Trials@uspto.gov
571-272-7822

Paper 28
Date: July 17, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREEWHEEL MEDIA, INC.,
Petitioner,

v.

ALMONDNET, INC.,
Patent Owner.

IPR2024-00413
Patent 7,979,307 B2

Before JUSTIN T. ARBES, NABEEL U. KHAN, and SCOTT B. HOWARD, *Administrative Patent Judges.*

ARBES, *Administrative Patent Judge.*

TERMINATION
Due to Settlement After Institution of Trial
Granting in Part Joint Request to Treat Settlement Agreement as Business Confidential Information
35 U.S.C. § 317; 37 C.F.R. § 42.74

The parties filed a joint motion to terminate the instant proceeding on the basis of a settlement reached by the parties. *See* Paper 27 ("Mot."); 35 U.S.C. § 317(a); 37 C.F.R. §§ 42.72, 42.74. The parties also filed a copy of their written settlement agreement (Exhibit 1059), along with a joint request (Paper 26, "Request")) to treat the agreement as business confidential information under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

LIVEINTENT1015
LiveIntent v. AlmondNet
IPR2025-01160

In the joint motion to terminate, the parties represent that they "have entered into a release agreement that resolves all underlying disputes between Petitioner and Patent Owner with respect to [the challenged patent]," and the related district court case between the parties involving the challenged patent "has been dismissed with prejudice pursuant to settlement and no further litigation between the [p]arties is contemplated." Mot. 1. The parties further state that they filed a "true copy" of their settlement agreement and "[t]here are no other agreements, oral or written, between the [p]arties made in connection with, or in contemplation of, the termination of this proceeding." *Id.* Under these circumstances, we determine that it is appropriate to terminate the instant proceeding without rendering any further decisions.

The parties request that "the Board order that in the event a person or entity makes a written request, as stated in 37 C.F.R. § 42.74(c)(1)–(2), for access to the release agreement, that any such written request be served upon the [p]arties on the day the written request is provided to the Board." Request 1. Neither the statute nor the rule provides such a requirement. Accordingly, the Board will not provide the requested notice.

In consideration of the foregoing, it is hereby:

ORDERED that the parties' request that the settlement agreement (Exhibit 1059) be treated as business confidential information, kept separate from the file of U.S. Patent No. 7,979,307 B2, and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, under 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c), is *granted in part*; and

FURTHER ORDERED that the joint motion to terminate is *granted* and the proceeding is hereby *terminated.*

3

FOR PETITIONER:

Frederic M. Meeker
Craig W. Kronenthal
Camille Sauer
Wesley W. Jones
John Harris Curry
Jonathan D. Peloquin
John R. Hutchins
BANNER & WITCOFF, LTD.
fmeeker@bannerwitcoff.com
ckronenthal@bannerwitcoff.com
csauer@bannerwitcoff.com
wjones@bannerwitcoff.com
jcurry@bannerwitcoff.com
jpeloquin@bannerwitcoff.com
jhutchins@bannerwitcoff.com

FOR PATENT OWNER:

Reza Mirzaie
Jonathan Link
James A. Milkey
Amy E. Hayden
Philip X. Wang
RUSS, AUGUST & KABAT
rmirzaie@raklaw.com
jlink@raklaw.com
jmilkey@raklaw.com
ahayden@raklaw.com
pwang@raklaw.com

Trials@uspto.gov
571-272-7822

Paper 10
Entered: September 5, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREEWHEEL MEDIA, INC.,
Petitioner,

v.

ALMONDNET, INC.,
Patent Owner.

IPR2024-00414
Patent 7,979,307 B2

Before LYNNE H. BROWNE, CHARLES J. BOUDREAU, and SCOTT B. HOWARD, *Administrative Patent Judges.*

BROWNE, *Administrative Patent Judge.*

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

A. Background

FreeWheel Media, Inc. ("Petitioner") filed a Petition (Paper 2, "Pet.") requesting institution of an *inter partes* review of claims 1–7 and 9 of U.S. Patent No. 7,979,307 B2 (Ex. 1001, "the '307 Patent"). The '307 Patent is also the subject of two other petitions for *inter partes* review (IPR2024-00413 and IPR2024-00415) challenging the same claims as challenged in the instant petition and filed by Petitioner on the same day. Pet. vii.

AlmondNet, Inc. ("Patent Owner") timely filed a Preliminary Response. Paper 9 ("Prelim. Resp."). Patent Owner's Preliminary Response does not address the merits of Petitioner's challenges. Instead, Patent Owner contends that the Board should exercise its discretion to deny two of the three parallel petitions Petitioner has filed. *See* Prelim. Resp. 1, 4–8. Alternatively, Patent Owner contends the Board should deny institution because the Petition violates the particularity requirement of 35 U.S.C. § 312(a)(3) "by setting forth *eighteen* express grounds of invalidity." *Id.* at 1. Patent Owner contends further that the three parallel petitions "cumulatively set forth *forty-one* express grounds of invalidity relying on *seventeen* prior art references and at least *twenty-three* more 'shadow' references." *Id.*

We have authority to determine whether to institute review under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a). For the reasons provided below, we are persuaded, based on the record before us, to exercise our discretion to deny institution in this proceeding based on Petitioner's parallel petition in IPR2024-00413.

B. Real Parties in Interest

Petitioner identifies the following real parties-in-interest:

"(i) FreeWheel Media, Inc., (ii) Beeswax.io Corp., (iii) Comcast Corporation, (iv) Comcast Cable Communications, LLC, and (v) Comcast Cable Communications Management, LLC." Pet. vii. Patent Owner identifies itself, "AlmondNet, Inc.," as the only real party in interest. Paper 6, 1.

C. Related Matters

The parties identify the following as related district court matters: *AlmondNet, Inc. v. LinkedIn Corporation*, No. 1:23-cv-01373 (D. Del.), *AlmondNet, Inc. v. FreeWheel Media, Inc.*, No. 1:23-cv-00220 (D. Del.), and *AlmondNet, Inc. v. Viant Technology Inc.*, No. 1:23-cv-00174 (D. Del.) ("District Court Actions"). Pet. vii; Paper 6, 1. The parties also identify the following co-pending petitions challenging the '307 Patent: IPR2024-00413 and IPR2024-00415. *Id.* Petitioner also identifies *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00049 (PTAB) as challenging claims of the '307 patent.

Petitioner further identifies the following district court litigation as involving "the '307 patent or its related patents": *AlmondNet, Inc., v. Samsung Electronics Co.*, 4-22-cv-07515 (N.D. Cal.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 4-23-cv-00438 (N.D. Cal.); *Roku, Inc. v. AlmondNet, Inc.*, 1-21-cv-01035 (D. Del.); *AlmondNet, Inc. v. Roku, Inc.*, 1-22-cv-01540 (D. Del.); *AlmondNet, Inc. v. Amazon.com, Inc.*, 6-22-cv-01204 (W.D. Tex.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 6-22-cv-01205 (W.D. Tex.); *AlmondNet, Inc. v. Microsoft Corp.*, 6-22-cv-01206 (W.D. Tex.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 4-22-cv-08911 (N.D. Cal.); *AlmondNet, Inc. v. Roku, Inc.*, 6-21-cv-00731 (W.D. Tex.); *AlmondNet, Inc. v. Facebook, Inc.*, 6-21-cv-00896 (W.D. Tex.); *AlmondNet, Inc. v. Microsoft Corp.*, 6-21-cv-00897 (W.D. Tex.); *AlmondNet, Inc. v. Amazon.com, Inc.*, 6-

21-cv-00898 (W.D. Tex.); *AlmondNet, Inc. v. Samsung Electronics Co.*, 6-21-cv-00891 (W.D. Tex.); *AlmondNet, Inc. v. Roku, Inc.*, 6-21-cv-00876 (W.D. Tex.); *AlmondNet, Inc. v. Oath Holdings Inc.*, 1-19-cv-00247 (D. Del.); and *AlmondNet, Inc. v. Yahoo! Inc.*, 1-16-cv-01557 (E.D.N.Y.).

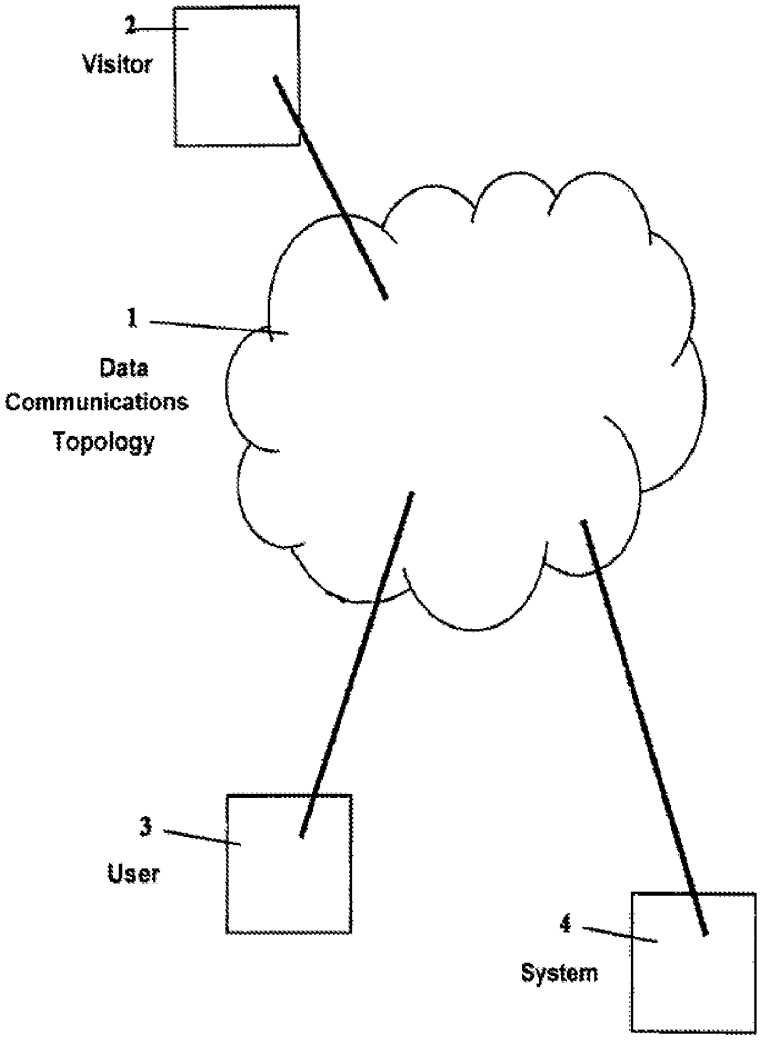
Petitioner further identifies the following terminated PTAB proceedings as involving patents related to the '307 Patent: *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00050; *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00051; *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00052; *Samsung Electronics Co. v. AlmondNet, Inc.*, IPR2022-01260; *Amazon.com, Inc. v. AlmondNet, Inc.*, IPR2022-01455; and *Meta Platforms, Inc. v. AlmondNet, Inc.*, IPR2022-01436.

Petitioner also indicates that it has filed three petitions for *inter partes* review against U.S. Patent No. 8,775,249, which is related to the '307 Patent, namely IPR2024-00416, IPR2024-00417, and IPR2024-00418. Pet. vii–viii.

D. The '307 Patent

The '307 Patent for a "Method and Stored Program for Accumulating Descriptive Profile Data Along with Source Information for Use in Targeting Third-Party Advertisements," "relates to a mercantile method" and "[m]ore specifically, the present invention relates to a mercantile method directed to brokerage of attributes of information." Ex. 1001, code (54), 1:23–27.

Figure 1, reproduced below, is "a schematic view of an Internet data communications topology." Ex. 1001, 4:44–45.



As shown in Figure 1, the data-communications topology includes "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." *Id.* at 4:58–62.

Figure 2, reproduced below, is "a schematic view of a system using the descriptive-profile mercantile method." Ex. 1001, 4:46–47.

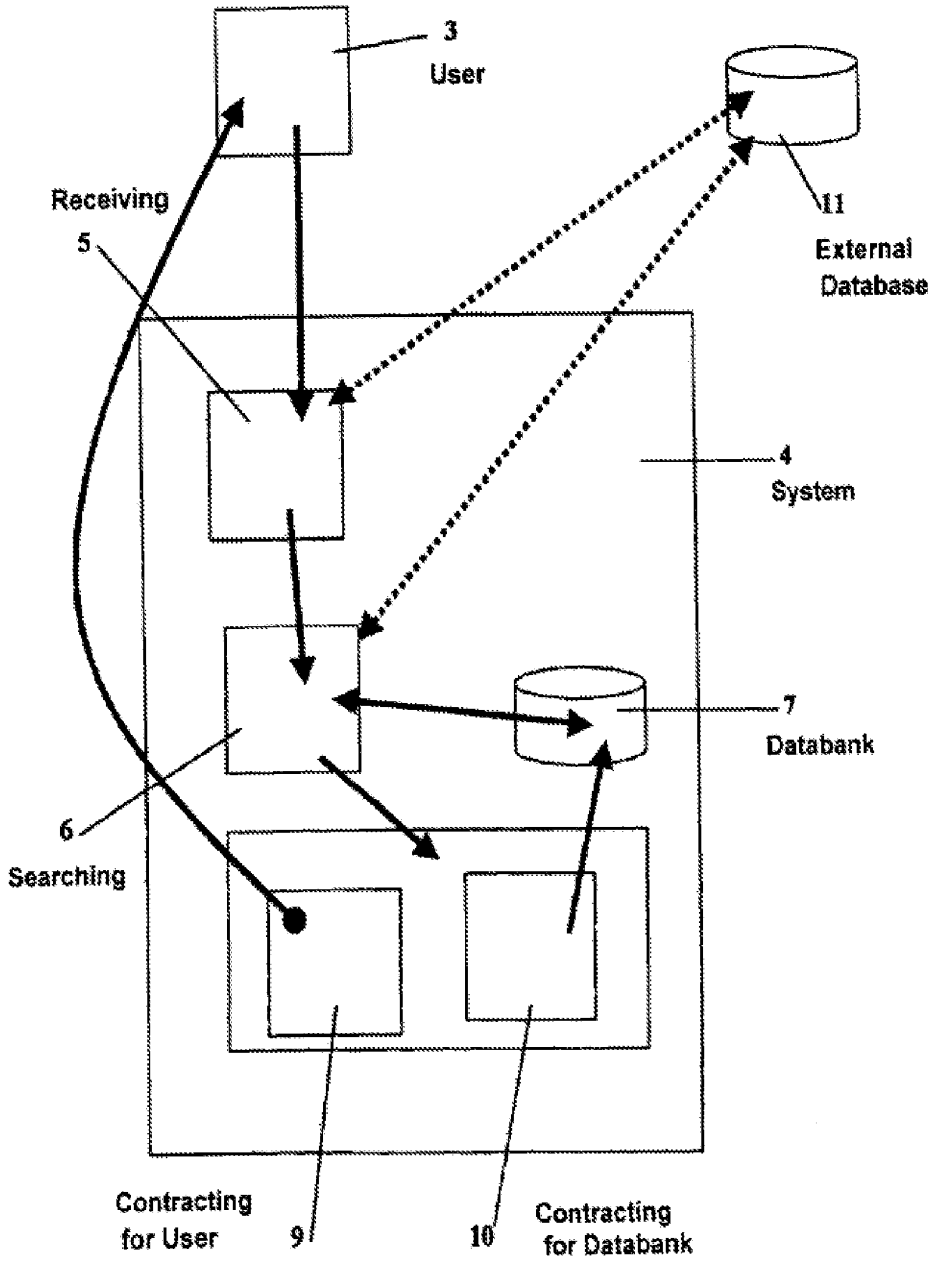


Figure 2 depicts "a descriptive-profile mercantile method" "for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles." *Id.* at 4:63–66. The method shown in Figure 2 includes the steps of:

> (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.

Ex. 1001, 5:1–18. The '307 patent also discloses "an additional embodiment" wherein "receiving a transaction includes consulting an external database (11)." *Id.* at 5:49–51.

E. Challenged Claims

Petitioner challenges claims 1–7 and 9. Pet. 1. Petitioner indicates that "[c]laims 8 and 10 have been disclaimed." *Id.* Claim 1, reproduced below, is illustrative of the claims at issue in this proceeding. Ex. 1001, 16:36–60.

> 1. An automated method of collecting profiles of Internet-using entities, the method comprising:
>
> (a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties operating respective websites, a partial profile of an entity that

uses a user computer coupled to the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;

(b) wherein receiving the partial profile is achieved by automatic electronic URL redirection from a portion of a page of the website accessed by the user computer;

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

(d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes;

(e) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.

F. Asserted Grounds of Unpatentability

Petitioner asserts that claims 1–7 and 9 are unpatentable on the following grounds:

Claim(s) Challenged	35 U.S.C. §[1]	Reference(s)/Basis
1–3, 6–7, 9	103	Rosenberg[2]
1–3, 6–7, 9	103	Rosenberg, Zeff,[3] Sterne[4]

[1] The Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) ("AIA"), amended 35 U.S.C. § 103, effective March 16, 2013. Because the '307 patent issued from an application filed before that date, we refer to the pre-AIA version of § 103.

[2] Rosenberg et al., U.S. Patent No. 6,073,241, issued June 6, 2000 (Ex. 1155) ("Rosenberg").

[3] Zeff, R., et al., *Advertising on the Internet*, John Wiley & Sons, Inc., pp. 1–27, 89–109, 1997 (Ex. 1156) ("Zeff").

[4] Sterne, Jim, *What Makes People Click: Advertising on the Web*, Que Corporation, pp. 1–41, 145–256, 375–386, 1997 (Ex. 1157) ("Sterne").

