typical profile Information about a class of individuals possessing similar profiles relative to the specific Visitor. Possession of such additional Information will enable the web site to engage in potentially more successful product offering and/or targeted

advertising to the Visitor. Another independent benefit that can accrue to the web site is to gain some economic remuneration for and as a function of the Information itself that the web site possesses about the Visitor.

In order for the web site to progress and to potentially achieve either or both of the above mentioned benefits (the improved targeted advertising (or improved product offering) to the Visitor as well as the gain of some economic remuneration of the Information itself about the Visitor); the web site now becomes a User of the System of the present invention. The web site as a User of the present invention constructs a Transaction that contain those portions of the Information it possesses about the Visitor that it is allowed to diverge to third parties.

The Transaction includes:

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

Thus, the User sends a Transaction in the Data communication typology where the System is installed; as for example, via the Internet, Intranet, LAN, WAN, wireless packet communications System, etc. Thereupon, the System receives the Transaction, identifies the User, interprets instructions sent concerning the Transaction's contractual terms and type, i.e. the applicable

contract and structure for using all or part of the Attributes contained in the Information (hereinafter, "First Visitor Profile Data " includes the profile of the visitor as known to the site, visitor information included in the communication protocol such as the information in the http header, profile attributes that enable the identification of the entity described by the profile by the databank such as name, address, URL, cookie put by the server connected to the databank and so forth. It should be noticed that the profile of the visitor known to the site mentioned above might not include certain attributes the User is not interested in exposing to the databank or attributes that are of no interest to the databank. For example, a databank that identifies web site visitors by the cookie its server put on their computers, could decide not to take 'real world identifying attributes' such as name, address and e-mail in order to give web surfers a level of anonymity

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

If it is the intent contained in the Transaction instructions of the User to purchase additional Attributes that may relate to the First Visitor Profile Data, then the System examines the profiles it has found in its search, determines if it has any new Attributes not sent by the User. In the event that the System has found new Attributes that had not been sent by the User, the System reviews the contract instructions of the Transaction in order to determine the relevance of the new Attributes found to the intent of the User. If the system finds the new attributes relevant then, the System will debt the User's account in

accordance with a pre-agreed Pricing Structure in connection with additional Attributes related to the First Visitor Profile Data that are delivered as Data to the User.

A non-limiting example of the principle of Data release in accordance with the User's contractual instructions is here in provided. It may be that in the contract with the User, the User has instructed that it is never interested in receiving any Data that not specifically relates to the visitor, meaning the user is not interested in information about an average profile of a group that the visitor might belongs to. Another example could be that the user has instructed that it is not interested in the habits of a visitor, but specifically only in information about his age, gender, education and income. (((the sentence in the brackets should be erased: in connection with the name of the Visitor. The reason may be to preclude the System from disclosing the name of the Visitor since the User always knows the name of the Visitor and has no interest in paying to re-learn what it already knows. Thus, in accordance with the contractual instructions, no new Attribute Data relating to information the user specified it is not interested in will either be sent, and since not sent; it will not be debited.

An alternative example is the case where the User only has an interest in a pre-defined - with in the Transactional instructions - set of Attributes. For example the User may only be interested in what type of car the Visitor drives, or what the Visitor's current credit rating is, or what may be most interesting example, what category of goods have been purchased by the Visitor over a pre-defined period. It is noted that elements of this last example may typically be a piece of Information that other typical Users trade with or sell to the System.

It should be noted that a user may restrict the use of attributes it sells to the databank. The restrictions could be of number of usage, to whom the databank has the permission to sell or to whom not to sell and so forth.

A second class of Data that is found by the System as it searches may equally be of value to the User. This is the search result that demonstrate

discrepancies between the disclosure of Information by the User to the System and the results of the search by the System. The fact that there is a discrepancy as well as the nature thereof may be of value to the User, the System, or both.

A third category is the example where there may be pieces of Information of the User in the descriptive portion of the Transaction that describes the Visitor which the search by the System failed to disclose. For example, the make and model of the car driven by the Visitor of a recent purchase from the User's web site might be the new Information otherwise unknown to the System. In this instance, the System would go through an appropriate contractual arrangement in order to credit the User for the new Attribute which the User has delivered to the System.

The various kinds of contracts available in a Transaction between the System and the User are: buy, sell, broker, and trade. Where new Information is disclosed to the System a royalty arrangement (or, alternatively, an outright purchase or sale) comprised of micro payments may be employed. In addition to the various kinds of contracts, there are various types of Users. A User may be a large scale commercial web site or an individual small scale web page. Furthermore, there may be different types of rate structures. An audited User where the Users have taken efforts to verify Information relative to a User, as for example a credit bureau, would have a different payment rate for new Information that it discloses to the System than from a User with Information that is neither audited not verified but which is causal.

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

In addition to profiles of a Visitor it may be of interest to allow an embodiment of the invention to create a type of secondary market for the Information consisting of a predetermined class of profiles about all Visitors. For example it may be of interest to know what type of individuals, their profession, income, gender, and geographic location buy a certain model of

vehicle. The purchase, sale, trade, and/or brokerage of this class of Data can than enter a mercantile model and may be of significant interest to advertisers.

DESCRIPTION

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

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

Since the present invention is directed to the value of details of a profile; it is an object of the present invention to facilitate transfer of rights to such particulars. For example, a visitor may arrive at a commercial Internet web-site. The visitor may disclose his cookie and may provide the web-site with other facts about the Visitor on a non-confidential basis. The web site

may then contact a juncture in a Data-communications topology where the present method is installed. According to one scenario, the web-site is a familiar User of the present method, and has pre-arranged the terms and conditions of what Information he may wish to transfer rights to. For example, after considering the web-site transmission containing the non-confidential disclosed Information, the System may find that all of the Information already recorded in its Databank with the single exception of the visitor's annual income. By prearranged contract details, the web-site is given a predetermined micro-payment credit for providing this detail. Alternatively, by prearranged contract the Databank agrees to store this User Attribute and to credit the providing web-site with a micro-payment royalty for each use of this Attribute "purchased" from the Databank by each interested party.

Likewise, according to the same prearranged contractual arrangements between the User and the Databank, the Databank may find that it represents a right to an Attribute that has not been disclosed to it by the User. In this example, the System's Databank may then transmit a query to the User in the form: "for the identified visitor (detail from original Transaction inserted), are you interested in the following Attributes according to the associated payment conditions: (education level, micro-payment price schedule 1), (gender, micro-payment price schedule 2), etc.?"

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

Initially a User will interface with the System by providing the System's Databank with a partial profile consisting of at least one Attribute which will enable the identification of the entity described by the profile in the System's databank (the attribute could be for example, the cookie installed on the visitor's computer (the visitor to a web site which is a user of the system of course) by the server attached to the databank. The User enables

the server attached to the databank to receive the cookie it installed by redirecting a portion of the visitor page to the Databank's server) . For example a company might provide the System with a name of one of its customers. This step sets the process in motion. For once there is an initiation by contribution of an initial Attribute list by the User, the System will search existing Data in the Databank.

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

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

Once there is a coupling of the first partial profile of the User with a second partial profile existing in the Databank, a contract can be formed

between the User and the System related to the new Information set which has resulted. The contract should provide that the System will own or acquire a license to utilize an agreed portion of the first partial profile which has been confirmed and at some time thereafter the System will incorporate the agreed portion of the first profile into at least one second partial profile in the System's Databank.

For example the name of an individual (an initial partial profile provided by the User) when coupled with age (a second partial profile provided by another use, inherent in the System's Databank, or acquired by the System searching other Databases will provide a partial second profile of certain demographic value consisting of name and age. If for example other partial profiles are found to correspond to gender, geographic address, and/or general income there is a further enhancement of the partial second profile which results in a gain in the value of the Information residing or incorporated from other Databases into the System's Databank and offered for exchange in accordance with the terms and instructions existing between the User and the System.

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

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

Alternatively the descriptive profile mercantile method might do both of the above by providing ownership or license to use certain Information gleaned by the coupling of an initial partial profile with a second partial profile to both

the System and the User. For example the System's Databank might retain the use of the names and addresses of insurance agents and their actuarial calculations residing in a geographical area proximate to the driver mentioned in the above paragraph while a User (in this case the driver himself) might retain the name and address of the insurance agents willing to offer him insurance.

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

An "interest" expressed by a User and the System, as to what these parties define between them as relevant Data, may be expressed by the User and the System in a Pricing Structure. The Pricing Structure will include a contract between the User and the System that will include an obligation by the party which utilizes the Information flowing to the System's Databank to pay the other for substantially each use or transfer of the agreed Information transferred between them. Instant Data may or may not be ephemeral, however

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

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

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

responses. The aforesaid quality value will have a predetermined monetary or other agreed "barter" value between the parties.

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

Furthermore, the preferred embodiment may embrace a further possible variations, i.e. an assignment by the contracting participants and/or the Databank, per se, of a credibility rating to the agreed portion of the first partial profile. Coupling of the first partial profile with a second partial profile result in verification/confirmation of the first partial profile and second partial profile or contradiction/down grading of the credibility of the first partial profile and/or the second partial profile. By example, the first partial profile contains the name of Joe Blue, the Information that he is male, and the Information that he lives in Mississippi. However the corresponding second partial profile associated with Joe Blue contains the Information that he is a she (real name Josephine) and that she lives in Mississippi. The verification - perhaps- of the name is of dubious value in and of itself. However, in the event that for a

certainty it can be established that Joe Blue is really Josephine Blue and that the gender is female rather than male; then to a User of the Information the validation or disqualification of the Information has significant results. Assume if you would that the User of the Information is an advertiser of beauty care products; the fact that Joe is male or female can result in an advertisement of beauty care products to specifically targeted to the profile - in this case, male or female. In this instant case the User (the advertiser) will assign a value to the credibility of the Information.

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

A further variation of the preferred embodiment incorporates an agreed portion of the Data and assigns a credibility rating to the agreed portion of the first profile. This is accomplished by assigning a credibility rating of the first profile with a pre-existing credibility rating of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the System's Databank. This may result in an

interesting result. When the participants select a Pricing Structure in accordance with a predetermined corresponding rating of the utility value of the partial Attributes; the result of the continuous re-calibration of new Information with existing Information and a predetermined agreement by the parties as to the various value rating of an Attribute.

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

Another particularly useful variation of the preferred embodiment of the invention includes within it the possibility of consultation by the System with an external Database or external Databases. For example, the System is not restricted to searching the existing Attributes residing within its own Databank. Rather, the System is capable of acting as a first partial profile User to other Databases, searching them, trading Information with them or borrowing, renting, or purchasing other Attributes with them. Thus the Information related to credit worthiness Attributes of Ms. Blue of the previous example might reside in a Database owned by a credit company. Nonetheless, as per the example, the System would be able to utilize the Information resident in the credit company's Database for its own purposes related to the Transaction with the User.

Furthermore the preferred embodiment may embrace other possible variations, including an ability to search one or more external Databases for a partial profile, or part thereof which complements at least one second partial profile of the System's Databank. In the example of Ms. Blue; the name may be resident in the Databank as well as a number of different external Databases. Other Attributes may reside as well either in the Databank or in one or more external Databases. Nonetheless the result by search, correlation, and rating of

the Information in the Databank and the Databases results in both an expanded profile and a higher rating as to credibility of the partial profile existing both in the Databank and in the other Databases.

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

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

CLAIMS

1. A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:
   a) from a user, **receiving** a transaction having therein a first partial profile;
   b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;
   c) between the user and the databank, **contracting**:
      i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or
      ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

2. The method according to claim 1 wherein **receiving** a transaction includes **extracting** at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the searching of the databank.

3. The method according to claim 2 wherein **extracting** includes **constructing** at least one composite key for the searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. The method according to claim 1 wherein **contracting** includes **selecting** a pricing structure according to a rating of the user.

5. The method according to claim 1 wherein **contracting** a right includes **accepting** an obligation to pay for substantially each use or transfer of the agreed portion.

6. The method according to claim 1 wherein **incorporating** the agreed portion includes **assigning** a credibility weighting to the agreed portion of the first profile.