Claim(s) Challenged	35 U.S.C. §[1]	Reference(s)/Basis
1–3, 6–7, 9	103	Rosenberg, Kurtzman[5]
1–3, 6–7, 9	103	Rosenberg, Zeff, Sterne, Kurtzman
1–3, 6–7, 9	103	Rosenberg, Merriman[6]
1–3, 6–7, 9	103	Rosenberg, Zeff, Sterne, Merriman
3	103	Rosenberg, Farber[7]
3	103	Rosenberg, Zeff, Sterne, Farber
3	103	Rosenberg, Kurtzman, Farber
3	103	Rosenberg, Zeff, Sterne, Kurtzman, Farber
3	103	Rosenberg, Merriman, Farber
3	103	Rosenberg, Zeff, Sterne, Merriman, Farber
4, 5	103	Rosenberg, Coleman[8]
4, 5	103	Rosenberg, Zeff, Sterne, Coleman
4, 5	103	Rosenberg, Kurtzman, Coleman
4, 5	103	Rosenberg, Zeff, Sterne, Kurtzman, Coleman
4, 5	103	Rosenberg, Merriman, Coleman
4, 5	103	Rosenberg, Zeff, Sterne, Merriman, Coleman

II. DISCRETIONARY DENIAL

Patent Owner contends that institution of trial should be denied because "Petitioner has not and cannot justify the three simultaneously filed parallel petitions directed towards the '307 patent and challenging the same eight claims—claims 1–7 and 9." Prelim. Resp. 4. For the reasons that

[5] Kurtzman, II et al., U.S. Patent No. 6,144,944, issued Nov. 7, 2000 (Ex. 1158) ("Kurtzman").
[6] Merriman et al., U.S. Patent No. 8,566,154 B2, issued Oct. 22, 2013 (Ex. 1159) ("Merriman").
[7] Farber et al., U.S. Patent No. 5,978,791, issued Nov. 2, 1999 (Ex. 1163) ("Farber").
[8] Coleman, U.S. Pat. Appl. Pub. 2002/0026351 A1, published Feb. 28, 2002 (Ex. 1139).

follow, we agree and therefore exercise our discretion under 35 U.S.C. § 314 to deny institution.[9]

As discussed *supra*, this is the second of three petitions filed concurrently by Petitioner challenging claims 1–7 and 9 of the '307 patent. Consistent with the Board's practice for handling parallel petitions, Petitioner filed a Petition Ranking (Paper 3, "Notice"). *See* Patent Trial and Appeal Board Consolidated Trial Practice Guide 59–60 (November 2019) ("Practice Guide").[10] In the Notice, of the three petitions challenging the '307 patent, Petitioner ranks this Petition second and the petition in IPR2024-00413 first. Notice 1. In our separate decision in IPR2024-00413, entered concurrently with this decision, we institute *inter partes* review of claims 1–7 and 9 of the '307 patent on all grounds stated in the Petition. IPR2024-00413, Paper 10.

In support of its decision to file three separate petitions challenging the same claims, Petitioner makes three arguments. Notice 1–5. First, Petitioner asserts that the Petition relies on three references (Rosenberg, Zeff, and Sterne) that were "asserted against the '582 patent in *Meta Platforms, Inc. v. AlmondNet, Inc.*, Case No. IPR2022-01436, in which institution was granted." *Id.* at 2. Petitioner argues that "[g]iven the similarities between the '582 and '307 claims, the Board should likewise institute IPR based on Petition 2." *Id.*

Next, Petitioner asserts that because "[t]he primary references used in the petitions all qualify as prior art under 35 U.S.C. §§ 102(a) or 102(e)," "Patent Owner . . . could attempt to antedate these references." Notice 2.

---

[9] We have discretion to deny this parallel petition under 35 U.S.C. § 314(a).
[10] *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated.

Finally, Petitioner asserts that "[t]he petitions use different prior art in different ways and provide multiple avenues to invalidate the claims, which is necessary in light of potential claim construction issues that may arise." *Id.* at 3. We do not find these arguments persuasive.

Our Practice Guide provides guidance on handling situations involving multiple petitions by a single petitioner challenging the same patent claims:

> Based on the Board's experience, *one petition should be sufficient* to challenge the claims of a patent in most situations. . . . . In addition, *multiple petitions by a petitioner are not necessary in the vast majority of cases*. To date, a substantial majority of patents have been challenged with a single petition.

Practice Guide 59 (emphasis added). The Practice Guide provides examples of "circumstances in which more than one petition may be necessary." *Id.* None of these examples are pertinent here. For example, a second petition might be justified "when the patent owner has asserted a large number of claims in litigation or when there is a dispute about priority date requiring arguments under multiple prior art references." Petitioner does not argue that the number of claims in the parallel litigation is "large." And while Petitioner does argue that the prior art relied upon on might be antedated, Patent Owner responds by stipulating "that it will not 'attempt to antedate or disqualify' the prior art relied upon by Petitioner." Prelim. Resp. 6–7.

Petitioner's remaining arguments are no more persuasive. Responding to Petitioner's argument that different prior art is involved in the three petitions, Patent Owner points out, "[n]early all parallel petitions involve different proposed prior art." Prelim. Resp. 6. We agree. Petitioner's desire to triple the available word count is an insufficient

justification for a second or third petition. As our Practice Guide cautions, "[t]wo or more petitions filed against the same patent at or about the same time . . . may place a substantial and unnecessary burden on the Board and the patent owner and could raise fairness, timing, and efficiency concerns." Practice Guide 59. This is especially concerning here, where the instituted trial in IPR2024-00413 will involve eight references and twenty grounds. Adding an additional eighteen grounds and five references from this Petition to the mix would create an "unnecessary burden."

Finally, we do not see merit in Petitioner's argument that a second petition is necessary because of the "possibility" Patent Owner might assert narrow claim constructions. Notice 3–5. Petitioner's argument is based on conjecture.

In sum, in the words of our Practice Guide, Petitioner fails to show "why the Board should exercise its discretion to institute additional petitions if it identifies one petition that satisfies petitioner's burden under 35 U.S.C. § 314(a)." Practice Guide 60.

III. CONCLUSION

For the foregoing reasons, we are not persuaded that the facts presented by Petitioner justify a second petition challenging the same claims of the '307 patent as the petition in IPR2024-00413. We therefore exercise our discretion under 35 U.S.C. § 314(a) to deny institution of *inter partes* review.

IV. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that, pursuant to 35 U.S.C. § 314(a), the Petition is denied and *inter partes* review of claims 1–7 and 9 of the '307 patent is not instituted on the grounds asserted in the instant Petition.

FOR PETITIONER:

Frederic M. Meeker
Craig W. Kronenthal
Camille Sauer
Wesley W. Jones
John Harris Curry
Jonathan D. Peloquin
John R. Hutchins
BANNER & WITCOFF, LTD.
fmeeker@bannerwitcoff.com
ckronenthal@bannerwitcoff.com
csauer@bannerwitcoff.com
wjones@bannerwitcoff.com
jcurry@bannerwitcoff.com
jpeloquin@bannerwitcoff.com
jhutchins@bannerwitcoff.com

FOR PATENT OWNER:

Reza Mirzaie
Jonathan Link
James A. Milkey
Amy E. Hayden
Philip X. Wang
RUSS, AUGUST & KABAT
rmirzaie@raklaw.com
jlink@raklaw.com
jmilkey@raklaw.com
ahayden@raklaw.com
pwang@raklaw.com

Trials@uspto.gov
571-272-7822

Paper 10
Entered: September 5, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREEWHEEL MEDIA, INC.,
Petitioner,

v.

ALMONDNET, INC.,
Patent Owner.

IPR2024-00415
Patent 7,979,307 B2

Before LYNNE H. BROWNE, CHARLES J. BOUDREAU, and SCOTT B. HOWARD, *Administrative Patent Judges.*

BROWNE, *Administrative Patent Judge.*

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

A. Background

FreeWheel Media, Inc. ("Petitioner") filed a Petition (Paper 2, "Pet.") requesting institution of an *inter partes* review of claims 1–7 and 9 of U.S. Patent No. 7,979,307 B2 (Ex. 1001, "the '307 Patent"). The '307 Patent is also the subject of two other petitions for *inter partes* review (IPR2024-00413 and IPR2024-00414) challenging the same claims as challenged in the instant petition and filed by Petitioner on the same day. Pet. vii.

AlmondNet, Inc. ("Patent Owner") timely filed a Preliminary Response. Paper 9 ("Prelim. Resp."). Patent Owner's Preliminary Response does not address the merits of Petitioner's challenges. Instead, Patent Owner contends that the Board should exercise its discretion to deny two of the three parallel petitions Petitioner has filed. *See* Prelim. Resp. 1, 4–8. Alternatively, Patent Owner contends the Board should deny institution because the Petition violates the particularity requirement of 35 U.S.C. § 312(a)(3) "by setting forth *three* express grounds of invalidity." *Id.* at 1. Patent Owner contends further that the three parallel petitions "cumulatively set forth *forty-one* express grounds of invalidity relying on *seventeen* prior art references and dozens of additional 'shadow' references." *Id.*

We have authority to determine whether to institute review under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a). For the reasons provided below, we are persuaded, based on the record before us, to exercise our discretion to deny institution in this proceeding based on Petitioner's parallel petition in IPR2024-00413.

B. Real Parties in Interest

Petitioner identifies the following real parties-in-interest:

"(i) FreeWheel Media, Inc., (ii) Beeswax.io Corp., (iii) Comcast Corporation, (iv) Comcast Cable Communications, LLC, and (v) Comcast Cable Communications Management, LLC." Pet. vii. Patent Owner identifies itself, "AlmondNet, Inc.," as the only real party in interest. Paper 6, 1.

C. Related Matters

The parties identify the following as related district court matters: *AlmondNet, Inc. v. LinkedIn Corporation*, No. 1:23-cv-01373 (D. Del.); *AlmondNet, Inc. v. FreeWheel Media, Inc.*, No. 1:23-cv-00220 (D. Del.); and *AlmondNet, Inc. v. Viant Technology Inc.*, No. 1:23-cv-00174 (D. Del.) ("District Court Actions"). Pet. vii; Paper 6, 1. The parties also identify the following co-pending petitions challenging the '307 Patent: IPR2024-00413 and IPR2024-00414. *Id.* Petitioner also identifies *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00049 (PTAB) as challenging claims of the '307 patent.

Petitioner further identifies the following district court litigation as involving "the '307 patent or its related patents": *AlmondNet, Inc., v. Samsung Electronics Co.*, 4-22-cv-07515 (N.D. Cal.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 4-23-cv-00438 (N.D. Cal.); *Roku, Inc. v. AlmondNet, Inc.*, 1-21-cv-01035 (D. Del.); *AlmondNet, Inc. v. Roku, Inc.*, 1-22-cv-01540 (D. Del.); *AlmondNet, Inc. v. Amazon.com, Inc.*, 6-22-cv-01204 (W.D. Tex.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 6-22-cv-01205 (W.D. Tex.); *AlmondNet, Inc. v. Microsoft Corp.*, 6-22-cv-01206 (W.D. Tex.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 4-22-cv-08911 (N.D. Cal.); *AlmondNet, Inc. v. Roku, Inc.*, 6-21-cv-00731 (W.D. Tex.); *AlmondNet, Inc. v. Facebook, Inc.*, 6-21-cv-00896 (W.D. Tex.); *AlmondNet, Inc. v. Microsoft Corp.*, 6-21-cv-00897 (W.D. Tex.); *AlmondNet, Inc. v. Amazon.com, Inc.*, 6-

21-cv-00898 (W.D. Tex.); *AlmondNet, Inc. v. Samsung Electronics Co.*, 6-21-cv-00891 (W.D. Tex.); *AlmondNet, Inc. v. Roku, Inc.*, 6-21-cv-00876 (W.D. Tex.); *AlmondNet, Inc. v. Oath Holdings Inc.*, 1-19-cv-00247 (D. Del.); and *AlmondNet, Inc. v. Yahoo! Inc.*, 1-16-cv-01557 (E.D.N.Y.).

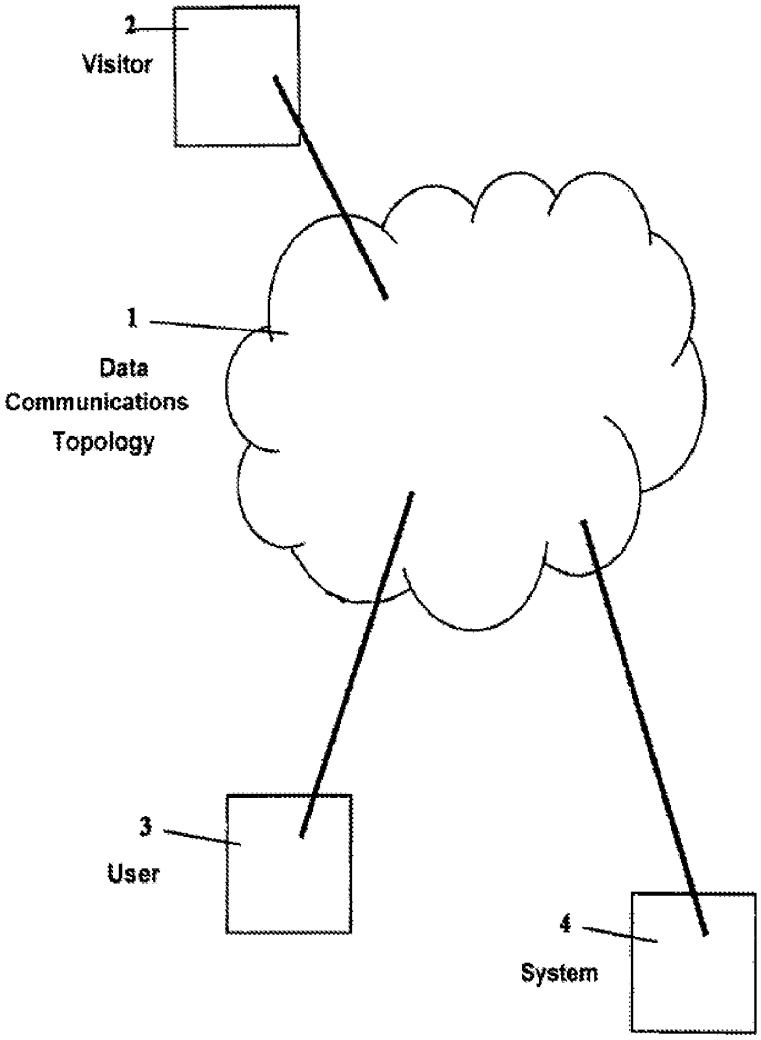
Petitioner further identifies the following terminated PTAB proceedings as involving patents related to the '307 Patent: *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00050; *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00051; *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00052; *Samsung Electronics Co. v. AlmondNet, Inc.*, IPR2022-01260; *Amazon.com, Inc. v. AlmondNet, Inc.*, IPR2022-01455; and *Meta Platforms, Inc. v. AlmondNet, Inc.*, IPR2022-01436.

Petitioner also indicates that it has filed three petitions for *inter partes* review against U.S. Patent No. 8,775,249, which is related to the '307 Patent, namely IPR2024-00416, IPR2024-00417, and IPR2024-00418. Pet. vii–viii.

D. The '307 Patent

The '307 Patent for a "Method and Stored Program for Accumulating Descriptive Profile Data Along with Source Information for Use in Targeting Third-Party Advertisements," "relates to a mercantile method" and "[m]ore specifically, the present invention relates to a mercantile method directed to brokerage of attributes of information." Ex. 1001, code (54), 1:23–27.

Figure 1, reproduced below, is "a schematic view of an Internet data communications topology." Ex. 1001, 4:44–45.



As shown in Figure 1, the data-communications topology includes "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." *Id.* at 4:58–62.

Figure 2, reproduced below, is "a schematic view of a system using the descriptive-profile mercantile method." Ex. 1001, 4:46–47.

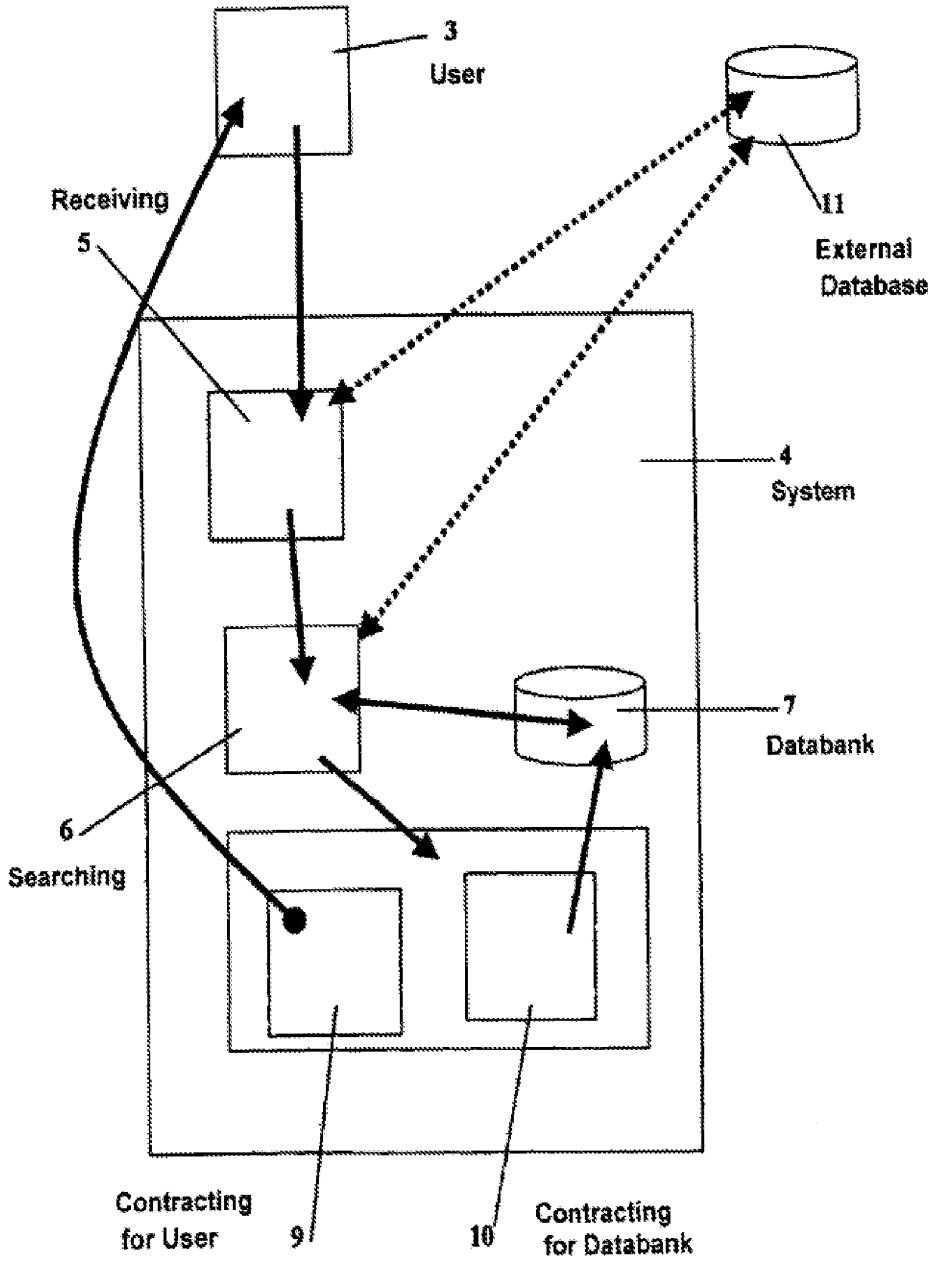


Figure 2 depicts "a descriptive-profile mercantile method" "for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles." *Id.* at 4:63–66. The method shown in Figure 2 includes the steps of:

> (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.

Ex. 1001, 5:1–18. The '307 patent also discloses "an additional embodiment" wherein "receiving a transaction includes consulting an external database (11)." *Id.* at 5:49–51.

E. Challenged Claims

Petitioner challenges claims 1–7 and 9. Pet. 1. Petitioner indicates that "[c]laims 8 and 10 have been disclaimed." *Id.* Claim 1, reproduced below, is illustrative of the claims at issue in this proceeding. Ex. 1001, 16:36–60.

> 1. An automated method of collecting profiles of Internet-using entities, the method comprising:
>
> (a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties operating respective websites, a partial profile of an entity that

uses a user computer coupled to the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;

(b) wherein receiving the partial profile is achieved by automatic electronic URL redirection from a portion of a page of the website accessed by the user computer;

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

(d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes;

(e) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.

F. Asserted Grounds of Unpatentability

Petitioner asserts that claims 1–7 and 9 are unpatentable on the following grounds:

Claim(s) Challenged	35 U.S.C. §[1]	Reference(s)/Basis
1–3, 6–7, 9	103	Rosenberg[2]
1–3, 6–7, 9	103	Rosenberg, Zeff,[3] Sterne[4]

[1] The Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) ("AIA"), amended 35 U.S.C. § 103, effective March 16, 2013. Because the '307 patent issued from an application filed before that date, we refer to the pre-AIA version of § 103.

[2] Rosenberg et al., U.S. Patent No. 6,073,241, issued June 6, 2000 (Ex. 1155) ("Rosenberg").

[3] Zeff, R., et al., *Advertising on the Internet*, John Wiley & Sons, Inc., pp. 1–27, 89–109, 1997 (Ex. 1156) ("Zeff").

[4] Sterne, Jim, *What Makes People Click: Advertising on the Web*, Que Corporation, pp. 1–41, 145–256, 375–386, 1997 (Ex. 1157) ("Sterne").

Claim(s) Challenged	35 U.S.C. §[1]	Reference(s)/Basis
1–3, 6–7, 9	103	Rosenberg, Kurtzman[5]
1–3, 6–7, 9	103	Rosenberg, Zeff, Sterne, Kurtzman
1–3, 6–7, 9	103	Rosenberg, Merriman[6]
1–3, 6–7, 9	103	Rosenberg, Zeff, Sterne, Merriman
3	103	Rosenberg, Farber[7]
3	103	Rosenberg, Zeff, Sterne, Farber
3	103	Rosenberg, Kurtzman, Farber
3	103	Rosenberg, Zeff, Sterne, Kurtzman, Farber
3	103	Rosenberg, Merriman, Farber
3	103	Rosenberg, Zeff, Sterne, Merriman, Farber
4, 5	103	Rosenberg, Coleman[8]
4, 5	103	Rosenberg, Zeff, Sterne, Coleman
4, 5	103	Rosenberg, Kurtzman, Coleman
4, 5	103	Rosenberg, Zeff, Sterne, Kurtzman, Coleman
4, 5	103	Rosenberg, Merriman, Coleman
4, 5	103	Rosenberg, Zeff, Sterne, Merriman, Coleman

II. DISCRETIONARY DENIAL

Patent Owner contends that institution of trial should be denied because "Petitioner has not and cannot justify the three simultaneously filed parallel petitions directed towards the '307 patent and challenging the same eight claims—claims 1–7 and 9." Prelim. Resp. 4. For the reasons that

[5] Kurtzman, II et al., U.S. Patent No. 6,144,944, issued Nov. 7, 2000 (Ex. 1158) ("Kurtzman").
[6] Merriman et al., U.S. Patent No. 8,566,154 B2, issued Oct. 22, 2013 (Ex. 1159) ("Merriman").
[7] Farber et al., U.S. Patent No. 5,978,791, issued Nov. 2, 1999 (Ex. 1163) ("Farber").
[8] Coleman, U.S. Pat. Appl. Pub. 2002/0026351 A1, published Feb. 28, 2002 (Ex. 1139).

follow, we agree and therefore exercise our discretion under 35 U.S.C. § 314 to deny institution.[9]

As discussed *supra*, this is the third of three petitions filed concurrently by Petitioner challenging claims 1–7 and 9 of the '307 patent. Consistent with the Board's practice for handling parallel petitions, Petitioner filed a Petition Ranking (Paper 3, "Notice"). *See* Patent Trial and Appeal Board Consolidated Trial Practice Guide 59–60 (November 2019) ("Practice Guide").[10] In the Notice, of the three petitions challenging the '307 patent, Petitioner ranks this Petition third and the petition in IPR2024-00413 first. Notice 1. In our separate decision in IPR2024-00413, entered concurrently with this decision, we institute *inter partes* review of claims 1–7 and 9 of the '307 patent on all grounds stated in the Petition. IPR2024-00413, Paper 10.

In support of its decision to file three separate petitions challenging the same claims, Petitioner makes three arguments. Notice 1–5. First, Petitioner asserts that "Petition 3 combines brand new references: Herz, Hagel and Bezos" and that "[t]hese references have never been considered by the Patent Office in any related IPR." *Id.* at 2. Next, Petitioner asserts that because "[t]he primary references used in the petitions all qualify as prior art under 35 U.S.C. §§ 102(a) or 102(e)," "Patent Owner . . . could attempt to antedate these references." *Id.* Finally, Petitioner asserts that "[t]he petitions use different prior art in different ways and provide multiple avenues to invalidate the claims, which is necessary in light of potential

[9] We have discretion to deny this parallel petition under 35 U.S.C. § 314(a).
[10] *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated.

claim construction issues that may arise." *Id.* at 3. We do not find these arguments persuasive.

Our Practice Guide provides guidance on handling situations involving multiple petitions by a single petitioner challenging the same patent claims:

> Based on the Board's experience, *one petition should be sufficient* to challenge the claims of a patent in most situations. . . . . In addition, *multiple petitions by a petitioner are not necessary in the vast majority of cases*. To date, a substantial majority of patents have been challenged with a single petition.

Practice Guide 59 (emphasis added). The Practice Guide provides examples of "circumstances in which more than one petition may be necessary." *Id.* None of these examples are pertinent here. For example, a second petition might be justified "when the patent owner has asserted a large number of claims in litigation or when there is a dispute about priority date requiring arguments under multiple prior art references." Petitioner does not argue that the number of claims in the parallel litigation is "large." And while Petitioner does argue that the prior art relied upon on might be antedated, Patent Owner responds by stipulating "that it will not 'attempt to antedate or disqualify' the prior art relied upon by Petitioner." Prelim. Resp. 6–7.

Petitioner's remaining arguments are no more persuasive. Responding to Petitioner's argument that different prior art is involved in the three petitions, Patent Owner points out, "[n]early all parallel petitions involve different proposed prior art." Prelim. Resp. 6. We agree. Petitioner's desire to triple the available word count is an insufficient justification for a second or third petition. As our Practice Guide cautions, "[t]wo or more petitions filed against the same patent at or about the same

time . . . may place a substantial and unnecessary burden on the Board and the patent owner and could raise fairness, timing, and efficiency concerns." Practice Guide 59. This is especially concerning here, where the instituted trial in IPR2024-00413 will involve eight references and twenty grounds. Adding an additional three grounds and three references from this Petition to the mix would create an "unnecessary burden."

Finally, we do not see merit in Petitioner's argument that a second petition is necessary because of the "possibility" Patent Owner might assert narrow claim constructions. Notice 3–5. Petitioner's argument is based on conjecture.

In sum, in the words of our Practice Guide, Petitioner fails to show "why the Board should exercise its discretion to institute additional petitions if it identifies one petition that satisfies petitioner's burden under 35 U.S.C. § 314(a)." Practice Guide 60.

III. CONCLUSION

For the foregoing reasons, we are not persuaded that the facts presented by Petitioner justify a second petition challenging the same claims of the '307 patent as the petition in IPR2024-00413. We therefore exercise our discretion under 35 U.S.C. § 314(a) to deny institution of *inter partes* review.

IV. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that, pursuant to 35 U.S.C. § 314(a), the Petition is denied and *inter partes* review of claims 1– 7 and 9 of the '307 patent is not instituted on the grounds asserted in the instant Petition.

FOR PETITIONER:

Frederic M. Meeker
Craig W. Kronenthal
Camille Sauer
Wesley W. Jones
John Harris Curry
Jonathan D. Peloquin
John R. Hutchins
BANNER & WITCOFF, LTD.
fmeeker@bannerwitcoff.com
ckronenthal@bannerwitcoff.com
csauer@bannerwitcoff.com
wjones@bannerwitcoff.com
jcurry@bannerwitcoff.com
jpeloquin@bannerwitcoff.com
jhutchins@bannerwitcoff.com

FOR PATENT OWNER:

Reza Mirzaie
Jonathan Link
James A. Milkey
Amy E. Hayden
Philip X. Wang
RUSS, AUGUST & KABAT
rmirzaie@raklaw.com
jlink@raklaw.com
jmilkey@raklaw.com
ahayden@raklaw.com
pwang@raklaw.com

Trials@uspto.gov
571-272-7822

Paper 10
Entered: September 5, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREEWHEEL MEDIA, INC.,
Petitioner,

v.

ALMONDNET, INC.,
Patent Owner.

IPR2024-00413
Patent 7,979,307 B2

Before LYNNE H. BROWNE, CHARLES J. BOUDREAU, and SCOTT B. HOWARD, *Administrative Patent Judges.*

BROWNE, *Administrative Patent Judge.*

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314

I. INTRODUCTION

A. Background

FreeWheel Media, Inc. ("Petitioner") filed a Petition (Paper 2, "Pet.") requesting institution of an *inter partes* review of claims 1–7 and 9 of U.S. Patent No. 7,979,307 B2 (Ex. 1001, "the '307 Patent"). AlmondNet, Inc. ("Patent Owner") timely filed a Preliminary Response. Paper 9 ("Prelim. Resp."). The '307 Patent is also the subject of two other petitions for *inter partes* review (IPR2024-00414 and IPR2024-00415) challenging the same claims as challenged in the instant petition and filed by Petitioner on the same day. Pet. vii.

Patent Owner's Preliminary Response does not address the merits of Petitioner's challenges. Instead, Patent Owner contends that the Board should exercise its discretion to deny two of the three parallel petitions Petitioner has filed. *See* Prelim. Resp. 1, 4–8. Alternatively, Patent Owner contends the Board should deny institution because the Petition violates the particularity requirement of 35 U.S.C. § 312(a)(3) "by setting forth *twenty* express grounds of invalidity." *Id.* at 1. Patent Owner contends further that the three parallel petitions "cumulatively set forth *forty-one* express grounds of invalidity relying on *seventeen* prior art references and at least *twenty-three* more 'shadow' references." *Id.*

We have authority to determine whether to institute review under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a). An *inter partes* review may not be instituted unless it is determined that "the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition." 35 U.S.C. § 314(a).

For the reasons discussed below, we determine, based on the record before us, that there is a reasonable likelihood Petitioner would prevail in showing at least one of the challenged claims is unpatentable. Furthermore, we deny Patent Owner's request that we exercise our discretion to deny institution in this proceeding based on the filing by Petitioner of two additional parallel petitions or due to the alleged lack of particularity in the instant Petition. We therefore institute *inter partes* review on all claims and all grounds. *See SAS Inst. Inc. v. Iancu*, 138 S. Ct. 1348 (2018).

B. Real Parties in Interest

Petitioner identifies the following real parties-in-interest: "(i) FreeWheel Media, Inc., (ii) Beeswax.io Corp., (iii) Comcast Corporation, (iv) Comcast Cable Communications, LLC, and (v) Comcast Cable Communications Management, LLC." Pet. vii. Patent Owner identifies itself, "AlmondNet, Inc.," as the only real party in interest. Paper 6, 1.

C. Related Matters

The parties identify the following as related district court matters: *AlmondNet, Inc. v. LinkedIn Corporation*, No. 1:23-cv-01373 (D. Del.); *AlmondNet, Inc. v. FreeWheel Media, Inc.*, No. 1:23-cv-00220 (D. Del.); and *AlmondNet, Inc. v. Viant Technology Inc.*, No. 1:23-cv-00174 (D. Del.) ("District Court Actions"). Pet. vii; Paper 6, 1. The parties also identify the following co-pending petitions challenging the '307 Patent: IPR2024-00414 and IPR2024-00415. *Id.* Petitioner also identifies *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00049 (PTAB) as challenging claims of the '307 patent.

Petitioner further identifies the following district court litigation as involving "the '307 patent or its related patents": *AlmondNet, Inc., v.*

Samsung Electronics Co., 4-22-cv-07515 (N.D. Cal.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 4-23-cv-00438 (N.D. Cal.); *Roku, Inc. v. AlmondNet, Inc.*, 1-21-cv-01035 (D. Del.); *AlmondNet, Inc. v. Roku, Inc.*, 1-22-cv-01540 (D. Del.); *AlmondNet, Inc. v. Amazon.com, Inc.*, 6-22-cv-01204 (W.D. Tex.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 6-22-cv-01205 (W.D. Tex.); *AlmondNet, Inc. v. Microsoft Corp.*, 6-22-cv-01206 (W.D. Tex.); *AlmondNet, Inc. v. Meta Platforms, Inc.*, 4-22-cv-08911 (N.D. Cal.); *AlmondNet, Inc. v. Roku, Inc.*, 6-21-cv-00731 (W.D. Tex.); *AlmondNet, Inc. v. Facebook, Inc.*, 6-21-cv-00896 (W.D. Tex.); *AlmondNet, Inc. v. Microsoft Corp.*, 6-21-cv-00897 (W.D. Tex.); *AlmondNet, Inc. v. Amazon.com, Inc.*, 6-21-cv-00898 (W.D. Tex.); *AlmondNet, Inc. v. Samsung Electronics Co.*, 6-21-cv-00891 (W.D. Tex.); *AlmondNet, Inc. v. Roku, Inc.*, 6-21-cv-00876 (W.D. Tex.); *AlmondNet, Inc. v. Oath Holdings Inc.*, 1-19-cv-00247 (D. Del.); and *AlmondNet, Inc. v. Yahoo! Inc.*, 1-16-cv-01557 (E.D.N.Y.).

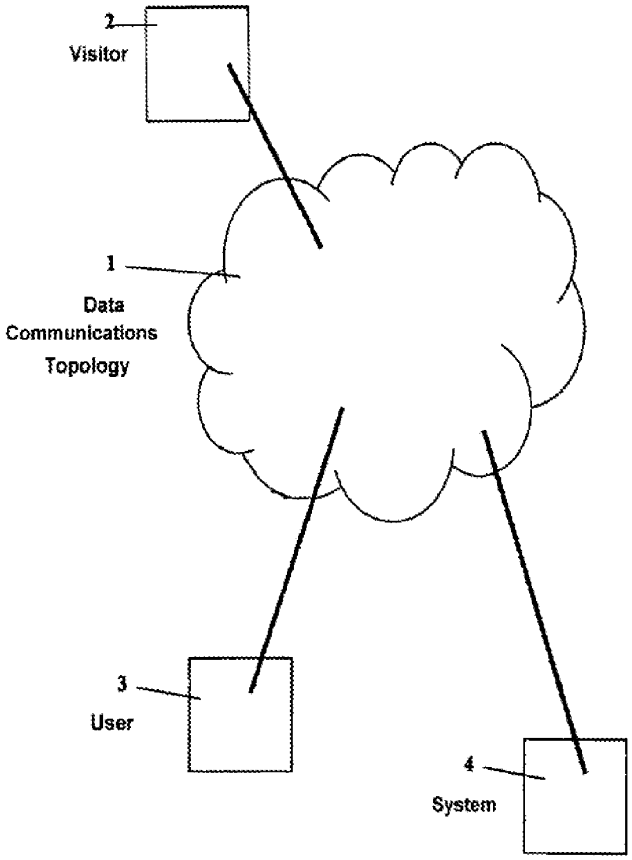
Petitioner further identifies the following terminated PTAB proceedings as involving patents related to the '307 Patent: *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00050; *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00051; *Yahoo! Inc. v. AlmondNet, Inc.*, CBM2017-00052; *Samsung Electronics Co. v. AlmondNet, Inc.*, IPR2022-01260; *Amazon.com, Inc. v. AlmondNet, Inc.*, IPR2022-01455; and *Meta Platforms, Inc. v. AlmondNet, Inc.*, IPR2022-01436.