7. The method according to claim 6 wherein **incorporating** includes **convoluting** the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and **storing** the convoluted new credibility weighting for the agreed portion in the databank.

8. The method according to claim 7 wherein **contracting** includes **selecting** a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. The method according to claim 1 wherein **receiving** a transaction includes **consulting** an external database.

a) The method according to claim 1 further including

i) **searching** at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, **contracting** for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially

thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile.

10. A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to **receive** a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to **search** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code for causing the computer to **contract** between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to **incorporate** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to **transmit** to the user the second mutually agreed portion of the second profile.

11. A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a

data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

a) from a user, **receiving** a transaction having therein a first partial profile;

b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, **contracting**:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

12. A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a user, **receiving** a transaction having therein a first partial profile;

ii) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always

yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, **contracting**:

(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

For the Applicant

By: *Jeremy M. Ben-David & Co. Ltd.*

Fig. 1

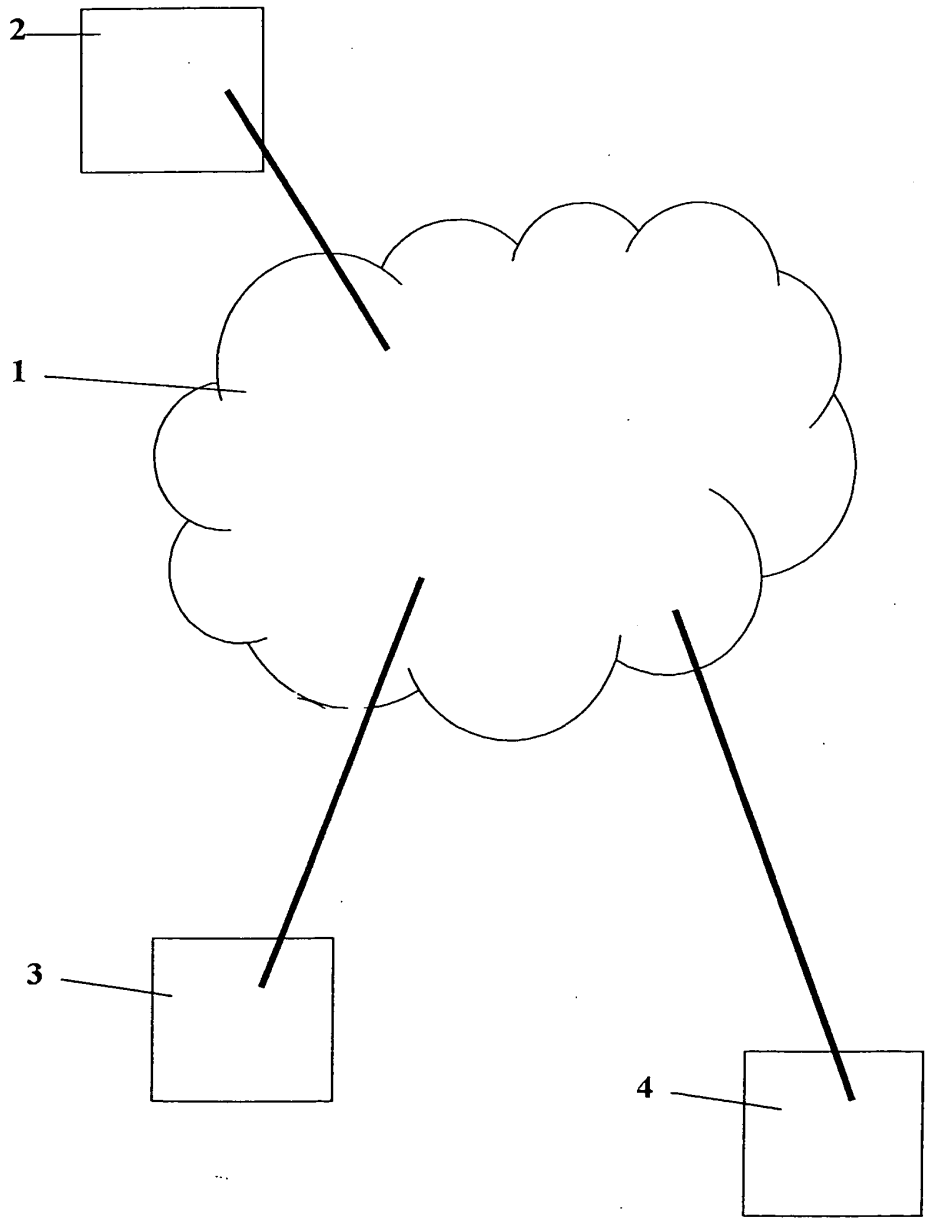


Fig. 2

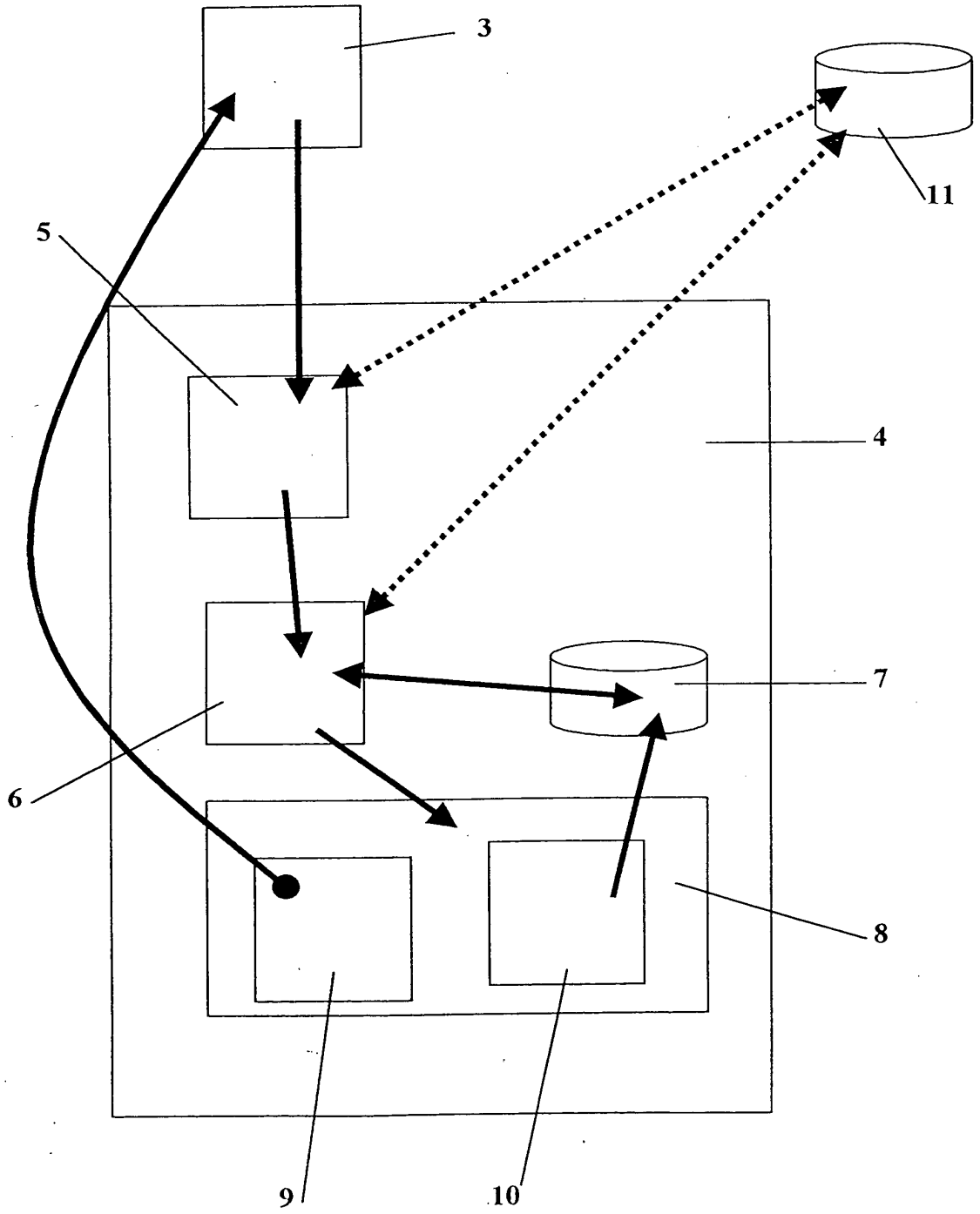


Fig. 3

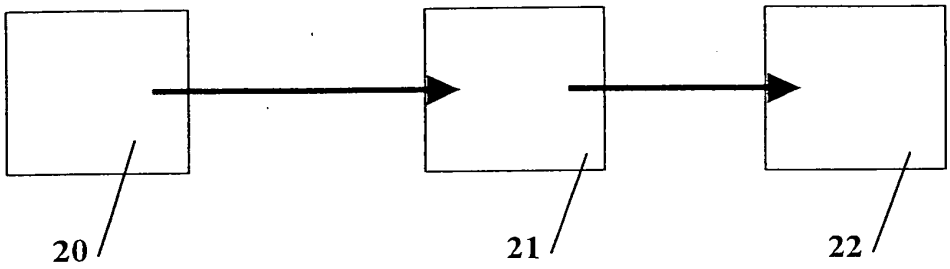
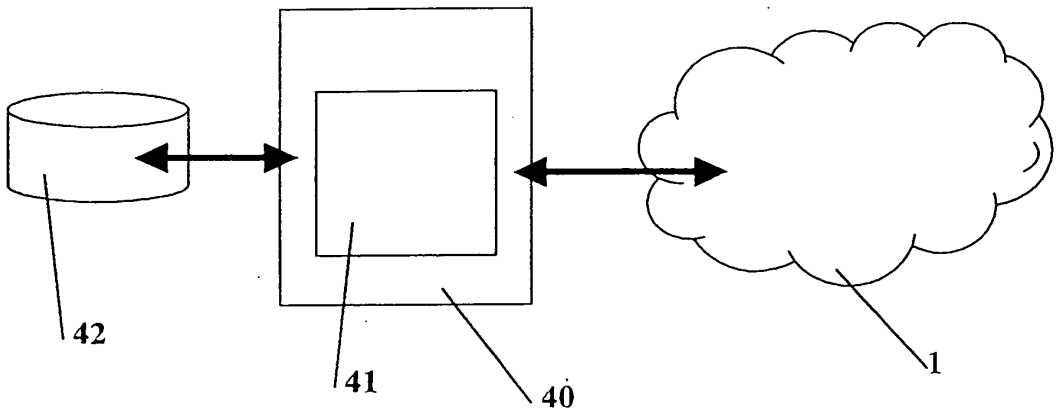


Fig. 4



Fig. 5



6-15-00 A

Attorney's Docket No. JMB 2 0005

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PATENT APPLICATION TRANSMITTAL LETTER

Assistant Commissioner
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Washington, DC 20231-9999

jc545 U.S. PTO
09/593993
06/14/00

Transmitted herewith for filing is a patent application of:

Roy Shkedi

for A DESCRIPTIVE-PROFILE MERCANTILE METHOD

Enclosed are:

[x]	28 sheets of specification.
[x]	1 sheet of Abstract.
[x]	5 sheets of claims.
[x]	3 sheets of formal drawings (FIGS. 1 - 5)
[x]	Assignment of an invention to AlmondNet, Inc., along with the assignment cover sheet is enclosed.
[x]	Declaration.
[ ]	A Preliminary Amendment
[ ]	Information Disclosure Statement and PTO-1449.
[x]	Small Entity Statement.
[ ]	Certified copy of _____ application No. _____ filed on _____, along with a translation of the first page.

CLAIMS AS FILED

FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	13	0	[ ] $18 LARGE [ ] $9 SMALL	$ .00
INDEPENDENT CLAIMS	4	1	[ ] $78 LARGE [X] $39 SMALL	39.00
BASIC FEE	[ ] LARGE ENTITY $690		[X] SMALL ENTITY $345	
			TOTAL FILING FEE	$384.00

[ ] Please charge my Deposit Account No. in the amount of $_____.