Petitioner also indicates that it has filed three petitions for *inter partes* review against U.S. Patent No. 8,775,249, which is related to the '307 Patent, namely IPR2024-00416, IPR2024-00417, and IPR2024-00418. Pet. vii–viii.

D. The '307 Patent

The '307 Patent for a "Method and Stored Program for Accumulating Descriptive Profile Data Along with Source Information for Use in Targeting Third-Party Advertisements," "relates to a mercantile method" and "[m]ore specifically, the present invention relates to a mercantile method directed to brokerage of attributes of information." Ex. 1001, code (54), 1:23–27.

Figure 1, reproduced below, is "a schematic view of an Internet data communications topology." Ex. 1001, 4:44–45.



As shown in Figure 1, the data-communications topology includes "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." *Id.* at 4:58–62.

Figure 2, reproduced below, is "a schematic view of a system using the descriptive-profile mercantile method." Ex. 1001, 4:46–47.

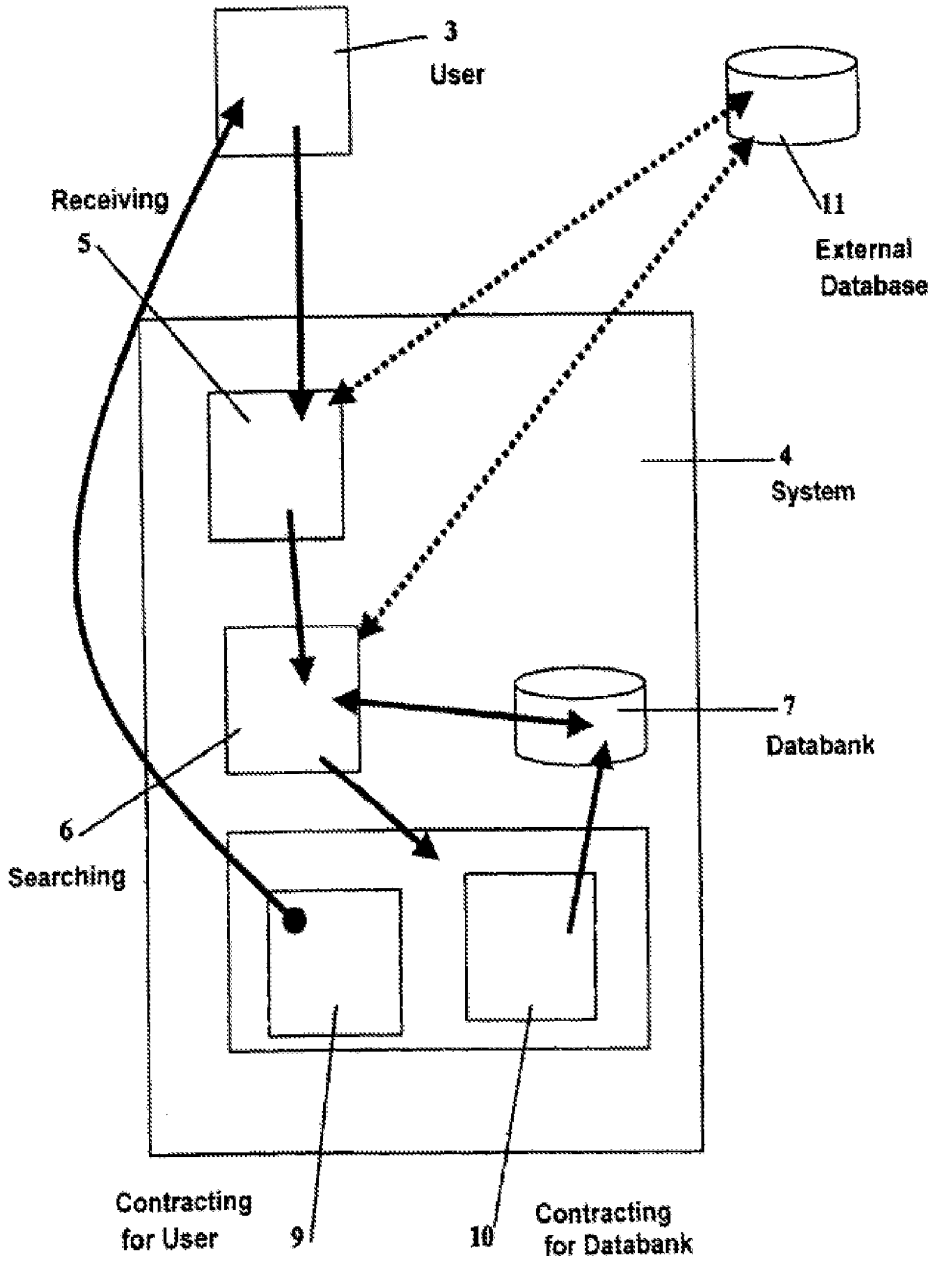


Figure 2 depicts "a descriptive-profile mercantile method" "for use at a juncture in a data-communications topology having associated therewith a maintained databank of partial profiles." *Id.* at 4:63–66. The method shown in Figure 2 includes the steps of:

> (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.

Ex. 1001, 5:1–18. The '307 patent also discloses "an additional embodiment" wherein "receiving a transaction includes consulting an external database (11)." *Id.* at 5:49–51.

E. Challenged Claims

Petitioner challenges claims 1–7 and 9. Pet. 1. Petitioner indicates that "[c]laims 8 and 10 have been disclaimed." *Id.* Claim 1, reproduced below, is illustrative of the claims at issue in this proceeding. Ex. 1001, 16:36–60.

> 1. An automated method of collecting profiles of Internet-using entities, the method comprising:
>
> (a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties operating respective websites, a partial profile of an entity that uses a user computer coupled to the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;
>
> (b) wherein receiving the partial profile is achieved by automatic electronic URL redirection from a portion of a page of the website accessed by the user computer;
>
> (c) automatically with the computer system electronically adding the received partial profile to a maintained profile believed to be related to the same entity;
>
> (d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes;
>
> (e) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.

F. Asserted Grounds of Unpatentability

Petitioner asserts that claims 1–7 and 9 are unpatentable on the following grounds:

Claim(s) Challenged	35 U.S.C. §[1]	Reference(s)/Basis
1–3, 7, 9	103	Merriman,[2] Jaye[3]
1–3, 7, 9	103	Roth,[4] Jaye
1–3, 7, 9	103	Merriman, Minor[5]
1–3, 7, 9	103	Roth, Minor
4–6	103	Merriman, Jaye, Coleman[6]
4–6	103	Merriman, Minor, Coleman
4–6	103	Roth, Jaye, Coleman
4–6	103	Roth, Minor, Coleman
2	103	Merriman, Jaye, Herz[7]
2	103	Merriman, Minor, Herz
2	103	Roth, Jaye, Herz
2	103	Roth, Minor, Herz
3, 6	103	Merriman, Jaye, Gardner[8]
3, 6	103	Merriman, Minor, Gardner
3, 6	103	Merriman, Jaye, Herz, Gardner
3, 6	103	Merriman, Minor, Herz, Gardner
3, 6	103	Roth, Jaye, Gardner
3, 6	103	Roth, Minor, Gardner
3, 6	103	Roth, Jaye, Herz, Gardner
3, 6	103	Roth, Minor, Herz, Gardner

[1] The Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) ("AIA"), amended 35 U.S.C. § 103, effective March 16, 2013. Because the '307 patent issued from an application filed before that date, we refer to the pre-AIA version of § 103.
[2] Merriman et al., U.S. Patent No. 5,948,061, issued Sept. 7, 1999 (Ex. 1035) ("Merriman").
[3] Jaye, U.S. Patent No. 6,415,322 B1, issued July 2, 2002 (Ex. 1037).
[4] Roth et al., U.S. Patent No. 6,285,987 B1, issued Sept. 4, 2001 (Ex. 1036) ("Roth").
[5] Minor et al., U.S. Patent No. 5,740,252, issued Apr. 14, 1998 (Ex. 1038) ("Minor").
[6] Coleman, U.S. Pat. Appl. Pub. 2002/0026351 A1, published Feb. 28, 2002 (Ex. 1039).
[7] Herz et al., U.S. Pat. Appl. Pub. 2013/0097664 A1, published Apr. 18, 2013 (Ex. 1040) ("Herz").
[8] Gardner, U.S. Patent No. 6,141,694, issued Oct. 31, 2000 (Ex. 1043).

II. ANALYSIS

A. Parallel Petitions

As noted in the Background, Section I.A, of this Decision, Petitioner filed three Petitions for *inter partes* review of the '307 Patent. IPR2024-00413, IPR2024-00414, IPR2024-00415. Concurrent with the filing of these petitions, Petitioner filed a Petition Ranking and Explanation of Material Differences Between Petitions, ranking its three petitions directed to the '307 patent in accordance with the guidance with respect to parallel petitions in the Board's November 2019 Consolidated Trial Practice Guide. Paper 3; *see* Patent Trial and Appeal Board Consolidated Trial Practice Guide (Nov. 2019), at 59–60 (available at *Available at* https://www.uspto.gov/TrialPracticeGuideConsolidated). In that Paper, Petitioner ranked the instant Petition first. Paper 3, 1.

Patent Owner contends that "the Board should exercise its discretion and deny institution in this proceeding (IPR2024-00413) because Petitioner has not shown that this is one of the 'rare' instances where multiple petitions are needed." Prelim. Resp. 9.

For reasons discussed in our concurrent Decisions Denying Institution in IPR2024-00414 and IPR2024-00415, we agree with Patent Owner that plural petitions are not warranted. Given our Decisions to Deny Institution in IPR2024-00414 and IPR2024-00415, Patent Owner's argument is unavailing with regard to the instant Petition.

B. Compliance with 35 U.S.C. § 312(a)(3)

As noted in the Background, Section I.A, of this Decision, Patent Owner contends that "the Petition violates the requirement of 35 U.S.C. § 312(a)(3) that each petition identifies the grounds on which the challenge to each claim is based 'with particularity' by setting forth *twenty* express

grounds of invalidity." Prelim. Resp. 1. Patent Owner contends that "Petitioner resorts to burying Patent Owner and the Board with scattershot invalidity theories supported by conclusory arguments." *Id.*

We decline to exercise our discretion to deny this Petition for lack of particularity. Patent Owner's reliance on *Adaptics* is misplaced. *Adaptics* is distinguishable from this case. In *Adaptics*, the petitioner's use of "and/or" in its challenges yielded "hundreds of possible combinations." *Adaptics*, Paper 20 at 19. In addition, the petitioner in *Adaptics* asserted a "catch-all" ground asserting obviousness as an alternative if its extensive anticipation grounds failed. *Id.* at 14. In finding that the petition lacked sufficient particularity, the Board cited this "catch-all" ground as "the worst offender." *Id.* at 18.

While we agree that the instant Petition could have been more concise, we disagree that it is so "voluminous and excessive" as to warrant denial for lack of sufficient particularity. *See Adaptics*, Paper 20 at 18.

C. Principles of Law for Patentability

A patent claim is unpatentable under 35 U.S.C. § 103 if the differences between the claimed subject matter 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." *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007). The question of obviousness is resolved on the basis of underlying factual determinations including: (1) the scope and content of the prior art; (2) any differences between the claimed subject matter and the prior art; (3) the level of ordinary skill in the art; and (4) when in evidence, objective

evidence of nonobviousness.[9] *Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966).

"An obviousness determination requires finding that a person of ordinary skill in the art would have been motivated to combine or modify the teachings in the prior art and would have had a reasonable expectation of success in doing so." *Regents of Univ. of Cal. v. Broad Inst., Inc.*, 903 F.3d 1286, 1291 (Fed. Cir. 2018).

"In an [*inter partes* review], the petitioner has the burden from the onset to show with particularity why the patent it challenges is unpatentable." *Harmonic Inc. v. Avid Tech., Inc.*, 815 F.3d 1356, 1363 (Fed. Cir. 2016) (citing 35 U.S.C. § 312(a)(3) (requiring *inter partes* review petitions to identify "with particularity . . . the evidence that supports the grounds for the challenge to each claim")). This burden of persuasion never shifts to Patent Owner. *See Dynamic Drinkware, LLC v. Nat'l Graphics, Inc.*, 800 F.3d 1375, 1378 (Fed. Cir. 2015) (discussing the burden of proof in *inter partes* review).

D. Level of Ordinary Skill in the Art

In determining the level of skill in the art, we consider the type of problems encountered in the art, the prior art solutions to those problems, the rapidity with which innovations are made, the sophistication of the technology, and the educational level of active workers in the field. *Custom Accessories, Inc. v. Jeffrey-Allan Indus. Inc.*, 807 F.2d 955, 962 (Fed. Cir. 1986); *Orthopedic Equip. Co. v. United States*, 702 F.2d 1005, 1011 (Fed. Cir. 1983).

---

[9] Patent Owner does not present objective evidence of nonobviousness at this stage of the proceeding. *See generally* Prelim. Resp.

Petitioner contends that "[a] person of ordinary skill in the art ('POSITA') at the time of the alleged invention would have had a bachelor's degree in computer engineering, computer science, or a similar discipline, and two years of experience with data communications over the Internet (including Internet advertising) and database management." Pet. 7 (citing Ex. 1002 ¶¶ 186–191).

Patent Owner does not address the level of skill in the art in its Preliminary Response. Petitioner's definition appears reasonable, and we determine that the level reflected in the prior art is consistent with Petitioner's definition. Accordingly, for the purposes of this Decision, we adopt Petitioner's proposal regarding the level of one of ordinary skill in the art.

E. Claim Construction

We apply the claim construction standard articulated in *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005) (en banc), and its progeny. Only terms that are in controversy need to be construed, and then only to the extent necessary to resolve the controversy. *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co. Matal*, 868 F.3d 1013, 1017 (Fed. Cir. 2017) (in the context of an *inter partes* review, applying *Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999)).

Petitioner states that it "applies AlmondNet's construction of 'unaffiliated third part[y/ies]' as 'part[y/ies] not having common ownership with the party or parties that control said programmed computer system.'" Pet. 8. Petitioner indicates that "[a]ll other terms have been given their plain and ordinary meaning" although Petitioner also notes that "[i]n related proceedings, certain constructions were proposed and/or adopted." *Id.* (citing Exs. 1010–1019; Ex. 1002 ¶¶ 192–208). Petitioner asserts that "the

art teaches the claim limitations under any reasonable construction, including any prior construction by the Board or a court." *Id.* Patent Owner does not address claim construction in its Preliminary Response.

As no claim terms are in controversy, we determine that claim construction is not necessary for purposes of this decision.

F. Overview of the Prior Art References Discussed Below[10]

1. Merriman (Ex. 1035)

Merriman is a United States patent for a method of delivery, targeting, and measuring advertising over networks that issued September 7, 1999. Ex. 1035, codes (12), (45). In particular, Merriman concerns compiling statistics on individual users and networks and tracking the use of advertisements to permit targeting of the advertisements to individual users. *Id.* at code (57). In response to requests from affiliated sites, an advertising server transmits to people accessing the page of a site an appropriate one of the advertisements based upon profiling of users and networks. *Id.*

Figure 1 of Merriman is reproduced below.

[10] We do not provide summaries of the prior art relied on for Grounds that we do not discuss in this Decision.

FIG. 1

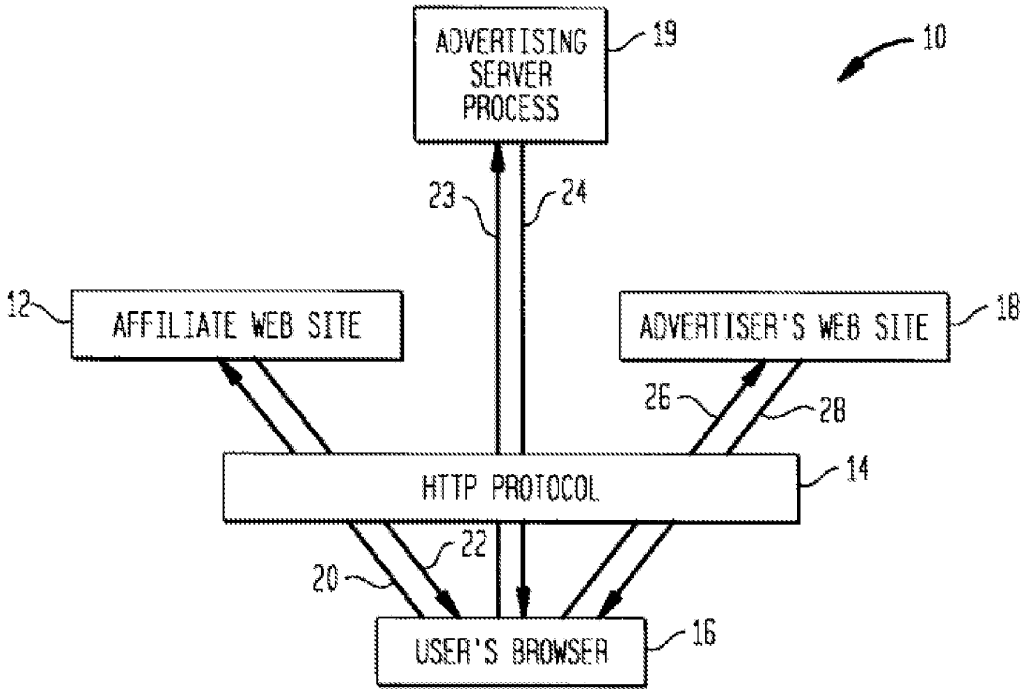


Figure 1 illustrates the basic architecture of a network 10 that comprises at least one affiliate web site 12, an advertisement (ad) server web site 19, and one or more individual advertisers web sites 18. Ex. 1035, 2:59–62. According to Merriman, "[w]hen a user using a browser accesses or 'visits' a web site of an affiliate, an advertisement provided by the advertisement server 19 will be superimposed on the display of the affiliate's web page displayed by the user's browser." *Id.* at 2:62–3:1. Merriman describes the operations shown in Figure 1 as follows: "a user operates a web browser, such as Netscape or Microsoft Internet Explorer, on a computer or PDA or other Internet capable device 16 to generate through the hypertext transfer protocol (HTTP) 14 a request 20 to any one of preferably a plurality of affiliate web sites 12." *Id.* at 3:24–28. Next, "[t]he affiliate web site sends one or more messages back 22 using the same protocol." *Id.* at 3:28–29.