[x] The Commissioner is hereby authorized to charge any additional filing fees which may be required for this application without specific authorization, or credit any overpayment to Deposit Account No. 06-0308.

[x] Checks in the amount of $ 384.00 to cover the small entity filing fee and $ 40.00 to cover the assignment recordal fee are enclosed.

14 June 2000
Date

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Ben Trella

PATENT

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IN RE APPLICATION OF	: Roy Shkedi
FOR	: A DESCRIPTIVE-PROFILE MERCANTILE METHOD
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STATEMENT OF STATUS AS A SMALL BUSINESS ENTITY

Assistant Commissioner for Patents
Box Application
Washington, D.C. 20231

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That he is an officer of the assignee, AlmondNet, Inc., and is empowered to act on behalf of the assignee;

That the above listed assignee qualifies as a small business concern as defined in § 1.9(d), in that the above listed assignee, together with all of its affiliates combined had fewer than five hundred (500) employees including full-time, part-time, and temporary employees on the average during each pay period of the previous fiscal year of the assignee and its affiliates; and,

That the exclusive rights to the invention have been conveyed to and remain with the small business concern or, if the rights are not exclusive, that all other rights belong to small entities as defined in 37 C.F.R. §1.9 and that the assignee has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

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The undersigned further declares that all statements made herein of his 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 and false statements may jeopardize the validity of the application or any patent issuing thereon.

ALMONDNET, INC.

By Roy Shaed

Name Roy Shaed

Title President

Date: 6/6/00

0054-0003 09/669,154 06/06/00

A Descriptive-Profile Mercantile Method

FIELD OF THE INVENTION

The present invention generally relates to a mercantile method.

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

BACKGROUND OF THE INVENTION

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

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

Unfortunately, the current state of information commerce is focused on the sales of whole databases, whole records, or evaluations based on single or clusters of records. In commercial applications where specific attributes of

information strongly effect the value of evaluations, there is a need in the art for commerce in such attributes. For example, in targeted advertising, every attribute, which substantially effects the probability of that advertisement's success, innately has a discrete economic value. Likewise, in actuarial calculations, how precisely a client can be profiled determines what the probability of profiting from such a client.

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

NOTICES

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

In describing the present invention, explanations are presented in light of currently accepted theories and models; be they scientific, economic, sociological, etc. Such theories and models are subject to changes, both adiabatic and radical. Often these changes occur because representations for fundamental component elements are innovated, because new transformations between these elements are conceived, or because new interpretations arise for these elements or for their transformations. Therefore, it is important to note that the present invention relates to specific technological actualization in embodiments. Accordingly, theory or model dependent explanations herein, related to these embodiments, are presented for the purpose of teaching, the current man of the art or the current team of the art, how these embodiments

may be substantially realized in practice. Alternative or equivalent explanations for these embodiments may neither deny nor alter their realization.

GLOSSARY

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

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

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

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

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

SUMMARY OF THE INVENTION

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

(a) from a user, receiving a transaction having therein a first partial profile;

(b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

(c) between the user and the databank, contracting:

i. for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii. for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

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

An electronically facilitated visitor to an Internet web-site presents his credentials. These credentials could be the visitor profile itself or a cookie or a user name and so forth that enables the site to retrieve the visitor profile or any combination of the above. Of course, it could be that the site does not have a profile of the visitor to that web-site. The web-site may make better profit from the visitation if it were to know more about the visitor. The web-site forwards particulars from the visitor's credentials (a partial profile), as well as (optionally) a redirect to a portion of the visitor's page to a server located in cyberspace (at a juncture in a data communications topology). By redirecting a portion of the visitor's page to the server, the visitor's browser reports to the

server a cookie the server put on the visitor's computer in the past, if any. This server interconnects the user's transactions and the server own cookie (if used) with a computer having therein software for running the method of the present invention. Associated with the computer is a databank, having therein an organized ensemble of information attributes.

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

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

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

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

BRIEF DESCRIPTION OF THE FIGURES AND APPENDICES

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

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

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

Figure 3 illustrates a schematic view of a computer program product;

Figure 4 illustrates a schematic view of a program storage device; and

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

DETAILED DESCRIPTION OF THE INVENTION

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

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

(a) from a user (3), receiving (5) a transaction having therein a first partial profile;

(b) using the first partial profile, searching (6) a databank (7) having a plurality of second partial profiles, wherein is included in said databank at

least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

(c) between the user and the databank, contracting:

i. (10) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii. (9) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

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

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

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

According to a further embodiment of the present invention, incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile. According to a variation of this embodiment,

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

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

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

i) **searching** at least one external database (11) for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, **contracting** for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile.

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

a) first computer readable program code (20) for causing a computer to **receive** a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code (21) for causing the computer to use the first

partial profile to **search** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code (22) for causing the computer to **contract** between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to **incorporate** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to **transmit** to the user the second mutually agreed portion of the second profile.

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

a) from a user, **receiving** a transaction having therein a first partial profile;

b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, **contracting**:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter

said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

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

a) a computer (40) installed at a juncture in a data-communications topology (1);

b) associated with said computer, a storage device (42) for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances (41) for performing method steps including:

i) from a user, **receiving** a transaction having therein a first partial profile;

ii) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, **contracting**:

(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the

databank **transmitting** to the user the second mutually agreed portion of the second profile.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

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

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

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

In the context of the preferred embodiment of the present invention, "Information" relates to the collection of all Attributes known by a User about a Visitor.

In the context of the preferred embodiment of the present invention, "Pricing Structure" relates to the price and payments for Data exchanged by the User and the System.

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

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

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

In the context of the preferred embodiment of the present invention, "Transaction" relates to a process to complete a communicative activity between the parties that reciprocally affect or influence the other party. It may include a partial profile, an identification of the User, a reference to a contractual mechanism related to the acquisition, screening, and/or distribution of new Data and a Pricing Structure

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

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

INTRODUCTION

This invention relates to gaining an ability to buy, sell, broker, and trade specific pieces of Data between two disjoint parties within the context of a System that may include a Databank and that may include a micro-payment royalty arrangement as a Pricing Structure in connection with the aforesaid exchange of Data.

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

In the normal course of a Transaction between a User and an embodiment of a System according to the present invention a typical scenario ensues:

1. A Visitor arrives at a web site of the User. The web site of the User collects a variety of specific Data about the Visitor that may include the Visitor's cookie and any other Information that the Visitor voluntarily disclosed to the web site.
2. The web site has a number of interests in the Visitor and the Information that the web site possesses about the Visitor. In connection to a profile of the Visitor, there would be a benefit to the web site if the web site could acquire additional Information as to the specific Visitor or at least acquire typical profile Information about a class of individuals possessing similar profiles relative to the specific Visitor. Possession of such additional Information will enable the web site to engage in potentially more successful product offering and/or targeted

advertising to the Visitor. Another independent benefit that can accrue to the web site is to gain some economic remuneration for and as a function of the Information itself that the web site possesses about the Visitor.

In order for the web site to progress and to potentially achieve either or both of the above mentioned benefits (the improved targeted advertising (or improved product offering) to the Visitor as well as the gain of some economic remuneration of the Information itself about the Visitor); the web site now becomes a User of the System of the present invention. The web site as a User of the present invention constructs a Transaction that contain those portions of the Information it possesses about the Visitor that it is allowed to diverge to third parties.

The Transaction includes:

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

Thus, the User sends a Transaction in the Data communication typology where the System is installed; as for example, via the Internet, Intranet, LAN, WAN, wireless packet communications System, etc. Thereupon, the System receives the Transaction, identifies the User, interprets instructions sent concerning the Transaction's contractual terms and type, i.e. the applicable

contract and structure for using all or part of the Attributes contained in the Information (hereinafter, "First Visitor Profile Data " includes the profile of the visitor as known to the site, visitor information included in the communication protocol such as the information in the http header, profile attributes that enable the identification of the entity described by the profile by the databank such as name, address, URL, cookie put by the server connected to the databank and so forth. It should be noticed that the profile of the visitor known to the site mentioned above might not include certain attributes the User is not interested in exposing to the databank or attributes that are of no interest to the databank. For example, a databank that identifies web site visitors by the cookie its server put on their computers, could decide not to take 'real world identifying attributes' such as name, address and e-mail in order to give web surfers a level of anonymity

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

If it is the intent contained in the Transaction instructions of the User to purchase additional Attributes that may relate to the First Visitor Profile Data, then the System examines the profiles it has found in its search, determines if it has any new Attributes not sent by the User. In the event that the System has found new Attributes that had not been sent by the User, the System reviews the contract instructions of the Transaction in order to determine the relevance of the new Attributes found to the intent of the User. If the system finds the new attributes relevant then, the System will debt the User's account in

accordance with a pre-agreed Pricing Structure in connection with additional Attributes related to the First Visitor Profile Data that are delivered as Data to the User.

A non-limiting example of the principle of Data release in accordance with the User's contractual instructions is here in provided. It may be that in the contract with the User, the User has instructed that it is never interested in receiving any Data that not specifically relates to the visitor, meaning the user is not interested in information about an average profile of a group that the visitor might belongs to. Another example could be that the user has instructed that it is not interested in the habits of a visitor, but specifically only in information about his age, gender, education and income. (((the sentence in the brackets should be erased: in connection with the name of the Visitor. The reason may be to preclude the System from disclosing the name of the Visitor since the User always knows the name of the Visitor and has no interest in paying to re-learn what it already knows. Thus, in accordance with the contractual instructions, no new Attribute Data relating to information the user specified it is not interested in will either be sent, and since not sent; it will not be debited.

An alternative example is the case where the User only has an interest in a pre-defined - with in the Transactional instructions - set of Attributes. For example the User may only be interested in what type of car the Visitor drives, or what the Visitor's current credit rating is, or what may be most interesting example, what category of goods have been purchased by the Visitor over a pre-defined period. It is noted that elements of this last example may typically be a piece of Information that other typical Users trade with or sell to the System.

It should be noted that a user may restrict the use of attributes it sells to the databank. The restrictions could be of number of usage, to whom the databank has the permission to sell or to whom not to sell and so forth.

A second class of Data that is found by the System as it searches may equally be of value to the User. This is the search result that demonstrate

discrepancies between the disclosure of Information by the User to the System and the results of the search by the System. The fact that there is a discrepancy as well as the nature thereof may be of value to the User, the System, or both.

A third category is the example where there may be pieces of Information of the User in the descriptive portion of the Transaction that describes the Visitor which the search by the System failed to disclose. For example, the make and model of the car driven by the Visitor of a recent purchase from the User's web site might be the new Information otherwise unknown to the System. In this instance, the System would go through an appropriate contractual arrangement in order to credit the User for the new Attribute which the User has delivered to the System.

The various kinds of contracts available in a Transaction between the System and the User are: buy, sell, broker, and trade. Where new Information is disclosed to the System a royalty arrangement (or, alternatively, an outright purchase or sale) comprised of micro payments may be employed. In addition to the various kinds of contracts, there are various types of Users. A User may be a large scale commercial web site or an individual small scale web page. Furthermore, there may be different types of rate structures. An audited User where the Users have taken efforts to verify Information relative to a User, as for example a credit bureau, would have a different payment rate for new Information that it discloses to the System than from a User with Information that is neither audited not verified but which is causal.

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

In addition to profiles of a Visitor it may be of interest to allow an embodiment of the invention to create a type of secondary market for the Information consisting of a predetermined class of profiles about all Visitors. For example it may be of interest to know what type of individuals, their profession, income, gender, and geographic location buy a certain model of

vehicle. The purchase, sale, trade, and/or brokerage of this class of Data can than enter a mercantile model and may be of significant interest to advertisers.