"Those messages 22 preferably contain all of the information available at the particular web site 12 for the requested page to be displayed by the user's browser 16 except for one or more advertising objects such as banner advertisements." *Id.* at 3:30–34. Merriman discloses that "[advertising] objects preferably do not reside on the affiliate's web server" and "[i]nstead, the affiliate's web server sends back a link including an IP address for a node running an advertiser server process 19 as well as information about the page on which the advertisement will be displayed." *Id.* at 3:34–38. As an example, Merriman teaches that the link "may be a hypertext markup language (HTML) <img> tag, referring to, for example, an inline image such as a banner," and "[t]he user's browser 16 then transmits a message 23 using the received IP address to access such an object indicated by the HTML tag from the advertisement server 19." *Id.* at 3:38–44. "Upon receiving the request in the message 23, the advertising server process 19 determines which advertisement or other object to provide to user's browser and transmits the messages 24 containing the object such as a banner advertisement to the user's browser 16 using the HTTP protocol." *Id.* at 3:52–57. Merriman describes that "[p]referably contained within the HTTP message is a unique identifier for the advertiser's web page appropriate for the advertisement," and "[t]hat advertisement object is then displayed on the image created by the web user's browser as a composite of the received affiliate's web page plus the object transmitted back by the advertising web SCWC." *Id.* at 3:57–63.

2. Jaye (Ex. 1037)

Jaye is a United States patent for dual/blind identification that issued July 2, 2002. Ex. 1037, codes (12), (45). In particular, Jaye concerns a global interest profile of a user. *Id.* at code (57).

Jaye describes "[a] distributed user identification process," that allows "individual local servers or domains to control their own user identification scheme and to collaborate with other local servers or domains at the discretion of an enterprise server." Ex. 1038, 2:2–6. "The enterprise server correlates the local user identification scheme with a global user identifier and may disclose to interested outside parties, such as advertisers, only the global user identifier without revealing the identity of a user who interacts with a local server." *Id.* at 2:6–10.

Figure 1 of Jaye is reproduced below.

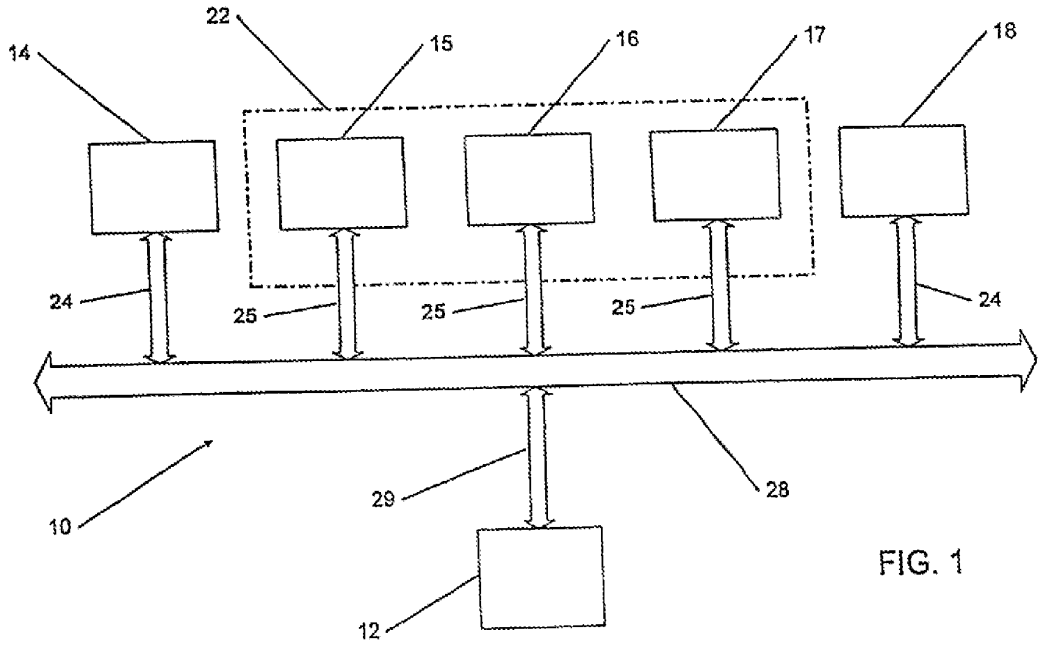


FIG. 1

Figure 1 illustrates a part 10 of the Internet computer network that includes a client 12 and a group of servers 14–18. Ex. 1038, 4:5–6. Jaye describes that "client 12 may be any one of a variety of conventional, commercially available, hardware and software combinations configured to access Internet servers by any one of a variety of suitable means." *Id.* at 4:7–10. Jaye discloses that "servers 14–18 and the client 12 communicate with each other

via communication links 24, 25 and 29 which are all connected to a communication channel 28." *Id.* at 4:20–23.

3. Roth (Ex. 1036)

Roth is a United States patent for internet advertising system that issued September 4, 2001. Ex. 1036, codes (12), (45). Roth concerns "[a] system for providing advertisements from a central server to viewers who access web sites." *Id.* at code (57). The central server stores both advertisements which are to be displayed and an information data base that "includes information about viewers, information about the characteristics of particular web sites and other information relevant to which advertisements should be displayed for particular viewers." *Id.*

Figure 1 of Roth is reproduced below.

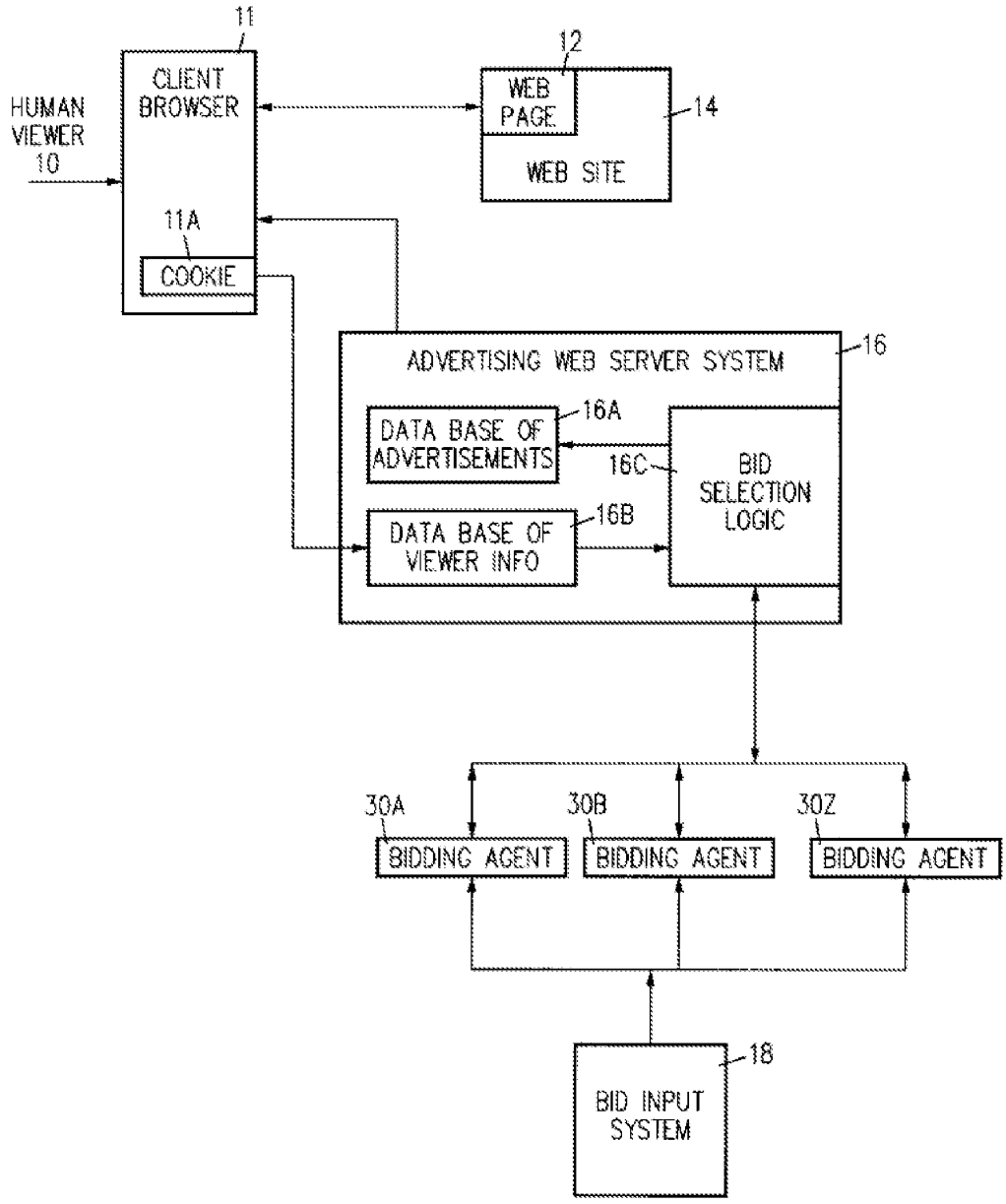


Figure 1 illustrates a human viewer 10 that utilizes a client browser 11 to access a web page 12 on a web site 14. Ex. 1036, 3:33–34. Web page 12 is transmitted to browser 11 and includes an HTML reference to a file (i.e., an advertisement) located on an advertising web server system 16. *Id.* at 3:34–38. Each time client browser 11 displays web page 12, the human viewer 10

will see an advertisement which is provided by advertising web server system 16. *Id.* at 3:52–55. Advertising web server system 16 includes a database of advertisements 16A, a database of viewer information 16B, and a bid selection logic 16C. *Id.* at 3:57–59. The bid selection logic 16C receives bids from bidding agents 30A to 30Z, which in turn receive information concerning proposed bids from bid input system 18. *Id.* at 3:59–62.

4. Minor (Ex. 1038)

Minor is a United States patent for an "apparatus and method for passing private demographic information between hyperlink destinations" that issued April 14, 1998. Ex. 1038, codes (12), (45). Minor concerns "associating a computer operator with a set of demographic information." *Id.* at code (57).

Figure 2 of Minor is reproduced below.

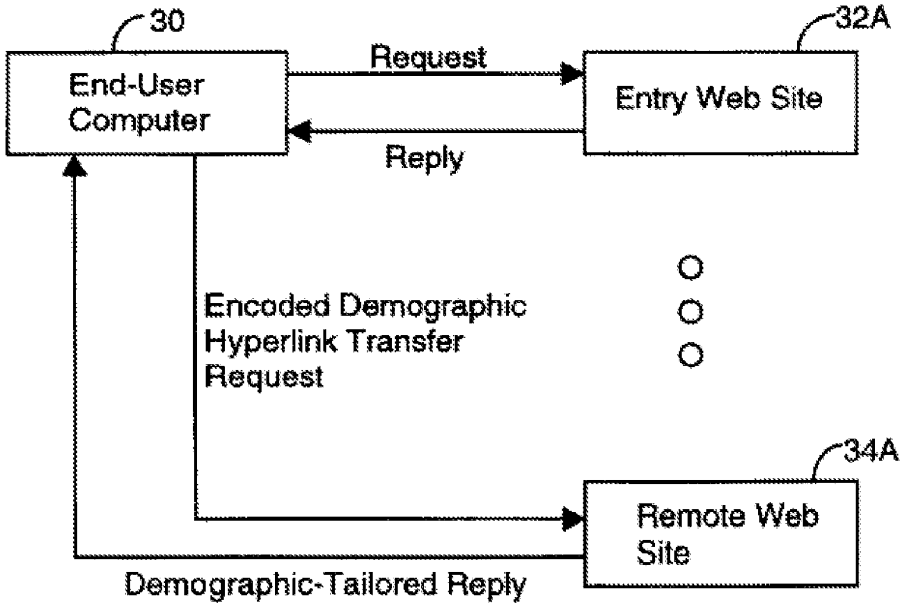


Figure 2 illustrates a system architecture that includes an end-user computer 30 that generates a request that reaches an entry web site 32A. Ex. 1038.

3:40–41. The request uses a Uniform Resource Locator (URL) address to specify a computer (entry web site 32A) and information (a file) at that computer. *Id.* at 3:41–44. Entry web site 32A obtains demographic information about the computer operator at the end-user computer 30 by providing "a set of inquiries or a graphical interface to obtain demographic information about the computer operator." *Id.* at 3:45–49. Minor discloses that "[t]ypical demographic information includes name, age, zip code, income level, employment information, type of computer used, other purchasing preferences, etc." *Id.* at 3:49–52.

G. Ground A: Alleged Obviousness of Claims 1–3, 7, and 9 in View of the Combined Teachings of Merriman and Jaye

Petitioner asserts that the combined teachings of Merriman and Jaye render claims 1–3, 7, and 9 unpatentable. Pet. 8. Patent Owner does not dispute Petitioner's reasoning and assertions. *See generally* Prelim. Resp.

1. Petitioner's Reasoning in Support of the Proposed Combination

Petitioner asserts that "Merriman describes a method and system for compiling information to profile website visitors and delivering targeted advertisements over the Internet." Pet. 9 (citing Ex. 1035, code (57), 1:8–11, 2:6–45, 3:5–23, 4:24–32, 4:43–54, Figs. 1–3A). Specifically, Petitioner asserts that "Merriman's website 12[11] sends message 22 that provides a webpage including a portion with a URL for redirecting browser 16 to send message 23 to advertising server 19." *Id.* at 9–10 (citing Ex. 1035, 3:24–52, Fig. 1; Ex. 1002 ¶ 218). Petitioner asserts that "message 23 includes a cookie stored on browser 16, but admits that Merriman "does not expressly

[11] We do not reproduce the coloring of the text or bold emphasis used in the Petition.

disclose passing profile information from website 12 to advertising server 19 through messages 22 and 23." *Id.* at 10 (citing Ex. 1035, 3:41–52, 5:11–29).

Turning to Jaye, Petitioner asserts that "Jaye's client 12 (like Merriman's browser 16) gets a webpage from local server 15 (like Merriman's website 12) and communicates over the Internet 10 with enterprise server 16 (like Merriman's advertising server 19) that maintains a global user profile." Pet. 10–11 (citing Ex. 1037, 4:5–6:19, 7:21–26, 8:40–43, 13:19–41, 14:22–25, Fig. 1; Ex. 1002 ¶ 219). Petitioner asserts further that "Jaye's local server 15 forces a transfer to automatically redirect client 12 to enterprise server 16." *Id.* at 11 (citing Ex. 1037, 6:32–67, 7:46–57, Figs. 2–3). In addition, Petitioner asserts that "Jaye specifically describes a technique of inserting, into an image tag of a webpage, a special URL that redirects client 12 to enterprise server 16" and that "Jaye further describes appending additional profile information, such as a local server ID and client information (e.g., a local user ID), to the special URL." *Id.* at 11–12 (citing Ex. 1037, 6:36–46).

Based on these assertions, Petitioner reasons that

> It would have been obvious to apply Jaye's teachings of automatically forcing a transfer of profile information (e.g., by appending it to a URL) to an enterprise server that maintains a global user profile for use by an advertiser to Merriman's system for delivering targeted advertisements based on user profiles because doing so usefully provides the profile information in real time.

Pet. 12 (citing Ex. 1002 ¶ 222; Ex. 1035, 3:24–4:54; Ex. 1037, 6:32–67, 7:46–57, 8:40–52). Petitioner explains that

> In the Merriman-Jaye system, website 12 sends message 22 that provides a webpage including a portion having a special URL (with appended profile information per Jaye) that causes browser

> 16 to send message 23 (including the special URL with appended profile information) to advertising server 19, which in turn adds the profile information to a global user profile.

Id. (citing Ex. 1002 ¶ 222; Ex. 1035, 4:43–50; Ex. 1037, 8:10–55). Thus, according to Petitioner, "Merriman-Jaye teaches a method and system in which advertising server 19 receives profile information from website 12 by performing automatic electronic URL redirection from a portion of a webpage accessed by browser 16." *Id.* at 13 (citing Ex. 1002 ¶ 223).

Petitioner articulates additional reasons in support of the proposed combination and explains why a person of ordinary skill in the art "would have expected success in Merriman-Jaye." Pet. 12–16.

2. Petitioner's Assertions for Claim 1

Petitioner addresses each limitation of claim 1. Pet. 17–28. Patent Owner does not dispute Petitioner's assertions for each limitation, which we summarize below. *See generally* Prelim. Resp.

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

Petitioner asserts that "Merriman teaches a method of delivering targeted advertisements that includes an automated method of collecting profiles of users of Internet browsers." Pet. 17 (citing Ex. 1002 ¶ 234).

> *b) (a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties operating respective websites, a partial profile of an entity that uses a user computer coupled to the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and*

automatically with the computer system storing the received partial profile;

Petitioner asserts that "Merriman's advertising server 19 (claimed 'programmed computer system') comprises one or more servers and uses database 54" and is "coupled to the Internet (claimed 'global computer network')." Pet. 18 (citing Ex. 1035, code (57), 3:6–18, 3:24–28, 4:12–24, 8:47–60, Fig. 2; Ex. 1002 ¶ 235). Petitioner asserts further that "Merriman's website 12 is a web server controlled by one of a plurality of unaffiliated third parties (claimed 'at least one server controlled by one of a plurality of unaffiliated third parties operating respective websites')" and that its "website 12 is not owned or controlled by the same party that owns or controls advertising server 19." *Id.* at 18–19 (citing Ex. 1035, 3:2–4, 3:16–18, 3:30–38, 4:12–19). Petitioner reasons that "[i]t would have at least been obvious, and straightforward, to implement Merriman such that website 12 is controlled by one of a plurality of third parties unaffiliated with advertising server 19 for the purpose of expanding the applicability of the system." *Id.* at 19 (citing Ex. 1002 ¶ 236).

In addition, Petitioner asserts that Merriman "teaches electronically receiving, at advertising server 19, message 23 including a cookie identifying the user of the user computer operating browser 16," but "does not expressly disclose message 23 including profile information from website 12." Pet. 19 (citing Ex. 1002 ¶ 238; Ex. 1035, 3:28–57). To cure this deficiency in Merriman, Petitioner asserts that "Merriman-Jaye maintains Merriman's system, but modifies Merriman's operation to append profile information to a URL in messages 22 and 23." *Id.* (citing Ex. 1002 ¶ 238). Specifically, Petitioner asserts that "[i]n Merriman-Jaye, both messages 22 and 23 include profile information about browser 16's user

(claimed 'partial profile') appended to the URL by website 12." *Id.* at 20 (citation omitted). Thus, according to Petitioner, "Merriman-Jaye teaches electronically receiving, at advertising server 19 from website 12, profile information of the user (claimed 'electronically receiving at a programmed computer system . . . from at least one server . . . a partial profile of an entity')." *Id.* (citing Ex. 1002 ¶ 238).

Regarding the proposed Merriman-Jaye combination, Petitioner asserts further that "Merriman-Jaye's profile information (appended by website 12) would have contained at least one attribute related to the user of browser 16 (claimed 'contains at least one profile attribute related to the entity')." Pet. 20 (citing Ex. 1002 ¶¶ 239–240). In addition, Petitioner asserts that Merriman's teaching "that advertising server 19 automatically stores received profile information in database 54 (claimed 'automatically with the computer system storing the received partial profile') . . . would have been preserved in the combination." *Id.* at 20–21 (citing Ex. 1035, 4:43–54, Fig. 3A).

> *c) (b) wherein receiving the partial profile is achieved by automatic electronic URL redirection from a portion of a page of the website accessed by the user computer;*

Petitioner asserts that "Merriman's website 12 sends message 22, including a URL, that causes (without user action) browser 16 to send message 23 to advertising server 19 associated with the URL" which "is 'automatic electronic URL redirection.'" Pet. 21 (citing Ex. 1002 ¶¶ 241–242; Ex. 1035, 3:38–43; Ex. 1019, 112–113). Petitioner asserts further that "[i]n Merriman-Jaye, the same messages 22 and 23 of Merriman are communicated, but with profile information appended to the URL." *Id.* (citing Ex. 1002 ¶ 245). Thus, according to Petitioner, Merriman-Jaye

teaches that receiving the profile information . . . is achieved by automatic electronic URL redirection from a portion of a webpage of website 12 accessed by the user computer. *Id.* (citing Ex. 1002 ¶ 246).

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

Petitioner asserts that "Merriman's database structure stores a user profile (claimed 'maintained profile'), including attributes such as a user identification ('USER ID') and information identifying pages on which advertisements were seen ('PAGES ADS SEEN ON')." Pet. 22–23 (citing Ex. 1035, 4:43–54, Fig. 3A; Ex. 1002 ¶ 247). Petitioner asserts further that "[t]hese features of Merriman would have been preserved in Merriman-Jaye" as "Merriman's USER ID and PAGES ADS SEEN ON attributes are related to attributes that Jaye expressly discloses as being appended." *Id.* at 23 (citing Ex. 1037, 5:5–6:46).

> *e) (d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes;*

Petitioner asserts that "Merriman's advertising server 19 maintains database 54 having a structure with a field for recording information identifying pages on which advertisements were seen ('PAGES ADS SEEN ON') in a user profile (claimed 'maintained profile')" and that "[a]dvertising server 19 automatically generates and stores the information identifying a page an advertisement was seen on." Pet. 25 (citing Ex. 1035, 4:5–8, 4:20–24, 4:32–37, 4:43–54, Fig. 3; Ex. 1002 ¶¶ 252–253). Petitioner asserts further that "[b]y generating the information identifying this page and recording it within database 54, Merriman generates and stores an electronic

record of the party controlling website 12 that contributed the profile information." *Id.*

In addition, Petitioner asserts that "[b]ecause Jaye teaches recording the local server ID, it would have been obvious for Merriman-Jaye to record the local server ID" and thus, a person of ordinary skill in the art "would have recorded the local server ID to keep a record of which party provided the profile information for rewarding that party and incentivizing parties to provide profile information." Pet. 26 (citing Ex. 1002 ¶ 256; Ex. 1037, 8:23–28).

> *f) (e) wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the user computer over the global computer network.*

Petitioner asserts that Merriman discloses using data "in the user profiles to deliver targeted advertisements for third-party advertisers 18 (claimed 'data used in targeting third-party advertisements') to the user computer operating browser 16 over the Internet." Pet. 27–28 (citing Ex. 1035, code (57), 1:8–11, 2:40–45, 4:50–54, 5:50–60, 5:64–67, 6:6–11, 6:56–59, 8:47–51; Ex. 1002 ¶ 258). Thus, according to Petitioner, "Merriman teaches that the user profile, including added profile information, comprises data used in targeting advertisements for advertisers 18 to the user computer operating browser 16 over the Internet." *Id.* (citing Ex. 1002 ¶ 259). Petitioner asserts further that "[t]his feature is preserved in Merriman-Jaye" with "[t]he only difference is that, in Merriman-Jaye, the profile information comes from website 12 because it is appended to the URL by website 12." *Id.* (citation omitted).

> *3. Petitioner's Assertions for Claim 2: The method of claim 1 further comprising automatically with the computer*

system electronically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes used in targeting the advertisements.

Petitioner asserts that the Merriman-Jaye combination "teaches 'automatically with the computer system electronically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes used in targeting the advertisements' added in claim 2" in that "[t]he information in the PAGES ADS SEEN ON field (already in Merriman) or in the 'Party Providing Profile Info' field . . . is an electronic record indicating that the party controlling website 12 contributed the profile information." Pet. 28–29 (citing Ex. 1002 ¶¶ 261–266). Petitioner asserts further that "[a]ny information in this data structure is used for targeted advertising" such that "the information in Merriman-Jaye's PAGES ADS SEEN ON field or 'Party Providing Profile Info' field is an electronic record of the party controlling website 12 that contributed, to the user profile, attributes of the profile information used in targeting the advertisements." *Id.* at 29 (citing Ex. 1002 ¶ 266; Ex. 1035, code (57), 2:40–45, 4:50–54, 5:50–6:11, 6:56–63, 8:47–56).

4. Petitioner's Assertions for Claim 3: The method of claim 2 further comprising automatically with the computer system electronically determining whether the received partial profile contains any profile attributes about the entity that were not previously contained in a maintained profile.

Petitioner asserts that "Merriman's advertising server 19 stores received profile information in user profiles on a user-by-user basis and receives profile information for the same user from different websites 12." Pet. 30 (citing Ex. 1002 ¶¶ 271–273; Ex. 1035, 2:8–36, 2:59–62, 8:63–9:4). According to Petitioner, in order "[t]o store attributes from different

websites in the same user profile, server 19 would have determined which attributes are not already in the profile." *Id.* (citing Ex. 1002 ¶ 273). Petitioner asserts further that "to store attributes from different websites 12 on a user-by-user basis, server 19 would have checked whether received attributes of a user were already stored in that user's profile; otherwise, information would be overwritten or duplicated." *Id.* at 31 (citing Ex. 1002 ¶ 274). Thus, Petitioner asserts that "Merriman-Jaye teaches server 19 automatically and electronically determining whether the received profile information contains any profile attributes about the user of browser 16 that were not previously contained in the user's profile, thereby teaching claim 3." *Id.* (citing Ex. 1002 ¶¶ 275–276).

5. Petitioner's Assertions for Claim 7: The method of claim 1 further comprising automatically with the computer system electronically reading a cookie previously stored on the entity's computer, as a result of the URL redirection.

Petitioner asserts that "Merriman's redirect message 23 includes a cookie, stored by browser 16 on the user computer, that would have been read by advertising server 19." Pet. 31–32 (citing Ex. 1035, 3:43–52, 5:11–29). Thus, according to Petitioner, "Merriman-Jaye further teaches advertising server 19 automatically and electronically reading a cookie previously stored on the user's computer, as a result of the URL redirection, thereby teaching claim 7." *Id.* at 32 (citing *Id.* ¶¶ 278–281).

6. Petitioner's Assertions for Claim 9[12]

Petitioner asserts that "Claim 9 is a storage medium version of claim 1 and unpatentable for similar reasons." Pet. 32 (citation omitted).

[12] We do not reproduce claim 9.

7. Conclusion for Ground A

Patent Owner does not dispute Petitioner's assertions in Ground A or Petitioner's reasoning in support of its proposed combination. *See generally* Prelim. Resp. We have reviewed Petitioner assertions and reasoning, as well as the evidence of record, in support of this challenge. On the current record, we determine that Petitioner has demonstrated a reasonable likelihood of prevailing on Ground A.

H. Grounds B–D: Alleged Obviousness of Claims 1–3, 7, and 9 in View of the Combined Teachings of Roth and Jaye; Merriman and Minor; or Roth and Minor

Having determined that Petitioner has demonstrated a reasonable likelihood of prevailing for claims 1–3, 7, and 9 on the basis of Ground A, and given that Patent Owner does not dispute Petitioner's assertions and reasoning for Grounds B–D, we do not reproduce Petitioner's assertions and reasoning for these grounds.

I. Grounds E–T: Alleged Obviousness of Claims 2–6 Based on Various Combinations of Merriman, Jaye, Roth, Minor, Coleman, Herz, and Gardner

Petitioner asserts that claims 2–6 are unpatentable over sixteen various combinations of Merriman, Jaye, Roth, Minor, Coleman, Herz, or Gardner. Pet. 5–6. Although Petitioner sets forth its support for these challenges, we question whether Petitioner has adequately explained its position. Pet. 72–85. For example, Petitioner discusses Grounds E–H in only 6 pages of the Petition. Pet. 72–78. The discussion on these pages is confusing and hard to follow, as Petitioner does not clearly explain how Coleman's teachings are applied in each proposed combination and instead refers collectively to "the Coleman combinations" in explaining its reasoning. Regardless, as we institute trial in this proceeding based on

Petitioner's showing of a reasonable likelihood of prevailing with respect to at least one claim on Ground A, in accordance with 37 C.F.R. § 42.108(a), we institute trial on all asserted grounds and reserve further discussion of these grounds until after full development of the trial record.

III. CONCLUSION

For the foregoing reasons, we have determined that there is a reasonable likelihood that Petitioner would prevail with respect to at least one of the claims challenged in the Petition. We therefore institute trial as to all challenged claims on all grounds stated in the Petition.

IV. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that, pursuant to 35 U.S.C. § 314(a), *inter partes* review is instituted as to claims 1–7 and 9 of the '307 patent on the grounds set forth in the Petition; and

FURTHER ORDERED that pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, notice is hereby given of the institution of a trial; the trial will commence on the entry date of this decision.

FOR PETITIONER:

Frederic M. Meeker
Craig W. Kronenthal
Camille Sauer
Wesley W. Jones
John Harris Curry
Jonathan D. Peloquin
John R. Hutchins
BANNER & WITCOFF, LTD.
fmeeker@bannerwitcoff.com
ckronenthal@bannerwitcoff.com
csauer@bannerwitcoff.com
wjones@bannerwitcoff.com
jcurry@bannerwitcoff.com
jpeloquin@bannerwitcoff.com
jhutchins@bannerwitcoff.com

FOR PATENT OWNER:

Reza Mirzaie
Jonathan Link
James A. Milkey
Amy E. Hayden
Philip X. Wang
RUSS, AUGUST & KABAT
rmirzaie@raklaw.com
jlink@raklaw.com
jmilkey@raklaw.com
ahayden@raklaw.com
pwang@raklaw.com

AO 120 (Rev. 08/10)

TO:	**Mail Stop 8** **Director of the U.S. Patent and Trademark Office** **P.O. Box 1450** **Alexandria, VA 22313-1450**	**REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
6:21-cv-896	8/27/2021	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC., and INTENT IQ, LLC	FACEBOOK, INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,822,639	10/26/2010	ALMONDNET, INC.
2	7,979,307	7/12/2011	ALMONDNET, INC.
3	8,244,582	8/14/2012	ALMONDNET, INC.
4	8,244,586	8/14/2012	ALMONDNET, INC.
5	8,671,139	3/11/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	8,677,398	3/18/2014	INTENTIQ, LLC
2	8,775,249	7/8/2014	ALMONDNET, INC.
3	8,959,146	2/17/2015	ALMONDNET, INC.
4	9,508,089	11/29/2016	ALMONDNET, INC.
5	9,830,615	11/28/2017	ALMONDNET, INC.

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
12/15/2022 - Order Granting Defendant's Motion to Transfer to the Northern District of California - Doc 84

CLERK	(BY) DEPUTY CLERK	DATE
Phillip J. Devlin	Susanne Miles	12/15/2022

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

Print Save As... Reset

AO 120 (Rev. 08/10)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
6:21-cv-00891	8/26/2021	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC., and INTENT IQ, LLC	SAMSUNG ELECTRONICS CO., LTD.; SAMSUNG ELECTRONICS AMERICA, INC.; ADGEAR TECHNOLOGIES INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,979,307	7/12/2011	ALMONDNET, INC.
2	8,200,822	6/12/2012	ALMONDNET, INC.
3	8,244,582	8/14/2012	ALMONDNET, INC.
4	8,566,164	10/22/2013	INTENTIQ, LLC
5	8,671,139	3/11/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,677,398	3/18/2014	INTENTIQ, LLC
2 8,959,146	2/17/2015	ALMONDNET, INC.
3 10,321,198	6/11/2019	INTENTIQ, LLC
4 10,715,878	7/14/2020	INTENTIQ, LLC
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
11/28/2022 Doc #65 Sealed Order GRANTING [35] Sealed Motion to Transfer to the Northern District of California.

CLERK	(BY) DEPUTY CLERK	DATE
PHILIP J. DEVLIN		11/28/2022

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Print Save As... Reset

AO 120 (Rev. 08/10)

TO:	**Mail Stop 8** **Director of the U.S. Patent and Trademark Office** **P.O. Box 1450** **Alexandria, VA 22313-1450**	**REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	11/18/2022	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC. AND INTENT IQ, LLC	MICROSOFT CORPORATION, AND XANDR, INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,861,260	12/28/2010	ALMONDNET, INC.
2	7,979,307	7/12/2011	ALMONDNET, INC.
3	8,775,249	7/8/2014	ALMONDNET, INC.
4	8,959,146	2/17/2015	ALMONDNET, INC.
5	10,715,878	7/14/2020	INTENT IQ, LLC

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

Print Save As... Reset

AO 120 (Rev. 08/10)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	11/18/2022	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC. AND INTENT IQ, LLC	AMAZON.COM, INC.; AMAZON.COM SERVICES LLC; AND AMAZON WEB SERVICES, INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,747,745	6/29/2010	ALMONDNET, INC.
2	7,861,260	12/28/2010	INTENT IQ, LLC
3	7,979,307	7/12/2011	ALMONDNET, INC.
4	8,204,783	7/19/2012	ALMONDNET, INC.
5	8,775,249	7/8/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	8,959,146	2/17/2015	ALMONDNET, INC.
2	10,715,878	7/14/2020	INTENT IQ, LLC
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

Print Save As... Reset

AO 120 (Rev. 08/10)

TO:	**Mail Stop 8** **Director of the U.S. Patent and Trademark Office** **P.O. Box 1450** **Alexandria, VA 22313-1450**	**REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
6:22-cv-1204	11/18/2022	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC. AND INTENT IQ, LLC	AMAZON.COM, INC.; AMAZON.COM SERVICES LLC; AND AMAZON WEB SERVICES, INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,747,745	6/29/2010	ALMONDNET, INC.
2	7,861,260	12/28/2010	INTENT IQ, LLC
3	7,979,307	7/12/2011	ALMONDNET, INC.
4	8,204,783	7/19/2012	ALMONDNET, INC.
5	8,775,249	7/8/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading		
	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	8,959,146	2/17/2015	ALMONDNET, INC.
2	10,715,878	7/14/2020	INTENT IQ, LLC
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
6/1/2023 - Order Adopting Report and Recommendations - Doc #36

CLERK	(BY) DEPUTY CLERK	DATE
PHILIP J. DEVLIN		06/01/2023

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

Print Save As... Reset

Disclaimer

7,979,307 B2 - Roy Shkedi, New York, NY (US). METHOD AND STORED PROGRAM FOR ACCUMULATING DESCRIPTIVE PROFILE DATA ALONG WITH SOURCE INFORMATION FOR USE IN TARGETING THIRD-PARTY ADVERTISEMENTS. Patent dated July 12, 2011. Disclaimer filed September 6, 2017, by the inventor.

I hereby disclaim the following complete claims 8 and 10 of said patent.