DESCRIPTION

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

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

Since the present invention is directed to the value of details of a profile; it is an object of the present invention to facilitate transfer of rights to such particulars. For example, a visitor may arrive at a commercial Internet web-site. The visitor may disclose his cookie and may provide the web-site with other facts about the Visitor on a non-confidential basis. The web site

may then contact a juncture in a Data-communications topology where the present method is installed. According to one scenario, the web-site is a familiar User of the present method, and has pre-arranged the terms and conditions of what Information he may wish to transfer rights to. For example, after considering the web-site transmission containing the non-confidential disclosed Information, the System may find that all of the Information already recorded in its Databank with the single exception of the visitor's annual income. By prearranged contract details, the web-site is given a predetermined micro-payment credit for providing this detail. Alternatively, by prearranged contract the Databank agrees to store this User Attribute and to credit the providing web-site with a micro-payment royalty for each use of this Attribute "purchased" from the Databank by each interested party.

Likewise, according to the same prearranged contractual arrangements between the User and the Databank, the Databank may find that it represents a right to an Attribute that has not been disclosed to it by the User. In this example, the System's Databank may then transmit a query to the User in the form: "for the identified visitor (detail from original Transaction inserted), are you interested in the following Attributes according to the associated payment conditions: (education level, micro-payment price schedule 1), (gender, micro-payment price schedule 2), etc.?"

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

Initially a User will interface with the System by providing the System's Databank with a partial profile consisting of at least one Attribute which will enable the identification of the entity described by the profile in the System's databank (the attribute could be for example, the cookie installed on the visitor's computer (the visitor to a web site which is a user of the system of course) by the server attached to the databank. The User enables

the server attached to the databank to receive the cookie it installed by redirecting a portion of the visitor page to the Databank's server) . For example a company might provide the System with a name of one of its customers. This step sets the process in motion. For once there is an initiation by contribution of an initial Attribute list by the User, the System will search existing Data in the Databank.

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

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

Once there is a coupling of the first partial profile of the User with a second partial profile existing in the Databank, a contract can be formed

between the User and the System related to the new Information set which has resulted. The contract should provide that the System will own or acquire a license to utilize an agreed portion of the first partial profile which has been confirmed and at some time thereafter the System will incorporate the agreed portion of the first profile into at least one second partial profile in the System's Databank.

For example the name of an individual (an initial partial profile provided by the User) when coupled with age (a second partial profile provided by another use, inherent in the System's Databank, or acquired by the System searching other Databases will provide a partial second profile of certain demographic value consisting of name and age. If for example other partial profiles are found to correspond to gender, geographic address, and/or general income there is a further enhancement of the partial second profile which results in a gain in the value of the Information residing or incorporated from other Databases into the System's Databank and offered for exchange in accordance with the terms and instructions existing between the User and the System.

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

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

Alternatively the descriptive profile mercantile method might do both of the above by providing ownership or license to use certain Information gleaned by the coupling of an initial partial profile with a second partial profile to both

the System and the User. For example the System's Databank might retain the use of the names and addresses of insurance agents and their actuarial calculations residing in a geographical area proximate to the driver mentioned in the above paragraph while a User (in this case the driver himself) might retain the name and address of the insurance agents willing to offer him insurance.

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

An "interest" expressed by a User and the System, as to what these parties define between them as relevant Data, may be expressed by the User and the System in a Pricing Structure. The Pricing Structure will include a contract between the User and the System that will include an obligation by the party which utilizes the Information flowing to the System's Databank to pay the other for substantially each use or transfer of the agreed Information transferred between them. Instant Data may or may not be ephemeral, however

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

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

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

responses. The aforesaid quality value will have a predetermined monetary or other agreed "barter" value between the parties.

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

Furthermore, the preferred embodiment may embrace a further possible variations, i.e. an assignment by the contracting participants and/or the Databank, per se, of a credibility rating to the agreed portion of the first partial profile. Coupling of the first partial profile with a second partial profile result in verification/confirmation of the first partial profile and second partial profile or contradiction/down grading of the credibility of the first partial profile and/or the second partial profile. By example, the first partial profile contains the name of Joe Blue, the Information that he is male, and the Information that he lives in Mississippi. However the corresponding second partial profile associated with Joe Blue contains the Information that he is a she (real name Josephine) and that she lives in Mississippi. The verification - perhaps- of the name is of dubious value in and of itself. However, in the event that for a

certainty it can be established that Joe Blue is really Josephine Blue and that the gender is female rather than male; then to a User of the Information the validation or disqualification of the Information has significant results. Assume if you would that the User of the Information is an advertiser of beauty care products; the fact that Joe is male or female can result in an advertisement of beauty care products to specifically targeted to the profile - in this case, male or female. In this instant case the User (the advertiser) will assign a value to the credibility of the Information.

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

A further variation of the preferred embodiment incorporates an agreed portion of the Data and assigns a credibility rating to the agreed portion of the first profile. This is accomplished by assigning a credibility rating of the first profile with a pre-existing credibility rating of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the System's Databank. This may result in an

interesting result. When the participants select a Pricing Structure in accordance with a predetermined corresponding rating of the utility value of the partial Attributes; the result of the continuous re-calibration of new Information with existing Information and a predetermined agreement by the parties as to the various value rating of an Attribute.

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

Another particularly useful variation of the preferred embodiment of the invention includes within it the possibility of consultation by the System with an external Database or external Databases. For example, the System is not restricted to searching the existing Attributes residing within its own Databank. Rather, the System is capable of acting as a first partial profile User to other Databases, searching them, trading Information with them or borrowing, renting, or purchasing other Attributes with them. Thus the Information related to credit worthiness Attributes of Ms. Blue of the previous example might reside in a Database owned by a credit company. Nonetheless, as per the example, the System would be able to utilize the Information resident in the credit company's Database for its own purposes related to the Transaction with the User.

Furthermore the preferred embodiment may embrace other possible variations, including an ability to search one or more external Databases for a partial profile, or part thereof which complements at least one second partial profile of the System's Databank. In the example of Ms. Blue; the name may be resident in the Databank as well as a number of different external Databases. Other Attributes may reside as well either in the Databank or in one or more external Databases. Nonetheless the result by search, correlation, and rating of

the Information in the Databank and the Databases results in both an expanded profile and a higher rating as to credibility of the partial profile existing both in the Databank and in the other Databases.

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

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

CLAIMS

1. A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:
   a) from a user, **receiving** a transaction having therein a first partial profile;
   b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;
   c) between the user and the databank, **contracting**:
      i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or
      ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

2. The method according to claim 1 wherein **receiving** a transaction includes **extracting** at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the searching of the databank.

3. The method according to claim 2 wherein **extracting** includes **constructing** at least one composite key for the searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. The method according to claim 1 wherein **contracting** includes **selecting** a pricing structure according to a rating of the user.

5. The method according to claim 1 wherein **contracting** a right includes **accepting** an obligation to pay for substantially each use or transfer of the agreed portion.

6. The method according to claim 1 wherein **incorporating** the agreed portion includes **assigning** a credibility weighting to the agreed portion of the first profile.

7. The method according to claim 6 wherein **incorporating** includes **convoluting** the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and **storing** the convoluted new credibility weighting for the agreed portion in the databank.

8. The method according to claim 7 wherein **contracting** includes **selecting** a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. The method according to claim 1 wherein **receiving** a transaction includes **consulting** an external database.

10. The method according to claim 1 further including

i) **searching** at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, **contracting** for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially

thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile.

11. A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to **receive** a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to **search** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code for causing the computer to **contract** between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to **incorporate** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to **transmit** to the user the second mutually agreed portion of the second profile.

12. A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a

data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

a) from a user, **receiving** a transaction having therein a first partial profile;

b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, **contracting**:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

13. A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a user, **receiving** a transaction having therein a first partial profile;

ii) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always

yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, **contracting**:

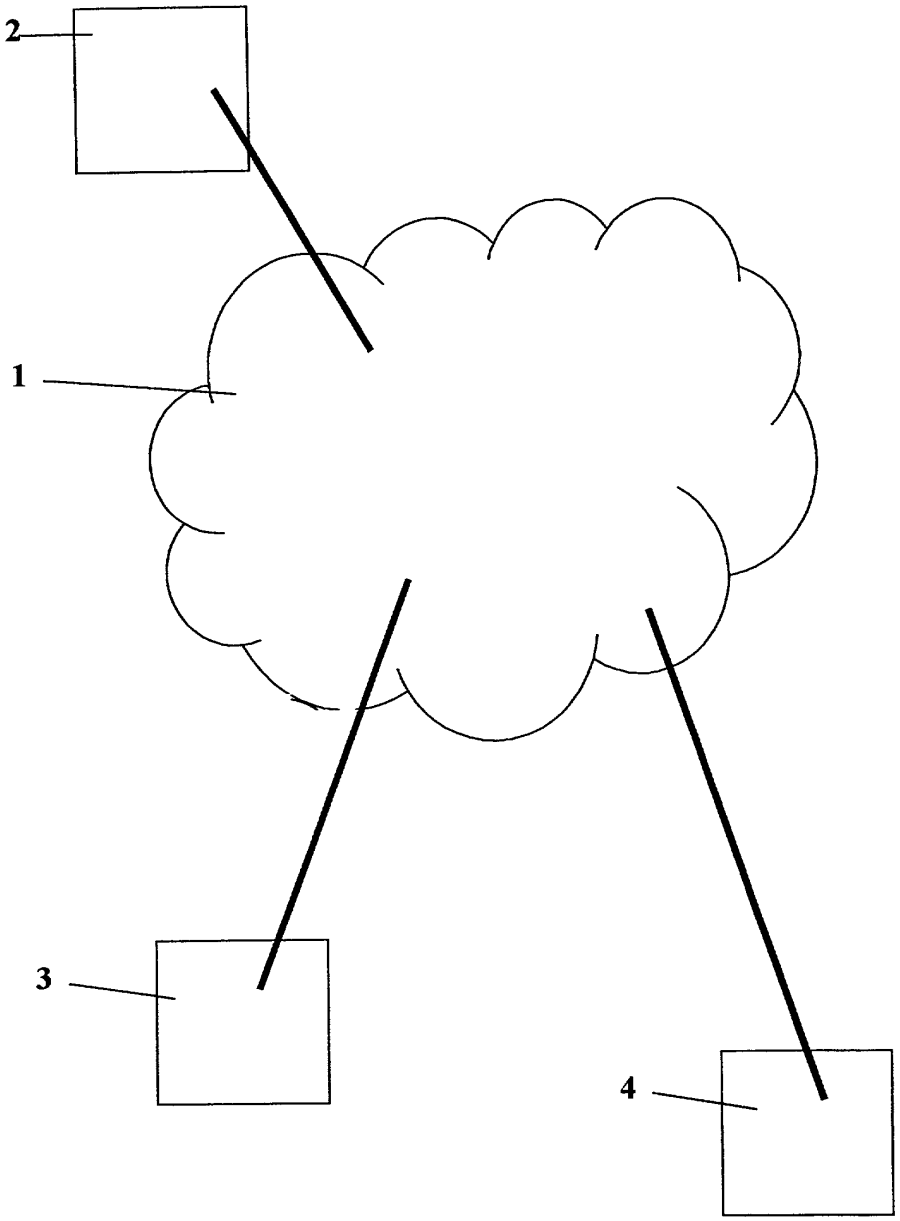
(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

ABSTRACT

A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, is disclosed. The method includes the steps of: from a user, receiving a transaction having therein a first partial profile; using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and between the user and the databank, contracting: (I) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or (II) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile. The present invention operates best on a brokerage representation model; and thereby provides a means for making viable the economic commerce in information attributes.