(Official Gazette, March 14, 2023)

AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	8/27/2021	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC., and INTENT IQ, LLC	AMAZON.COM, INC.; AMAZON.COM SERVICESLLC; AND AMAZON WEB SERVICES,INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,822,639	10/26/2010	ALMONDNET, INC.
2	7,979,307	7/12/2011	ALMONDNET, INC.
3	8,244,582	8/14/2012	ALMONDNET, INC.
4	8,244,586	8/14/2012	ALMONDNET, INC.
5	8,671,139	3/11/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,677,398	3/18/2014	INTENTIQ, LLC
2 8,775,249	7/8/2014	ALMONDNET, INC.
3 8,959,146	2/17/2015	ALMONDNET, INC.
4 9,508,089	11/29/2016	ALMONDNET, INC.
5 9,830,615	11/28/2017	ALMONDNET, INC.

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Print Save As... Reset

AO 120 (Rev. 08/10)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	8/27/2021	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC., and INTENT IQ, LLC	MICROSOFTCORPORATION

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,822,639	10/26/2010	ALMONDNET, INC.
2	7,979,307	7/12/2011	ALMONDNET, INC.
3	8,244,582	8/14/2012	ALMONDNET, INC.
4	8,244,586	8/14/2012	ALMONDNET, INC.
5	8,671,139	3/11/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	8,677,398	3/18/2014	INTENTIQ, LLC
2	8,775,249	7/8/2014	ALMONDNET, INC.
3	8,959,146	2/17/2015	ALMONDNET, INC.
4	9,508,089	11/29/2016	ALMONDNET, INC.
5	9,830,615	11/28/2017	ALMONDNET, INC.

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Print Save As... Reset

AO 120 (Rev. 08/10)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	8/27/2021	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC., and INTENT IQ, LLC	FACEBOOK, INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,822,639	10/26/2010	ALMONDNET, INC.
2	7,979,307	7/12/2011	ALMONDNET, INC.
3	8,244,582	8/14/2012	ALMONDNET, INC.
4	8,244,586	8/14/2012	ALMONDNET, INC.
5	8,671,139	3/11/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	8,677,398	3/18/2014	INTENTIQ, LLC
2	8,775,249	7/8/2014	ALMONDNET, INC.
3	8,959,146	2/17/2015	ALMONDNET, INC.
4	9,508,089	11/29/2016	ALMONDNET, INC.
5	9,830,615	11/28/2017	ALMONDNET, INC.

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

Print Save As... Reset

AO 120 (Rev. 08/10)

TO:	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Texas on the following

☐ Trademarks or ☑ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
	8/26/2021	Western District of Texas

PLAINTIFF	DEFENDANT
ALMONDNET, INC., and INTENT IQ, LLC	SAMSUNG ELECTRONICS CO., LTD.; SAMSUNG ELECTRONICS AMERICA, INC.; ADGEAR TECHNOLOGIES INC.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	7,979,307	7/12/2011	ALMONDNET, INC.
2	8,200,822	6/12/2012	ALMONDNET, INC.
3	8,244,582	8/14/2012	ALMONDNET, INC.
4	8,566,164	10/22/2013	INTENTIQ, LLC
5	8,671,139	3/11/2014	ALMONDNET, INC.

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,677,398	3/18/2014	INTENTIQ, LLC
2 8,959,146	2/17/2015	ALMONDNET, INC.
3 10,321,198	6/11/2019	INTENTIQ, LLC
4 10,715,878	7/14/2020	INTENTIQ, LLC
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

Print Save As... Reset

PTO/AIA/123 (08-12)
Approved for use through 03/31/2021. OMB 0651-0035
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.

CHANGE OF CORRESPONDENCE ADDRESS
Patent

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

Patent Number	7,979,307
Issue Date	7/12/2011
Application Number	12/186,918
Filing Date	8/6/2008
First Named Inventor	Shkedi, Roy
Attorney Docket Number	DP-DIV1

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

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

This form will not affect any "fee address" provided for the above-identified patent. To change a "fee address" use the "Fee Address Indication Form" (PTO/SB/47).

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.

Electronic Acknowledgement Receipt

EFS ID:	40936650
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
Title of Invention:	METHOD AND STORED PROGRAM FOR ACCUMULATING DESCRIPTIVE PROFILE DATA ALONG WITH SOURCE INFORMATION FOR USE IN TARGETING THIRD-PARTY ADVERTISEMENTS
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-DIV
Receipt Date:	23-OCT-2020
Filing Date:	06-AUG-2008
Time Stamp:	19:10:56
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	Change of Address	20-10-23-AN-DP_DIV1-COA.pdf	198567 15fca1a5550765864a0c56214980d2b14cc1e37b	no	1

Warnings:

Information:	
Total Files Size (in bytes):	198567

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.

Trials@uspto.gov
Tel: 571-272-7822

Paper 10
Entered: November 28, 2017

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YAHOO! INC.,
Petitioner,

v.

ALMONDNET, INC.,
Patent Owner.

Case CBM2017-00049
Patent 7,979,307 B2

Before MICHAEL W. KIM, JUSTIN T. ARBES, and THOMAS L. GIANNETTI, *Administrative Patent Judges*.

KIM, *Administrative Patent Judge.*

DECISION
Denying Institution of Covered Business Method Patent Review
35 U.S.C. § 324(a) and 37 C.F.R. § 42.208

I. INTRODUCTION

A. Background

Yahoo! Inc. ("Petitioner") filed a Corrected Petition to institute a covered business method patent review of claims 1–3 and 6–8 of U.S. Patent No. 7,979,307 B2 (Ex. 1001, "the '307 patent") on a single ground of unpatentability under 35 U.S.C. § 101. Paper 5 ("Pet.").[1] AlmondNet, Inc. ("Patent Owner") filed a Preliminary Response, in which Patent Owner indicates that a statutory disclaimer has been filed with respect to dependent claims 8 and 10. Paper 7 ("Prelim. Resp."), 22–23.

For the reasons set forth below, we determine that the '307 patent does not qualify as a covered business method patent for the purposes of § 18(d)(1) of the Leahy-Smith America Invents Act ("AIA"), Pub. L. No. 112-29, 125 Stat. 284, 331. We, thus, do not institute a covered business method patent review of any claims of the '307 patent.

B. Related Proceedings

Petitioner and Patent Owner identify the following district court proceeding concerning the '307 patent: *AlmondNet, Inc. et al. v. Yahoo! Inc.*, No. 1:16-cv-01557-ILG-SMG (E.D.N.Y.). Pet. 2; Paper 3, 2. The following proceedings, before the Board, also involve the same parties:

---

[1] Petitioner filed its initial Petition on May 11, 2017 (Paper 2), then filed a Corrected Petition on June 2, 2017 (Paper 5). Petitioner was not ordered to correct its Petition in the Notice of Filing Date Accorded to Petition (Paper 6), and the filed papers do not otherwise indicate that Board authorization was obtained to do so. See 37 C.F.R. § 42.20(a). We need not reach this issue, however, given our disposition of the Corrected Petition on the merits. as explained herein.

CBM2017-00046 (U.S. Patent No. 7,822,639) (institution denied); CBM2017-00047 (U.S. Patent No. 8,244,586) (institution denied); CBM2017-00050 (U.S. Patent No. 8,775,249); CBM2017-00051 (U.S. Patent No. 8,494,904); CBM2017-00052 (U.S. Patent No. 8,244,582); CBM2017-00056 (U.S. Patent No. 8,959,146) (institution denied); CBM2017-00058 (U.S. Patent No. 8,671,139) (institution denied).

C. Standing

Section 18 of the America Invents Act governs the transitional program for covered business method patent reviews. Leahy-Smith America Invents Act ("AIA"), Pub. L. No. 112–29, § 18, 125 Stat. 284, 329–31 (2011); *see also* 37 C.F.R. §§ 42.300–304 (2016) (setting forth the rules governing the transitional program for covered business method patents). Section 18(a)(1)(B) of the AIA limits such reviews to persons, or their privies, that have been sued or charged with infringement of a covered business method patent. *See also* 37 C.F.R. § 42.302(a) (setting forth who may petition for a covered business method patent review). Petitioner asserts that, because it has been sued for infringement of certain claims of the '307 patent, it has standing to file this Petition. Pet. 38 (citing Ex. 1003). Based on the record before us, we agree.

D. The '307 Patent

The '307 patent discloses that the claimed invention relates generally to "a mercantile method directed to brokerage of attributes of information." Ex. 1001, 1:25–27. According to the '307 patent, "[a]dvances 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." *Id.* at 1:32–34. The

'307 patent further discloses that "[u]nfortunately, 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." *Id.* at 1:53–55. The '307 patent indicates this is a problem because "[i]n commercial applications where specific attributes of information strongly affect the value of evaluations, there is a need in the art for commerce in such attributes. For example, in targeted advertising, every attribute, which substantially affects the probability of that advertisement's success, innately has a discrete economic value." *Id.* at 1:55–61. The '307 patent purports to solve this problem by utilizing "a descriptive profile mercantile method, for use at a juncture in a data communications topology having associated therewith a maintained databank of partial profiles." *Id.* at 3:19–22. According to the '307 patent, the disclosed invention provides "a means for making viable the economic commerce in the information attributes" and "operates on a brokerage representation model." *Id.* at 3:42–48.

E. Illustrative Claim

Petitioner challenges claims 1–3 and 6–8 of the '307 patent. Of those, claim 1, reproduced below, is the only independent claim and is illustrative of the challenged claims.

> 1. An automated method of collecting profiles of Internet using entities, the method comprising:
>
> (a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of unaffiliated third parties operating respective websites, a partial profile of an entity that uses a user computer coupled to the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;

(b) wherein receiving the partial profile is achieved by automatic electronic URL redirection from a portion of a page of the website accessed by the user computer;

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

(d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes;

(e) wherein the maintained profile, including the added partial profile, comprises data used in targeting third party advertisements to the user computer over the global computer network.

Ex. 1001, 16:36–60.

F. Asserted Ground of Unpatentability

Petitioner challenges claims 1–3 and 6–8 of the '307 patent as failing to claim patent-eligible subject matter under 35 U.S.C. § 101. Pet. 38–63.

II. ANALYSIS

A. Claim Construction

In a covered business method patent review, we construe claim terms in an unexpired patent according to their broadest reasonable construction in light of the specification of the patent in which they appear. 37 C.F.R. § 42.200(b); *see Cuozzo Speed Techs. LLC v. Lee,* 136 S. Ct. 2131, 2142 (2016) (upholding the use of the broadest reasonable interpretation standard). Only those terms that are in controversy, however, need be construed, and only to the extent necessary to resolve the controversy. *See Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999). Under the broadest reasonable interpretation ("BRI"),

claim terms generally are given their ordinary and customary meaning, as would be understood by one of ordinary skill in the art in the context of the entire disclosure. *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). An inventor, however, may define specific terms used to describe an invention, but must do so "with reasonable clarity, deliberateness, and precision" and must "'set out his uncommon definition in some manner within the patent disclosure' so as to give one of ordinary skill in the art notice of the change" in meaning. *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994) (quoting *Intellicall, Inc. v. Phonometrics, Inc.*, 952 F.2d 1384, 1387–88 (Fed. Cir. 1992)).

Petitioner proposes two claim terms be construed: "unaffiliated third parties" and "third party advertisements." Pet. 18–28. We begin our analysis with the plain language of the claims themselves, but look to the specification for guidance as to how one skilled in the art would understand the ordinary meaning of the claims. In interpreting claims, care must be exercised, as there is a fine line between interpreting claims in light of the specification, and reading limitations into the claims from the specification. *Comark Commc'ns, Inc. v. Harris Corp.*, 156 F.3d 1182, 1186 (Fed. Cir. 1998).

1. "unaffiliated third parties"

Independent claim 1 recites "electronically receiving at a programmed computer system coupled to a global computer network, from at least one server controlled by one of a plurality of ***unaffiliated third parties*** operating respective websites, a partial profile . . ." (emphasis added). Petitioner asserts that "unaffiliated third parties" should be construed as "parties that engage in arm's length transactions to buy and sell profiles." Pet. 18–26.

Petitioner asserts this construction is proper because: (1) the specification characterizes the "present invention" as including "unaffiliated third parties" that buy and sell profiles; (2) the specification makes clear that "unaffiliated third parties" are those that contract to buy and sell profiles; and (3) any construction of "unaffiliated third parties" that excludes a contract to buy and sell profiles would read out impermissibly the preferred embodiment of the invention. *Id.*

Patent Owner disagrees, asserting that the term "unaffiliated third parties" does not require any express construction. Prelim. Resp. 13–17. Patent Owner asserts further that even if construction were required, Petitioner's construction would be incorrect, because it excludes improperly "a party that *donates* data or *swaps* data rather than buying or selling it," something covered by use of the words "economic *or other* value" in a relevant portion of the specification. *Id.* (emphasis in original) (in part quoting Ex. 1001, 7: 65). We agree with Patent Owner.

As an initial matter, we note that Petitioner does not assert that any express claim language supports its proffered construction. We discern that the lack of such an assertion is logical as, of all the substantive terms set forth in Petitioner's construction, the only one recited explicitly, in any claim, is "profile." We do not discern that any of the terms "unaffiliated," "third," "parties," and "profile," individually or collectively, provides a sufficient basis for Petitioner's proposed construction.

Instead, Petitioner relies almost exclusively on the specification. In light of the above, however, Petitioner needs to show that its proffered construction is set forth "with reasonable clarity, deliberateness, and precision" and is "'set out . . . in some manner within the patent disclosure'

so as to give one of ordinary skill in the art notice of the change" in meaning. *Paulsen,* 30 F.3d at 1480. We are unpersuaded that Petitioner has done so. Specifically, we agree with Patent Owner that the portions of the specification identified by Petitioner merely disclose preferred, but non-limiting, embodiments. *See* Prelim. Resp. 13–18. In particular, Patent Owner contends, and we agree, that the following portions of the specification indicate that "unaffiliated third parties" is not limited to "buying and selling," as asserted by Petitioner:

> 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.

Ex. 1001, 7:58–65 (emphasis added).

> 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.***

Id. at 10:27–31 (emphases added).

As for Petitioner's assertion that construing "unaffiliated third parties" to exclude a contract to buy and sell profiles would read out, impermissibly, the preferred embodiment of the invention, we conclude that assertion is misplaced. Patent Owner does not assert that "unaffiliated third parties" should be construed as excluding buying and selling profiles; Patent Owner is merely asserting that "unaffiliated third parties" is not limited to "parties that engage in arm's length transactions to buy and sell profiles." Under that

premise, a premise with which we agree for the reasons set forth above, the preferred embodiment is not excluded.

We are unpersuaded that "unaffiliated third party" is limited to "parties that engage in arm's length transactions to buy and sell profiles." As explained above, the term also encompasses parties that engage in other types of transactions (e.g., trades). We agree with Patent Owner that "unaffiliated third parties" does not require any further construction.

2. "third-party advertisements"

Independent claim 1 recites "wherein the maintained profile, including the added partial profile, comprises data used in targeting ***third party advertisements*** to the user computer over the global computer network . . ." (emphasis added). Petitioner asserts that the term "third-party advertisements" should be construed as "paid announcements." Pet. 26–28. Petitioner asserts that the specification defines a "third party" as "one that buys and sells information." *Id.* Petitioner additionally asserts that an advertisement, in the context of electronic media, necessarily is paid. *Id.* (citing Ex. 1002 ¶¶ 44, 63). Petitioner, thus, concludes that "[s]ince, here, 'third-party' modifies 'advertisements,' the claim term 'third-party advertisements' ought to be construed to mean 'advertisements' that are sold by one party and purchased by another (*i.e.*, third) party, *i.e.*, 'paid announcements.'" *Id.* at 27 (citing Ex. 1002 ¶ 62).

Patent Owner disagrees, asserting that "[t]he *broadest* reasonable interpretation of 'advertisement' is simply 'a notice or announcement,' and the broadest reasonable interpretation of 'third party advertisement' is a notice or announcement by some party other than the one performing the method of claim 1. Including free ads is not 'unreasonable.'" Prelim. Resp.

18–22. Patent Owner argues that Petitioner's assertions are flawed, because the "third party" recited in each of "unaffiliated third parties" and "third-party advertisement" are actually different parties. *Id.* at 20. Specifically, Patent Owner argues the "term 'unaffiliated third party' refers to the 'user,' whereas the term 'third-party advertisements' refers to advertisements of a third-party *advertiser*." *Id.* As an initial matter, we note that the parties appear to agree that "advertisements" are, essentially, "announcements," as each party's respective construction includes that term. Accordingly, we will limit our analysis to whether or not it is proper to insert the word "paid" before "announcements." On that issue, we agree with Patent Owner that it is not.

Beginning with "third party," Petitioner does not identify, and we are unable to ascertain independently, anything about the terms "third" or "party," individually or collectively, that has anything to do with either "one that buys and sells information" or "paid." The same is true for the rest of the express language set forth in independent claim 1.

The portions of the specification cited by Petitioner are equally unavailing. Pet. 26–28 (citing Ex. 1001, 3:42–43, 8:3–6) We are unpersuaded that either portion provides a definition of "third party" as "one that buys and sells information," or as requiring "paid," with any degree of "clarity, deliberateness, and precision." *See Paulsen,* 30 F.3d at 1480. As noted by Patent Owner, the portions of the specification cited by Petitioner refer to a "third-party" in the context of "unaffiliated third party," and not "third-party advertisements." Moreover, even if those portions of the specification are considered relevant, we are unpersuaded that they limit "third party" to "one that buys and sells information," or require the term

"paid," for the same reasons set forth above in our analysis of "unaffiliated third party."