Fig. 1



Doc-Id: US 6,456,599 B1

Fig. 2

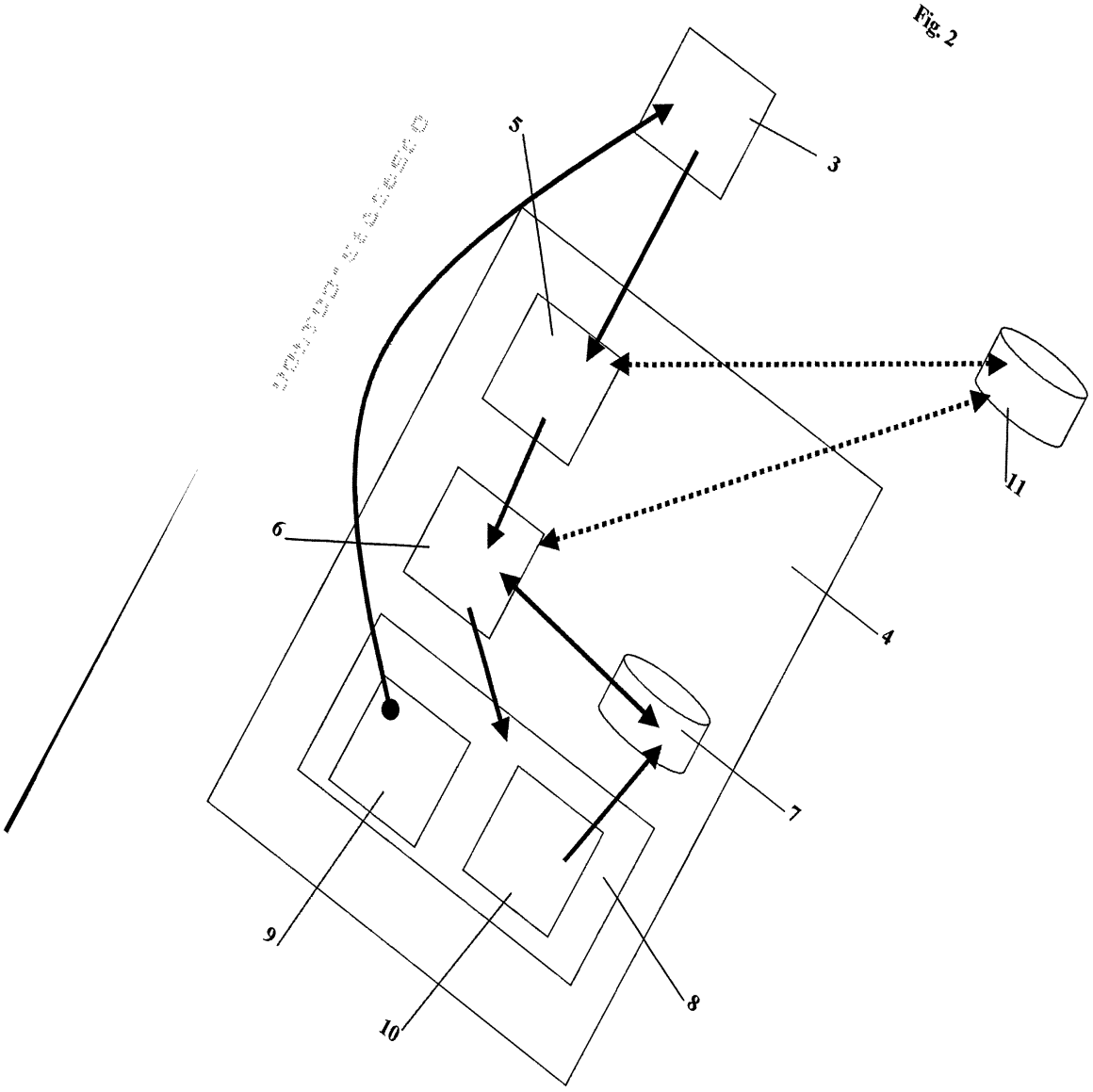


Fig. 3

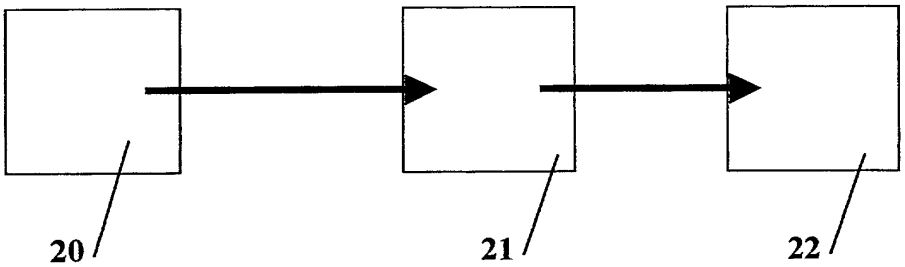


Fig. 4

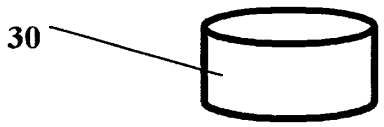
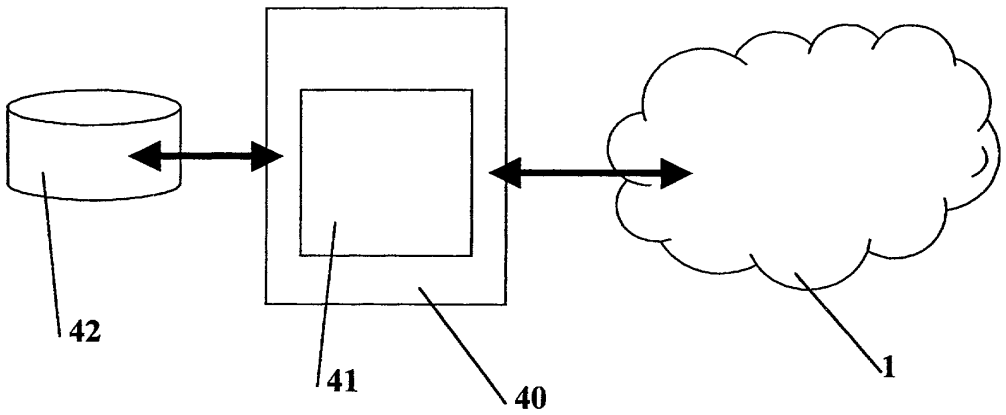


Fig. 5



Attorney Docket No.: JMB 2 0005

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor(if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A DESCRIPTIVE-PROFILE MERCANTILE METHOD

the specification of which:

[X] is attached hereto

[ ] was filed on _____
as Application Serial No. _____
and was amended on _____
(if applicable)

[ ] was filed as PCT_____ on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, ə 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, ə 119 or 365(b) of any foreign application(s) for patent or inventor=s certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed above and have also identified below, by check the box, any foreign application(s) for patent or inventor=s certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application

133489	Israel	13 December 1999	
(Number)	(Country)	(Day/Month/Year Filed)	Certified Copy Attached?

I hereby claim the benefit under 35 U.S.C. 119(e) of an United States provisional application(s) listed below.

		[ ]additional provisional application numbers are
Application No(s)	(Day/Month/Year Filed)	listed on a supplemental priority data sheet attached

I hereby claim the benefit under Title 35, United States, ə 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, ə 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, ə 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number *(If Applicable)*

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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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 ə 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 issuing thereon.

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PATENT NUMBER

U.S. **UTILITY** Patent Application

O.I.P.E. SCANNED QA	PATENT DATE

APPLICATION NO.	CONT/PRIOR	CLASS	SUBCLASS	ART UNIT	EXAMINER
09/593993	F	~~707~~	1	~~2771~~ 2161	~~Stewart~~ Tramanz II

APPLICANTS: Roy Shkedi 165 ~~3629~~ Oacutto

TITLE: Descriptive-profile mercantile method

PTO-2040 12/99

ISSUING CLASSIFICATION

ORIGINAL		CROSS REFERENCE(S)	
CLASS	SUBCLASS	CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)
INTERNATIONAL CLASSIFICATION			
			☐ Continued on Issue Slip inside File Jacket

☐ TERMINAL DISCLAIMER	DRAWINGS			CLAIMS ALLOWED	
	Sheets Drwg.	Figs. Drwg.	Print Fig.	Total Claims	Print Claim for O.G.
☐ The term of this patent subsequent to _____ (date) has been disclaimed.				NOTICE OF ALLOWANCE MAILED	
	(Assistant Examiner)		(Date)		
☐ The term of this patent shall not extend beyond the expiration date of U.S Patent. No. _____				ISSUE FEE	
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SEARCHED

Class	Sub.	Date	Exmr.
364/	408	12-11-02	
705	37	12-11-02	
updated 705	1	11/18/03	

INTERFERENCE SEARCHED

Class	Sub.	Date	Exmr.

SEARCH NOTES
(INCLUDING SEARCH STRATEGY)

	Date	Exmr.
Search Note to provide Applicant A Guideline.	12-11-02	
USED: JPO EPO Derwent	12-11-02	
mercantile Broker Transaction	12-11-02	
further notes inside folder.		
updated EAST US ONLY (See Att.)	11/18/03	
updated Dialog All Mans	6/1/04	

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ISSUE SLIP STAPLE AREA (for additional cross references)

POSITION	INITIALS	ID NO.	DATE
FEE DETERMINATION	BA	10387	
O.I.P.E. CLASSIFIER		48	6/28/00
FORMALITY REVIEW		21423	7-9-00
RESPONSE FORMALITY REVIEW			

INDEX OF CLAIMS

✔ ..... Rejected
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÷ ..... Restricted
N ..... Non-elected
I ..... Interference
A ..... Appeal
O ..... Objected

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Attorney's Docket No. JMB 2 0005

jc837 U.S. PTO
06/14/00

PATENT APPLICATION TRANSMITTAL LETTER

Assistant Commissioner
for Patents
Washington, DC 20231-9999

jc545 U.S. PTO
09/593993
06/14/00

Transmitted herewith for filing is a patent application of:

Roy Shkedi

for A DESCRIPTIVE-PROFILE MERCANTILE METHOD

Enclosed are:

[x] 28 sheets of specification.
[x] 1 sheet of Abstract.
[x] 5 sheets of claims.
[x] 3 sheets of formal drawings (FIGS. 1 - 5)
[x] Assignment of an invention to AlmondNet, Inc., along with the assignment cover sheet is enclosed.
[x] Declaration.
[ ] A Preliminary Amendment
[ ] Information Disclosure Statement and PTO-1449.
[x] Small Entity Statement.
[ ] Certified copy of _____ application No. _____ filed on _____, along with a translation of the first page.

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	13	0	[ ] $18 LARGE [ ] $9 SMALL	$ .00
INDEPENDENT CLAIMS	4	1	[ ] $78 LARGE [X] $39 SMALL	39.00
BASIC FEE	[ ] LARGE ENTITY $690		[X] SMALL ENTITY $345	
			TOTAL FILING FEE	$384.00

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[x] The Commissioner is hereby authorized to charge any additional filing fees which may be required for this application without specific authorization, or credit any overpayment to Deposit Account No. 06-0308.

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14 June 2000
Date

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Ben Trella

Fig. 1

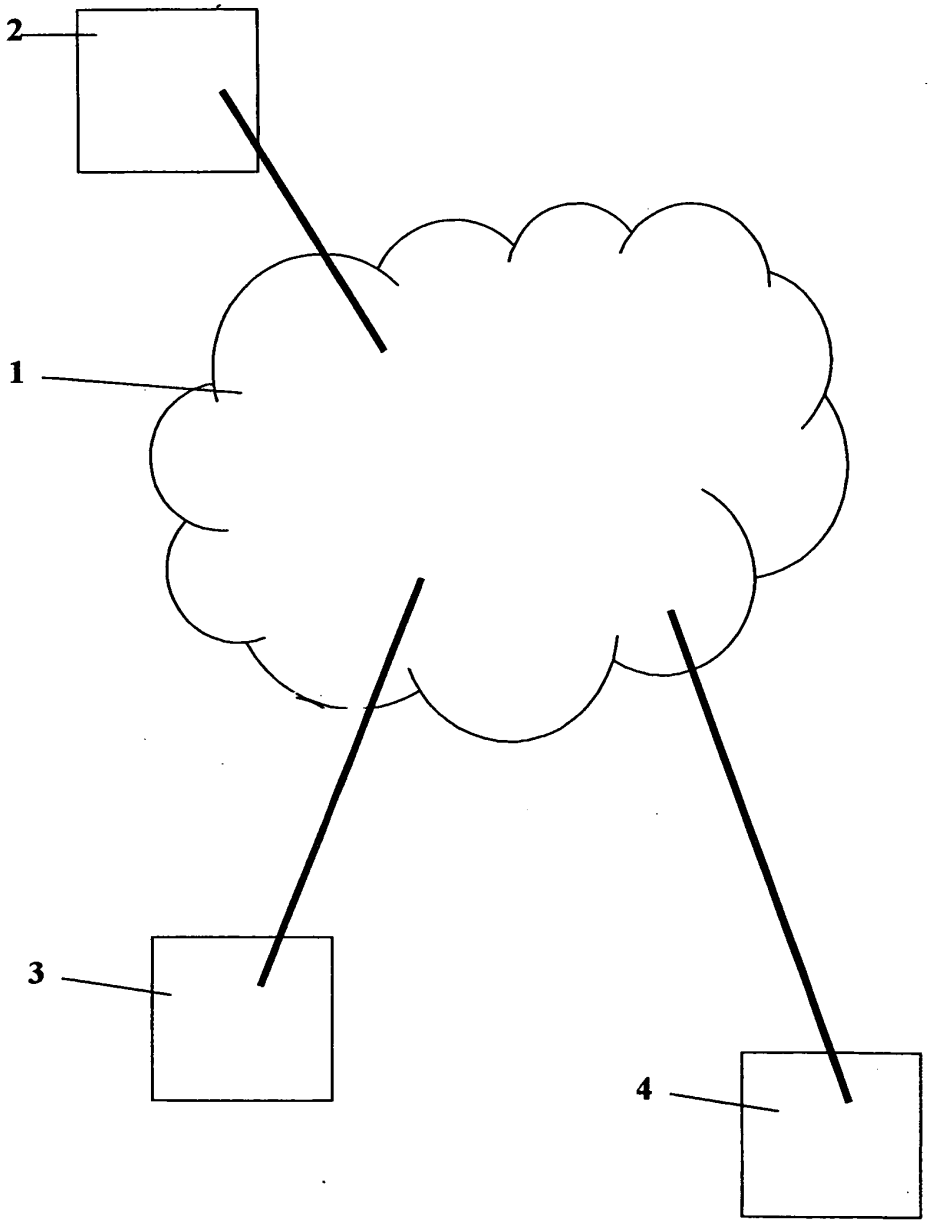


Fig. 2

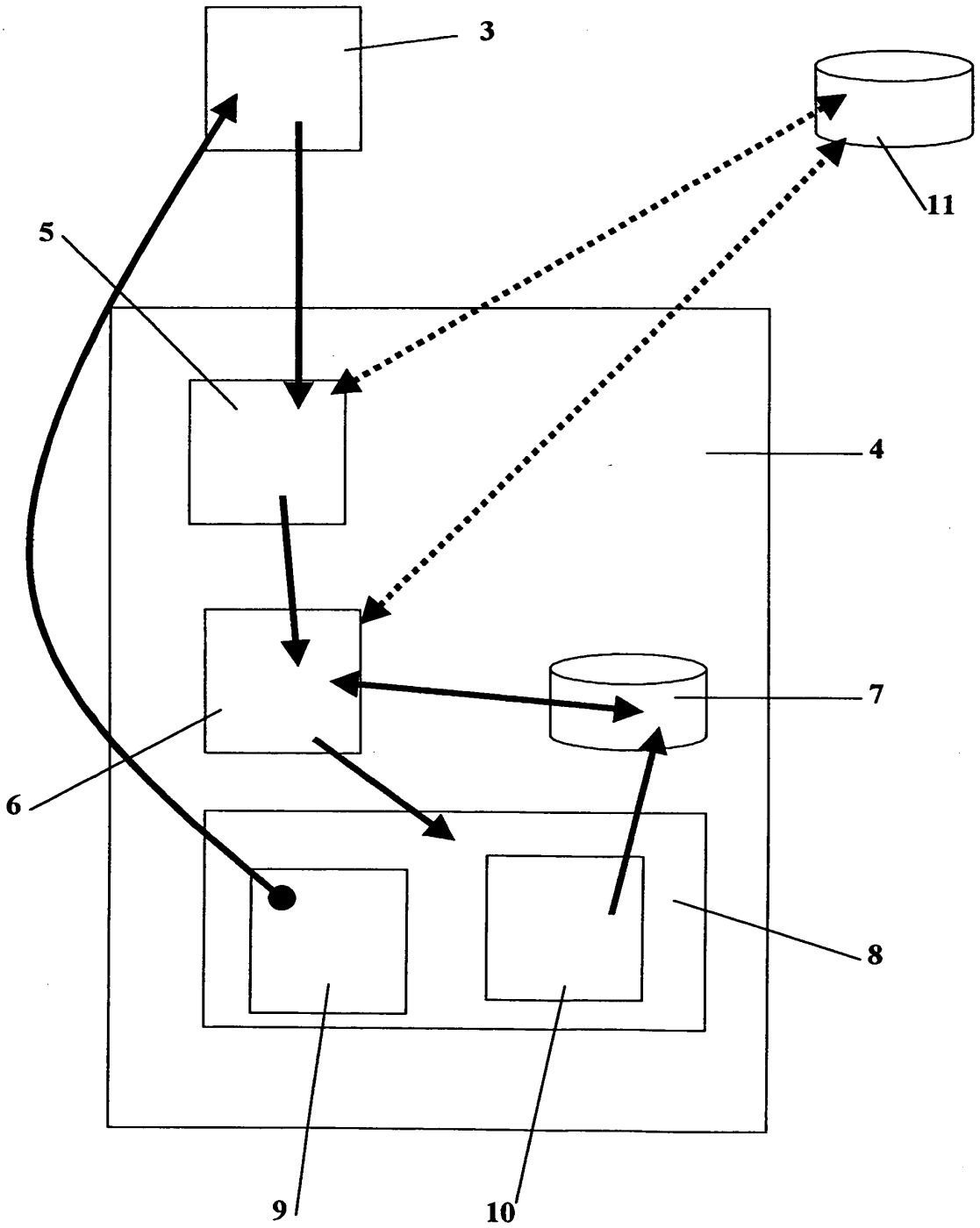


Fig. 3

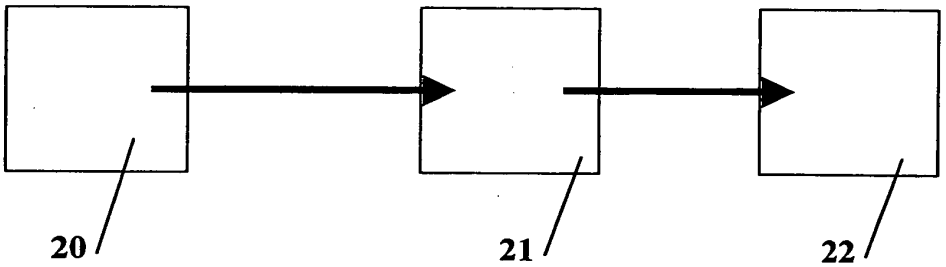
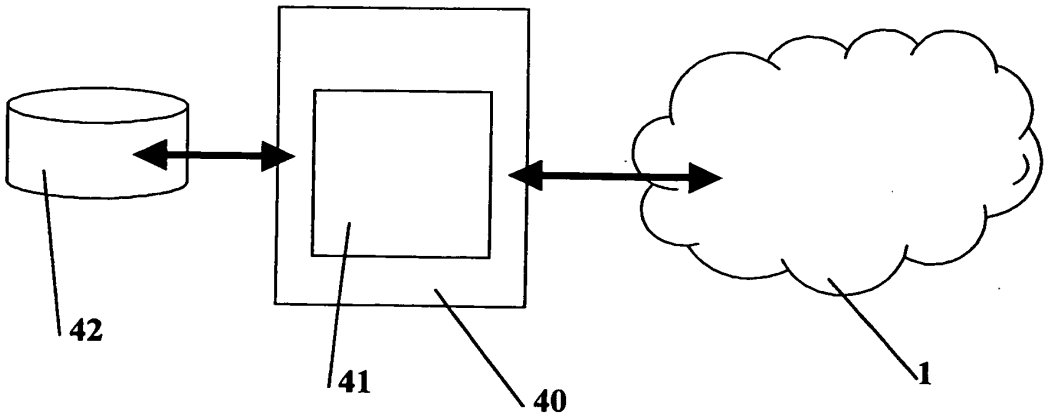


Fig. 4



Fig. 5



A Descriptive-Profile Mercantile Method

FIELD OF THE INVENTION

The present invention generally relates to a mercantile method.

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

BACKGROUND OF THE INVENTION

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

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

Unfortunately, the current state of information commerce is focused on the sales of whole databases, whole records, or evaluations based on single or clusters of records. In commercial applications where specific attributes of

information strongly effect the value of evaluations, there is a need in the art for commerce in such attributes. For example, in targeted advertising, every attribute, which substantially effects the probability of that advertisement's success, innately has a discrete economic value. Likewise, in actuarial calculations, how precisely a client can be profiled determines what the probability of profiting from such a client.

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

NOTICES

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

In describing the present invention, explanations are presented in light of currently accepted theories and models; be they scientific, economic, sociological, etc. Such theories and models are subject to changes, both adiabatic and radical. Often these changes occur because representations for fundamental component elements are innovated, because new transformations between these elements are conceived, or because new interpretations arise for these elements or for their transformations. Therefore, it is important to note that the present invention relates to specific technological actualization in embodiments. Accordingly, theory or model dependent explanations herein, related to these embodiments, are presented for the purpose of teaching, the current man of the art or the current team of the art, how these embodiments

may be substantially realized in practice. Alternative or equivalent explanations for these embodiments may neither deny nor alter their realization.

GLOSSARY

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

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

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

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

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

SUMMARY OF THE INVENTION

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

(a) from a user, receiving a transaction having therein a first partial profile;

(b) using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

(c) between the user and the databank, contracting:

i. for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii. for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

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

An electronically facilitated visitor to an Internet web-site presents his credentials. These credentials could be the visitor profile itself or a cookie or a user name and so forth that enables the site to retrieve the visitor profile or any combination of the above. Of course, it could be that the site does not have a profile of the visitor to that web-site. The web-site may make better profit from the visitation if it were to know more about the visitor. The web-site forwards particulars from the visitor's credentials (a partial profile), as well as (optionally) a redirect to a portion of the visitor's page to a server located in cyberspace (at a juncture in a data communications topology). By redirecting a portion of the visitor's page to the server, the visitor's browser reports to the

server a cookie the server put on the visitor's computer in the past, if any. This server interconnects the user's transactions and the server own cookie (if used) with a computer having therein software for running the method of the present invention. Associated with the computer is a databank, having therein an organized ensemble of information attributes.

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

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

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

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

BRIEF DESCRIPTION OF THE FIGURES AND APPENDICES

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

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

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

Figure 3 illustrates a schematic view of a computer program product;

Figure 4 illustrates a schematic view of a program storage device; and

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

DETAILED DESCRIPTION OF THE INVENTION

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

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

(a) from a user (3), receiving (5) a transaction having therein a first partial profile;

(b) using the first partial profile, searching (6) a databank (7) having a plurality of second partial profiles, wherein is included in said databank at

least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

(c) between the user and the databank, contracting:

i. (10) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or

ii. (9) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile.

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

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

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

According to a further embodiment of the present invention, incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile. According to a variation of this embodiment,

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

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

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

i) **searching** at least one external database (11) for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, **contracting** for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile.

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

a) first computer readable program code (20) for causing a computer to **receive** a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code (21) for causing the computer to use the first

partial profile to **search** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code (22) for causing the computer to **contract** between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to **incorporate** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to **transmit** to the user the second mutually agreed portion of the second profile.

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

a) from a user, **receiving** a transaction having therein a first partial profile;

b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, **contracting**:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter

said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

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

a) a computer (40) installed at a juncture in a data-communications topology (1);

b) associated with said computer, a storage device (42) for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances (41) for performing method steps including:

i) from a user, **receiving** a transaction having therein a first partial profile;

ii) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, **contracting**:

(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the

databank **transmitting** to the user the second mutually agreed portion of the second profile.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

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

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

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

In the context of the preferred embodiment of the present invention, "Information" relates to the collection of all Attributes known by a User about a Visitor.

In the context of the preferred embodiment of the present invention, "Pricing Structure" relates to the price and payments for Data exchanged by the User and the System.

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

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

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

In the context of the preferred embodiment of the present invention, "Transaction" relates to a process to complete a communicative activity between the parties that reciprocally affect or influence the other party. It may include a partial profile, an identification of the User, a reference to a contractual mechanism related to the acquisition, screening, and/or distribution of new Data and a Pricing Structure

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

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

INTRODUCTION

This invention relates to gaining an ability to buy, sell, broker, and trade specific pieces of Data between two disjoint parties within the context of a System that may include a Databank and that may include a micro-payment royalty arrangement as a Pricing Structure in connection with the aforesaid exchange of Data.

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

In the normal course of a Transaction between a User and an embodiment of a System according to the present invention a typical scenario ensues:

1. A Visitor arrives at a web site of the User. The web site of the User collects a variety of specific Data about the Visitor that may include the Visitor's cookie and any other Information that the Visitor voluntarily disclosed to the web site.
2. The web site has a number of interests in the Visitor and the Information that the web site possesses about the Visitor. In connection to a profile of the Visitor, there would be a benefit to the web site if the web site could acquire additional Information as to the specific Visitor or at least acquire typical profile Information about a class of individuals possessing similar profiles relative to the specific Visitor. Possession of such additional Information will enable the web site to engage in potentially more successful product offering and/or targeted

advertising to the Visitor. Another independent benefit that can accrue to the web site is to gain some economic remuneration for and as a function of the Information itself that the web site possesses about the Visitor.

In order for the web site to progress and to potentially achieve either or both of the above mentioned benefits (the improved targeted advertising (or improved product offering) to the Visitor as well as the gain of some economic remuneration of the Information itself about the Visitor); the web site now becomes a User of the System of the present invention. The web site as a User of the present invention constructs a Transaction that contain those portions of the Information it possesses about the Visitor that it is allowed to diverge to third parties.

The Transaction includes:

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

Thus, the User sends a Transaction in the Data communication typology where the System is installed; as for example, via the Internet, Intranet, LAN, WAN, wireless packet communications System, etc. Thereupon, the System receives the Transaction, identifies the User, interprets instructions sent concerning the Transaction's contractual terms and type, i.e. the applicable

contract and structure for using all or part of the Attributes contained in the Information (hereinafter, "First Visitor Profile Data " includes the profile of the visitor as known to the site, visitor information included in the communication protocol such as the information in the http header, profile attributes that enable the identification of the entity described by the profile by the databank such as name, address, URL, cookie put by the server connected to the databank and so forth. It should be noticed that the profile of the visitor known to the site mentioned above might not include certain attributes the User is not interested in exposing to the databank or attributes that are of no interest to the databank. For example, a databank that identifies web site visitors by the cookie its server put on their computers, could decide not to take 'real world identifying attributes' such as name, address and e-mail in order to give web surfers a level of anonymity

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

If it is the intent contained in the Transaction instructions of the User to purchase additional Attributes that may relate to the First Visitor Profile Data, then the System examines the profiles it has found in its search, determines if it has any new Attributes not sent by the User. In the event that the System has found new Attributes that had not been sent by the User, the System reviews the contract instructions of the Transaction in order to determine the relevance of the new Attributes found to the intent of the User. If the system finds the new attributes relevant then, the System will debt the User's account in

accordance with a pre-agreed Pricing Structure in connection with additional Attributes related to the First Visitor Profile Data that are delivered as Data to the User.

A non-limiting example of the principle of Data release in accordance with the User's contractual instructions is here in provided. It may be that in the contract with the User, the User has instructed that it is never interested in receiving any Data that not specifically relates to the visitor, meaning the user is not interested in information about an average profile of a group that the visitor might belongs to. Another example could be that the user has instructed that it is not interested in the habits of a visitor, but specifically only in information about his age, gender, education and income. (((the sentence in the brackets should be erased: in connection with the name of the Visitor. The reason may be to preclude the System from disclosing the name of the Visitor since the User always knows the name of the Visitor and has no interest in paying to re-learn what it already knows. Thus, in accordance with the contractual instructions, no new Attribute Data relating to information the user specified it is not interested in will either be sent, and since not sent; it will not be debited.

An alternative example is the case where the User only has an interest in a pre-defined - with in the Transactional instructions - set of Attributes. For example the User may only be interested in what type of car the Visitor drives, or what the Visitor's current credit rating is, or what may be most interesting example, what category of goods have been purchased by the Visitor over a pre-defined period. It is noted that elements of this last example may typically be a piece of Information that other typical Users trade with or sell to the System.

It should be noted that a user may restrict the use of attributes it sells to the databank. The restrictions could be of number of usage, to whom the databank has the permission to sell or to whom not to sell and so forth.

A second class of Data that is found by the System as it searches may equally be of value to the User. This is the search result that demonstrate

discrepancies between the disclosure of Information by the User to the System and the results of the search by the System. The fact that there is a discrepancy as well as the nature thereof may be of value to the User, the System, or both.

A third category is the example where there may be pieces of Information of the User in the descriptive portion of the Transaction that describes the Visitor which the search by the System failed to disclose. For example, the make and model of the car driven by the Visitor of a recent purchase from the User's web site might be the new Information otherwise unknown to the System. In this instance, the System would go through an appropriate contractual arrangement in order to credit the User for the new Attribute which the User has delivered to the System.

The various kinds of contracts available in a Transaction between the System and the User are: buy, sell, broker, and trade. Where new Information is disclosed to the System a royalty arrangement (or, alternatively, an outright purchase or sale) comprised of micro payments may be employed. In addition to the various kinds of contracts, there are various types of Users. A User may be a large scale commercial web site or an individual small scale web page. Furthermore, there may be different types of rate structures. An audited User where the Users have taken efforts to verify Information relative to a User, as for example a credit bureau, would have a different payment rate for new Information that it discloses to the System than from a User with Information that is neither audited not verified but which is causal.

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

In addition to profiles of a Visitor it may be of interest to allow an embodiment of the invention to create a type of secondary market for the Information consisting of a predetermined class of profiles about all Visitors. For example it may be of interest to know what type of individuals, their profession, income, gender, and geographic location buy a certain model of

vehicle. The purchase, sale, trade, and/or brokerage of this class of Data can than enter a mercantile model and may be of significant interest to advertisers.

DESCRIPTION

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

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

Since the present invention is directed to the value of details of a profile; it is an object of the present invention to facilitate transfer of rights to such particulars. For example, a visitor may arrive at a commercial Internet web-site. The visitor may disclose his cookie and may provide the web-site with other facts about the Visitor on a non-confidential basis. The web site

may then contact a juncture in a Data-communications topology where the present method is installed. According to one scenario, the web-site is a familiar User of the present method, and has pre-arranged the terms and conditions of what Information he may wish to transfer rights to. For example, after considering the web-site transmission containing the non-confidential disclosed Information, the System may find that all of the Information already recorded in its Databank with the single exception of the visitor's annual income. By prearranged contract details, the web-site is given a predetermined micro-payment credit for providing this detail. Alternatively, by prearranged contract the Databank agrees to store this User Attribute and to credit the providing web-site with a micro-payment royalty for each use of this Attribute "purchased" from the Databank by each interested party.

Likewise, according to the same prearranged contractual arrangements between the User and the Databank, the Databank may find that it represents a right to an Attribute that has not been disclosed to it by the User. In this example, the System's Databank may then transmit a query to the User in the form: "for the identified visitor (detail from original Transaction inserted), are you interested in the following Attributes according to the associated payment conditions: (education level, micro-payment price schedule 1), (gender, micro-payment price schedule 2), etc.?"

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

Initially a User will interface with the System by providing the System's Databank with a partial profile consisting of at least one Attribute which will enable the identification of the entity described by the profile in the System's databank (the attribute could be for example, the cookie installed on the visitor's computer (the visitor to a web site which is a user of the system of course) by the server attached to the databank. The User enables

the server attached to the databank to receive the cookie it installed by redirecting a portion of the visitor page to the Databank's server) . For example a company might provide the System with a name of one of its customers. This step sets the process in motion. For once there is an initiation by contribution of an initial Attribute list by the User, the System will search existing Data in the Databank.

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

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

Once there is a coupling of the first partial profile of the User with a second partial profile existing in the Databank, a contract can be formed

between the User and the System related to the new Information set which has resulted. The contract should provide that the System will own or acquire a license to utilize an agreed portion of the first partial profile which has been confirmed and at some time thereafter the System will incorporate the agreed portion of the first profile into at least one second partial profile in the System's Databank.

For example the name of an individual (an initial partial profile provided by the User) when coupled with age (a second partial profile provided by another use, inherent in the System's Databank, or acquired by the System searching other Databases will provide a partial second profile of certain demographic value consisting of name and age. If for example other partial profiles are found to correspond to gender, geographic address, and/or general income there is a further enhancement of the partial second profile which results in a gain in the value of the Information residing or incorporated from other Databases into the System's Databank and offered for exchange in accordance with the terms and instructions existing between the User and the System.

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

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

Alternatively the descriptive profile mercantile method might do both of the above by providing ownership or license to use certain Information gleaned by the coupling of an initial partial profile with a second partial profile to both

the System and the User. For example the System's Databank might retain the use of the names and addresses of insurance agents and their actuarial calculations residing in a geographical area proximate to the driver mentioned in the above paragraph while a User (in this case the driver himself) might retain the name and address of the insurance agents willing to offer him insurance.

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

An "interest" expressed by a User and the System, as to what these parties define between them as relevant Data, may be expressed by the User and the System in a Pricing Structure. The Pricing Structure will include a contract between the User and the System that will include an obligation by the party which utilizes the Information flowing to the System's Databank to pay the other for substantially each use or transfer of the agreed Information transferred between them. Instant Data may or may not be ephemeral, however

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

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

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

responses. The aforesaid quality value will have a predetermined monetary or other agreed "barter" value between the parties.

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

Furthermore, the preferred embodiment may embrace a further possible variations, i.e. an assignment by the contracting participants and/or the Databank, per se, of a credibility rating to the agreed portion of the first partial profile. Coupling of the first partial profile with a second partial profile result in verification/confirmation of the first partial profile and second partial profile or contradiction/down grading of the credibility of the first partial profile and/or the second partial profile. By example, the first partial profile contains the name of Joe Blue, the Information that he is male, and the Information that he lives in Mississippi. However the corresponding second partial profile associated with Joe Blue contains the Information that he is a she (real name Josephine) and that she lives in Mississippi. The verification - perhaps- of the name is of dubious value in and of itself. However, in the event that for a

certainty it can be established that Joe Blue is really Josephine Blue and that the gender is female rather than male; then to a User of the Information the validation or disqualification of the Information has significant results. Assume if you would that the User of the Information is an advertiser of beauty care products; the fact that Joe is male or female can result in an advertisement of beauty care products to specifically targeted to the profile - in this case, male or female. In this instant case the User (the advertiser) will assign a value to the credibility of the Information.

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

A further variation of the preferred embodiment incorporates an agreed portion of the Data and assigns a credibility rating to the agreed portion of the first profile. This is accomplished by assigning a credibility rating of the first profile with a pre-existing credibility rating of a substantially like agreed portion of a proximate second profile; and storing the convoluted new credibility weighting for the agreed portion in the System's Databank. This may result in an

interesting result. When the participants select a Pricing Structure in accordance with a predetermined corresponding rating of the utility value of the partial Attributes; the result of the continuous re-calibration of new Information with existing Information and a predetermined agreement by the parties as to the various value rating of an Attribute.

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

Another particularly useful variation of the preferred embodiment of the invention includes within it the possibility of consultation by the System with an external Database or external Databases. For example, the System is not restricted to searching the existing Attributes residing within its own Databank. Rather, the System is capable of acting as a first partial profile User to other Databases, searching them, trading Information with them or borrowing, renting, or purchasing other Attributes with them. Thus the Information related to credit worthiness Attributes of Ms. Blue of the previous example might reside in a Database owned by a credit company. Nonetheless, as per the example, the System would be able to utilize the Information resident in the credit company's Database for its own purposes related to the Transaction with the User.

Furthermore the preferred embodiment may embrace other possible variations, including an ability to search one or more external Databases for a partial profile, or part thereof which complements at least one second partial profile of the System's Databank. In the example of Ms. Blue; the name may be resident in the Databank as well as a number of different external Databases. Other Attributes may reside as well either in the Databank or in one or more external Databases. Nonetheless the result by search, correlation, and rating of

the Information in the Databank and the Databases results in both an expanded profile and a higher rating as to credibility of the partial profile existing both in the Databank and in the other Databases.

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

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

CLAIMS

1. A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, the method including the steps of:

   a) from a user, **receiving** a transaction having therein a first partial profile;

   b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

   c) between the user and the databank, **contracting**:

      i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

      ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

2. The method according to claim 1 wherein **receiving** a transaction includes **extracting** at least one predetermined key portion of the first partial profile, wherein at least one of these extracted predetermined key portions is then used as the first partial profile for the searching of the databank.

3. The method according to claim 2 wherein **extracting** includes **constructing** at least one composite key for the searching of the databank using a combinatorial of at least two of the predetermined key portions of the first partial profile.

4. The method according to claim 1 wherein **contracting** includes **selecting** a pricing structure according to a rating of the user.

5. The method according to claim 1 wherein **contracting** a right includes **accepting** an obligation to pay for substantially each use or transfer of the agreed portion.

6. The method according to claim 1 wherein **incorporating** the agreed portion includes **assigning** a credibility weighting to the agreed portion of the first profile.

7. The method according to claim 6 wherein **incorporating** includes **convoluting** the assigned credibility weighting of the first profile with a pre-existing credibility weighting of a substantially like agreed portion of a proximate second profile; and **storing** the convoluted new credibility weighting for the agreed portion in the databank.

8. The method according to claim 7 wherein **contracting** includes **selecting** a pricing structure according to a result of a computation comparing the new credibility weighting with the pre-existing credibility weighting.

9. The method according to claim 1 wherein **receiving** a transaction includes **consulting** an external database.

10. The method according to claim 1 further including

i) **searching** at least one external database for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

ii) between the database and the databank, **contracting** for the databank to own or represent a right to a first mutually agreed portion of the complementing first partial profile, and substantially

thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile.

11. A computer program product including a computer usable medium having computer readable program code embodied therein for facilitating descriptive profile mercantile activities, the computer readable program code including:

a) first computer readable program code for causing a computer to receive a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code for causing the computer to use the first partial profile to search a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code for causing the computer to contract between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to incorporate the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter for the databank to transmit to the user the second mutually agreed portion of the second profile.

12. A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for a descriptive-profile mercantile method, for use at a juncture in a

data-communications topology having associated therewith a maintained databank of partial profiles, said method steps including:

a) from a user, **receiving** a transaction having therein a first partial profile;

b) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile;

c) between the user and the databank, **contracting**:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

ii) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

13. A computer system for facilitating a descriptive-profile mercantile method, the system including:

a) a computer installed at a juncture in a data-communications topology;

b) associated with said computer, a storage device for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances for performing method steps including:

i) from a user, **receiving** a transaction having therein a first partial profile;

ii) using the first partial profile, **searching** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always

yield at least one proximate second partial profile to the first partial profile;

iii) between the user and the databank, **contracting**:

(1) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank **incorporating** the agreed portion of the first profile into at least one second partial profile; or

(2) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank **transmitting** to the user the second mutually agreed portion of the second profile.

ABSTRACT

A descriptive-profile mercantile method, for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles, is disclosed. The method includes the steps of: from a user, receiving a transaction having therein a first partial profile; using the first partial profile, searching a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and between the user and the databank, contracting: (I) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter said databank incorporating the agreed portion of the first profile into at least one second partial profile; or (II) for the user to own or represent a right to a second mutually agreed portion of at least one said proximate second partial profile, and substantially thereafter the databank transmitting to the user the second mutually agreed portion of the second profile. The present invention operates best on a brokerage representation model; and thereby provides a means for making viable the economic commerce in information attributes.

Attorney Docket No.: JMB 2 0005

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below inventor, I hereby declare that:
My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor(if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A DESCRIPTIVE-PROFILE MERCANTILE METHOD

the specification of which:

[X] is attached hereto

[ ] was filed on _____
as Application Serial No. _____
and was amended on _____
(if applicable)

[ ] was filed as PCT_____ on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, ∋ 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, ∋ 119 or 365(b) of any foreign application(s) for patent or inventor=s certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed above and have also identified below, by check the box, any foreign application(s) for patent or inventor=s certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application

133489	Israel	13 December 1999	
(Number)	(Country)	(Day/Month/Year Filed)	Certified Copy Attached?

I hereby claim the benefit under 35 U.S.C. 119(e) of an United States provisional application(s) listed below.

		[ ]additional provisional application numbers are
Application No(s)	(Day/Month/Year Filed)	listed on a supplemental priority data sheet attached

I hereby claim the benefit under Title 35, United States, ∋ 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, ∋ 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, ∋ 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number *(If Applicable)*

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Steven M.Auvil	Reg. No. 40,492	Mark E. Bandy	Reg. No. 35,788	Brian G. Bembenick	Reg. No. 41,463
John P. Comely	Reg. No. 41,687	Joseph D. Dreher	Reg. No. 37,123	Christopher B. Fagan	Reg. No. 22,987
Jude A. Fry	Reg. No. 38,340	Steven M. Haas	Reg. No. 37,841	W. Scott Harders	Reg. No. 42,629
Michael E. Hudzinski	Reg. No. 34,185	Richard M. Klein	Reg. No. 33,000	Thomas E. Kocovsky, Jr.	Reg. No. 28,383
Sandra M. Koenig	Reg. No. 33,722	Brian E. Kondas	Reg. No. 40,685	Scott A. McCollister	Reg. No. 33,961
James W. McKee	Reg. No. 26,482	Richard J. Minnich	Reg. No. 24,175	Jay F. Moldovanyi	Reg. No. 29,678
Philip J.Moy	Reg. No. 31,280	Timothy E. Nauman	Reg. No. 32,283	Sue Ellen Phillips	Reg. No. 32,046
Patrick R. Roche	Reg. No. 29,580	Albert P. Sharpe, III	Reg. No. 19,879	R. Scott Speroff	Reg. No. 37,450
Mark S. Svat	Reg. No. 34,261	John C. Tiernan	Reg. No. 21,078		

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO: (name and telephone number)
Jay F. Moldovanyi, Esq. Fay, Sharpe, Fagan, Minnich & McKee, LLP 1100 Superior Avenue, 7th Floor Cleveland, OH 44114-2518	Jay F. Moldovanyi (216) 861-5582

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 ə 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 issuing thereon.

Full name of sole inventor: **Roy SHKEDI**

Inventor's Signature:_____ Date: 6/5/00

Residence: Bnei-Brak, Israel

Country of Citizenship: Israel

Post Office Address: 10 Hakishon St.
Bnei-Brak 51203
Israel

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF	: Roy Shkedi
FOR	: A DESCRIPTIVE-PROFILE MERCANTILE METHOD
SERIAL NO.	: UNKNOWN
FILING DATE	: HEREWITH
ATTORNEY DOCKET NO.	: JMB 2 0005

Cleveland, Ohio 44114-2214

37 C.F.R. 1.27
STATEMENT OF STATUS AS A SMALL BUSINESS ENTITY

Assistant Commissioner for Patents
Box Application
Washington, D.C. 20231

Dear Sir:

The undersigned affirms:

That he is an officer of the assignee, AlmondNet, Inc., and is empowered to act on behalf of the assignee;

That the above listed assignee qualifies as a small business concern as defined in § 1.9(d), in that the above listed assignee, together with all of its affiliates combined had fewer than five hundred (500) employees including full-time, part-time, and temporary employees on the average during each pay period of the previous fiscal year of the assignee and its affiliates; and,

That the exclusive rights to the invention have been conveyed to and remain with the small business concern or, if the rights are not exclusive, that all other rights belong to small entities as defined in 37 C.F.R. §1.9 and that the assignee has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

The undersigned acknowledges a duty to file, in this application or patents issuing thereon, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time or paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

The undersigned further declares that all statements made herein of his 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 and false statements may jeopardize the validity of the application or any patent issuing thereon.

ALMONDNET, INC.

By Roy Shaed

Name Roy Shaed

Title President

Date: 6/6/00

0000000000000000

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

Repln. Ref: 06/22/2000 BALEXAND 0010070600
DAB:060308 Name/Number:09593993
FC: 704 $100.00 CR

06/22/2000 BALEXAND 00000068 09593993

01 FC:20PTO-1556 345.00 OP
02 FC:202 39.00 OP
(5/87)

*U.S. GPO: 1999-459-082/19144

Void date: 06/22/2000 BALEXAND 09593993
06/22/2000 BALEXAND 00000068
01 FC:201 -345.00 OP
02 FC:202 -39.00 OP

1111

Best Available Copy

PATENT APPLICATION FEE DETERMINATION RECORD
Effective December 29, 1999

Application or Docket Number: 09593993

CLAIMS AS FILED - PART I

	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA
FOR		
BASIC FEE		
TOTAL CLAIMS	13 minus 20=	*
INDEPENDENT CLAIMS	4 minus 3 =	* 1
MULTIPLE DEPENDENT CLAIM PRESENT		

SMALL ENTITY TYPE ☐		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
	345.00	OR		690.00
X$ 9=		OR	X$18=	
X39=	39.00	OR	X78=	
+130=		OR	+260=	
TOTAL	384.00	OR	TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

AMENDMENT A

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	* 13	Minus	** 20	= 0
Independent	* 4	Minus	*** 4	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT B

	RCE	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total		* 13	Minus	** 20	= 0
Independent		* 4	Minus	*** 4	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

AMENDMENT C

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 9=		OR	X$18=	
X39=		OR	X78=	
+130=		OR	+260=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

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

FORM PTO-875
(Rev. 12/99)

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
*U.S. GPO: 2000-463-433/29044

6-15-00

A

Attorney's Docket No. JMB 2 0005

jc837 U.S. PTO
06/14/00

PATENT APPLICATION TRANSMITTAL LETTER

Assistant Commissioner
for Patents
Washington, DC 20231-9999

jc545 U.S. PTO
09/593993
06/14/00

Transmitted herewith for filing is a patent application of:

Roy Shkedi

for A DESCRIPTIVE-PROFILE MERCANTILE METHOD

Enclosed are:

[x] 28 sheets of specification.
[x] 1 sheet of Abstract.
[x] 5 sheets of claims.
[x] 3 sheets of formal drawings (FIGS. 1 - 5)
[x] Assignment of an invention to AlmondNet, Inc., along with the assignment cover sheet is enclosed.
[x] Declaration.
[ ] A Preliminary Amendment
[ ] Information Disclosure Statement and PTO-1449.
[x] Small Entity Statement.
[ ] Certified copy of _____ application No. _____ filed on _____, along with a translation of the first page.

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	13	0	[ ] $18 LARGE [ ] $9 SMALL	$ .00
INDEPENDENT CLAIMS	4	1	[ ] $78 LARGE [X] $39 SMALL	39.00
BASIC FEE	[ ] LARGE ENTITY $690		[X] SMALL ENTITY $345	
			TOTAL FILING FEE	$384.00

[ ] Please charge my Deposit Account No. in the amount of $_____.

[x] The Commissioner is hereby authorized to charge any additional filing fees which may be required for this application without specific authorization, or credit any overpayment to Deposit Account No. 06-0308.

[x] Checks in the amount of $ 384.00 to cover the small entity filing fee and $ 40.00 to cover the assignment recordal fee are enclosed.

14 June 2000
Date

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP

Jay F. Moldovanyi
Reg. No. 29,678
1100 Superior Ave.
Suite 700
Cleveland, OH 44114-2518
(216) 861-5582

EXPRESS MAIL CERTIFICATE

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231-9999 on this **14th** day of **June 2000**. "Express Mail" Mailing Label No.: EL530410507US.

Ben Trella