For the claim term "advertisements," Petitioner asserts that adding the word "paid" is appropriate, because "one of ordinary skill would understand that in the context of the electronic media at issue in the '307 patent, an 'advertisement[ ]' is necessarily paid; otherwise, it would not be considered an 'advertisement[ ].'" Pet. 27 (citing Ex. 1002 ¶¶ 44, 63). We are unpersuaded. We have considered Petitioner's supporting evidence and, in particular, the testimony of Stephen Gray. While Mr. Gray uses the absolute term "always" in asserting that "[a]t least in the context of the Internet, advertisers always pay for 'advertisements'; otherwise, a displayed message would not be considered an advertisement" (Ex. 1002 ¶ 44), we are unpersuaded that it is credible, as the balance of the paragraph, as well as the cited exhibits, use much more equivocal language, as follows:

> Indeed, from its inception, Internet advertising was ***focused*** on generating revenue for websites for the display of advertisements. (*See, e.g.*, Ex. 1025 at 153 ("When advertising on the Web first began, no one knew how to price. The only known figure was a fee HotWired decided to charge for its first ads in 1994: $30,000 for banner advertising that ran for 12 weeks."). Advertisers ***may*** pay for advertisements via pay-per-click (PPC) systems, also called cost-per-click (CPC) systems. (*See* Ex. 1026 (https://www.duncanjonesnz.com/history-of-ppcmarketing/).) PPC is an Internet advertising ***model*** in which advertisers pay the publisher (***typically*** a website owner or a search engine) when the ad is clicked. The ads would have ***typically*** appeared as a link that ***may*** be accompanied by additional advertising language. When a user clicked on one of the ads containing a hyperlink, the user's browser was directed to the website of a company that had agreed to pay the owner of the PPC system some amount of money for each such click. Other pricing ***models*** "range from flat-fee to paying for the

> number of times an ad is seen . . . to paying on a cost-per-lead or cost-per-purchase basis." (Ex. 1025 at 154; *see also id.* at 153–78 (describing various pricing models used in Internet advertising).)

Ex. 1002 ¶ 44 (emphases added). The use of equivocal terms that signify the presence of alternatives, such as "focused," "may," "typically," and "model," all indicate that paid advertising was merely an option, and does not support Mr. Gray's testimony that "advertisers ***always*** pay for 'advertisements.'" *Id.* (emphasis added).

The same logic also is applicable to the analysis and supporting evidence set forth in paragraph 63 of Mr. Gray's Declaration. Ex. 1002 ¶ 63 (citing Exs. 1005, 1006).[2] Specifically, while the cited dictionary definitions do mention "paid announcement," that is merely set forth in a listing with other options that do not use the word "paid," or any equivalent. *See, e.g.*, Ex. 1006, 4 of 4 ("advertisement" is defined as "[a] notice, such as a poster, newspaper display, or paid announcement in the electronic media to attract public attention or patronage."). Accordingly, again, we are unpersuaded that Mr. Gray's testimony that "'advertisement[ ]' is ***necessarily*** paid; otherwise, it would not be considered an 'advertisement[ ]'" (emphasis added) is credible. Ex. 1002 ¶ 63 (emphasis added).

Finally, Patent Owner cites several cases in support of its argument that an advertisement does not necessarily require payment; rather, an advertisement is merely a notice or announcement. Prelim. Resp. 18–22

---

[2] Petitioner cites Ex. 1004 (Complaint). We assume, however, Petitioner intended to cite The American Heritage College Dictionary, 4th Edition (Ex. 1005), The American Heritage College Dictionary, 3rd Edition (Ex. 1006).

(citing *Unwired Planet, LLC v. Google, Inc.*, 841 F.3d 1376, 1382 (Fed. Cir. 2016); *Google Inc. v. Klaustech, Inc.*, CBM2016-00096, slip op. at 8–16 (PTAB. Feb. 27, 2017) (Paper 10); *Google Inc. v. HBAC Matchmaker Media Inc.*, CBM2016-00097, slip op. at 12–23 (PTAB Feb. 27, 2017) (Paper 16) (*but see* dissenting opinion)). We acknowledge that facts and arguments may differ between cases, such that a finding in one case that "advertisement" does not necessarily require payment is not always binding on another. Nevertheless, the cited cases, and, in particular, the *Unwired Planet* decision issued by the Federal Circuit, provide some guidance on this issue. We are unpersuaded that Petitioner has shown sufficiently that the facts and arguments in this case justify a different outcome.

Accordingly, we construe "third party advertisements" as "third party announcements," which does not include the word "paid."

B. Covered Business Method Patent

Section 18(d)(1) of the AIA defines a covered business method patent as "a patent that claims a method or corresponding apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service, except that the term does not include patents for technological inventions." *See also* 37 C.F.R. § 42.301(a) (stating the same). To determine whether a patent is a covered business method patent, "the statutory definition of a [covered business method (CBM)] patent requires that the patent have a claim that contains, however phrased, a financial activity element." *Secure Axcess, LLC v. PNC Bank Nat'l Ass'n*, 848 F.3d 1370, 1381 (Fed. Cir. 2017); *see also Blue Calypso, LLC v. Groupon, Inc.*, 815 F.3d 1331, 1340 (Fed. Cir. 2016) (stating that "§ 18(d)(1) directs us to examine *the claims* when deciding

whether a patent is a CBM patent"); *Unwired Planet,* 841 F.3d at 1382 ("CBM patents are limited to those with claims that are directed to methods and apparatuses of particular types and with particular uses 'in the practice, administration, or management of a financial product or service.'").

Petitioner cites four claims of the '307 patent in support of its assertion that the '307 patent is a covered business method patent: dependent claims 8 and 10, and independent claims 1 and 9. Pet. 29–33.

1. Effect of Statutory Disclaimer

Petitioner contends challenged claim 8 and non-challenged claim 10 of the '307 patent are directed to financial activity, because each claim requires a predetermined arrangement whereby a payment amount is due to the unaffiliated third party as a result of using at least one of the profile attributes contributed by that third party in targeting the third party advertisements. Pet. 29–30. Patent Owner argues, however, that these claims cannot provide the basis for eligibility for a covered business method patent review, because they have been disclaimed pursuant to 35 U.S.C. § 253(a) and 37 C.F.R. § 1.321(a). Prelim. Resp. 22–23. We agree with Patent Owner. "The Federal Circuit has held consistently that claims disclaimed under § 253(a) should be treated as though they never existed." *Facebook, Inc. v. Skky, LLC*, Case CBM2016-00091, slip op. at 8 (PTAB Sept. 28, 2017) (Paper 12) (informative) (citing *Vectra Fitness, Inc. v. TWNK Corp.*, 162 F.3d 1379, 1383 (Fed. Cir. 1998)). "The decision whether to institute a CBM patent review is based on whether a patent 'is' a covered business method patent, which in turn is based on what the patent 'claims' at the time of the institution decision, not as the claims may have existed at some previous time." *Id.* at 6. Accordingly, as dependent

claims 8 and 10 are disclaimed by the time of this decision, they cannot provide the basis for eligibility for a covered business method patent review.

2. Financial Product or Service

Petitioner's assertion that independent claims 1 and 9 recite financial activity elements is entirely premised on its proposed constructions of "unaffiliated third parties" and "third-party advertisements." Pet. 30–32. [3] As discussed *supra*, however, we do not adopt Petitioner's proffered claim constructions of either term. Instead, we determine that "unaffiliated third parties" is not limited to profile buyers and sellers and does not require any further construction, and that "third party advertisements" should be construed as "third party announcements." On this record, therefore, we are unpersuaded that Petitioner has shown sufficiently that either claim term is a financial activity element. Accordingly, Petitioner has not met its burden of demonstrating that the '307 patent is eligible for a covered business method patent review.

---

[3] Petitioner also asserts that "[t]he '307 patent's specification makes plain that it is a patent 'used in the practice, administration, or management of a financial product or service.'" Pet. 32–33. Petitioner then asserts, however, the following: "Petitioner acknowledges that this argument is inconsistent with the Federal Circuit's language in *Secure Axcess LLC v. PNC*, 848 F.3d 1370 (Fed. Cir. 2017). The appellant in that case, however, has filed a request for *en banc* review, asking whether such patents are CBM eligible . . . . Petitioner submits this argument for the Board's consideration should the Federal Circuit or Supreme Court overrule or modify the *Secure Axcess* decision." Pet. 32–33 n.4. The request for *en banc* review was denied. *Secure Axcess LLC v. PNC*, 859 F.3d 998 (Fed. Cir. 2017). A petition for a writ of certiorari was filed on September 4, 2017, and is pending. In any case, however, as neither the Federal Circuit nor Supreme Court, as of this date, has overruled or modified *Secure Axcess*, Petitioner's assertion is moot.

II. CONCLUSION

On this record, Petitioner has not met its burden of showing that the '307 patent is eligible for the transitional covered business method patent review program.

III. ORDER

After due consideration of the record before us, and for the foregoing reasons, it is ORDERED that the Petition is *denied* and no covered business method patent review is instituted.

PETITIONER:

Jim Glass
John McKee
Ognjen Zivojnovic
QUINN EMANUEL URQUHART & SULLIVAN, LLP
jimglass@quinnemanuel.com
johnmckee@quinnemanuel.com
ogizivojnovic@quinnemanuel.com

PATENT OWNER:

Louis Hoffman
LOUIS J. HOFFMAN, P.C.
louis@valuablepatents.com

Justin Lesko
LAW OFFICES OF STEVEN G. LISA, LTD
justinlesko@patentit.com

PTO/SB/43 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DISCLAIMER IN PATENT UNDER 37 CFR 1.321(a)

Name of Patentee	Docket Number (Optional)
Roy Shkedi	14-DP-DIV1
Patent Number	**Date Patent Issued**
7,979,307	07/12/2011

Title of Invention

Method and Stored Program for Accumulating Descriptive Profile Data Along with Source Information for Use in Targeting Third-Party Advertisements

I hereby disclaim the following complete claims in the above identified patent: 8 and 10.

The extent of my interest in said patent is (if assignee of record, state liber and page, or reel and frame, where assignment is recorded): 100% owner and assignee of record, see Reel 021351/Frame 0225, on behalf of me and my successors and assigns.

The fee for this disclaimer is set forth in 37 CFR 1.20(d).

- ☐ Patentee claims small entity status. See 37 CFR 1.27.
- ☐ Small entity status has already been established in this case, and is still proper.
- ☐ A check in the amount of the fee is enclosed.
- ☑ Payment by credit card. (through EFS-Web)
- ☐ The Director is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. _____ .

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.

Signed at Forest Hills, State of NY, this 6th day of September 2017.

Signature

Registration Number, if applicable

Roy Shkedi for AlmondNet, Inc.

Typed or printed name of patentee/ attorney or agent of record

(646) 217-0930

Telephone Number

37-18 Northern Boulevard, Suite 404

Address

Long Island City, New York 11101

City, State, Zip Code or Foreign Country as applicable

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Electronic Patent Application Fee Transmittal	
Application Number:	12186918
Filing Date:	06-Aug-2008
Title of Invention:	METHOD AND STORED PROGRAM FOR ACCUMULATING DESCRIPTIVE PROFILE DATA ALONG WITH SOURCE INFORMATION FOR USE IN TARGETING THIRD-PARTY ADVERTISEMENTS
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14-DP-DIV
Filed as Large Entity	
Filing Fees for Utility under 35 USC 111(a)	

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
STATUTORY OR TERMINAL DISCLAIMER	1814	1	160	160
		Total in USD ($)		**160**

Electronic Acknowledgement Receipt	
EFS ID:	30288985
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
Title of Invention:	METHOD AND STORED PROGRAM FOR ACCUMULATING DESCRIPTIVE PROFILE DATA ALONG WITH SOURCE INFORMATION FOR USE IN TARGETING THIRD-PARTY ADVERTISEMENTS
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-DIV
Receipt Date:	06-SEP-2017
Filing Date:	06-AUG-2008
Time Stamp:	18:37:28
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$160
RAM confirmation Number	090717INTEFSW18381700
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Statutory disclaimers per MPEP 1490	17-09-06-AN-DP_DIV1-7979307-StatDisclaim-signed.pdf	170970 62d7b4aeffd184f1c339f31fe7a7ba0419631d2d	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30574 aee02937e9ffa6427ab1110dbc286718d08efce5	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	201544		

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.	:	7,979,307
Serial No.	:	12/186,918	Issue Date	:	07/12/2011
Filing Date	:	08/06/2008	Conf. No.	:	2033
Title	:	Method and Stored Program for Accumulating Descriptive Profile Data Along with Source Information for Use in Targeting Third-Party Advertisements			

VIA FACSIMILE: (571) 273-6500
Director of the U.S. Patent and Trademark Office
Attn: Maintenance Fees
2051 Jamieson Avenue, Suite 300
Alexandria, VA 22314

NOTIFICATION OF LOSS OF ENTITLEMENT OF SMALL ENTITY STATUS

Dear Sir:

Assignee notifies the USPTO of the loss of entitlement to small entity status in the above-captioned patent. Forms PTO/SB/45 and PTO-2038 are submitted concurrently, for payment of the four-year maintenance fee at the undiscounted rate.

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 9, 2015

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

LOUIS J. HOFFMAN, P.C.
14301 North 87th Street, Suite 312
Scottsdale, Arizona 85260
(480) 948-3295

Certification Under 37 C.F.R. § 1.8

The undersigned hereby certifies that this paper and accompanying documents were sent via facsimile this 9th day of January, 2015, to: Director of the U.S. Patent and Trademark Office, Attn: Maintenance Fees, to facsimile number (571) 273-6500, and the transmission was completed before midnight Eastern time.

(name) Donald Hertz (signature) 

PAGE 1/3 * RCVD AT 1/9/2015 1:34:21 PM [Eastern Standard Time] * SVR:W-PTOFAX-002/6 * DNIS:2736500 * CSID:4809483387 * DURATION (mm-ss):01-46

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/186,918	07/12/2011	7979307	14-DP-DIV	2033

26362 7590 06/22/2011

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

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 357 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

Roy Shkedi, New York, NY;

PART B - FEE(S) TRANSMITTAL

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

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

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

26362 7590 05/20/2011

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

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

FILED VIA E.F.S.

Shaelyn Weldy	(Depositor's name)
/Shaelyn Weldy/	(Signature)
06/03/2011	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV	2033

TITLE OF INVENTION:

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

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$1055	08/22/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
OUELLETTE, JONATHAN P	3629	705-014400

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 Louis J. Hoffman

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)
ALMONDNET, INC.	NEW YORK, NEW YORK

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.

☐ 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 /Louis J. Hoffman/ Date 06/03/2011

Typed or printed name Louis J. Hoffman Registration No. 38,918

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.

Electronic Patent Application Fee Transmittal

Application Number:	12186918
Filing Date:	06-Aug-2008
Title of Invention:	DESCRIPTIVE-PROFILE MERCANTILE METHOD
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman
Attorney Docket Number:	14-DP-DIV

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	755	755
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**1055**

Electronic Acknowledgement Receipt

EFS ID:	10232030
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
Title of Invention:	DESCRIPTIVE-PROFILE MERCANTILE METHOD
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman
Filer Authorized By:	
Attorney Docket Number:	14-DP-DIV
Receipt Date:	03-JUN-2011
Filing Date:	06-AUG-2008
Time Stamp:	17:36:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$1055
RAM confirmation Number	4825
Deposit Account	
Authorized User	

File Listing:

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

1	Issue Fee Payment (PTO-85B)	11-06-03-AlmondNet-DP-DIV-IssueFeeTrans2.pdf	49759 6e54f6708347d2858099f44dc42d8114db46196e	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31720 59ef3d82e8430442014a0c0fae4eb0301c201a0a	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	81479		

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

26362 7590 05/20/2011
LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard, Suite 2100
Phoenix, AZ 85028

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 05/20/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV	2033

TITLE OF INVENTION: DESCRIPTIVE-PROFILE MERCANTILE METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	08/22/2011

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

26362 7590 05/20/2011
LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard, Suite 2100
Phoenix, AZ 85028

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

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV	2033

TITLE OF INVENTION: DESCRIPTIVE-PROFILE MERCANTILE METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	08/22/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
OUELLETTE, JONATHAN P	3629	705-014400

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

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

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

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

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

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

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

4b. Payment of Fee(s): (**Please first reapply any previously paid issue fee shown above**)
- ❑ A check is enclosed.
- ❑ Payment by credit card. Form PTO-2038 is attached.
- ❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or 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).

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.
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV	2033

26362 7590 05/20/2011

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

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 05/20/2011

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 357 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 357 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 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No.	Applicant(s)	
	12/186,918	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 *4/27/2011*.

2. ☒ The allowed claim(s) is/are *40-49*.

3. ☒ 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. *09/593,993* .
      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.

4. ☐ 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.

5. ☐ 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 _____.

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

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

Attachment(s)

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

/Jonathan Ouellette/
Primary Examiner, Art Unit 3629

DETAILED ACTION

Response to Amendment

1. Claims 1-39 have been cancelled, Claims 48 and 49 have been added; therefor, Claims 40-49 are currently pending in application 12/186918.

Allowable Subject Matter

2. **Claims 40-49 are allowed**.

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

4. All previous rejections are withdrawn due to Applicant's amendments and arguments.

Conclusion

5. 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."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jamisue Plucinski can be reached on (571) 272-6811. The fax phone numbers for the

organization where this application or proceeding is assigned (571) 273-8300 for all official communications.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (571) 272-4000. Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 18, 2011

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629

OK to enter AF
Amendment /JO/

IN THE CLAIMS

1-39. (Canceled)

40. (Currently Amended) An automated method of collecting ~~and utilizing~~ profiles of Internet-using entities, the method comprising:

(a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one ~~of~~ server controlled by one of a plurality of unaffiliated third parties operating [[a]] respective websites, a partial profile of an entity that uses a user computer coupled to [[a]] the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;

(b) wherein receiving the partial profile is achieved by automatic electronic URL redirection [[of]] from a portion of a page of the website accessed by the ~~entity's~~ user computer;

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

(d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; ~~and~~

(e) ~~allowing use of~~ wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the ~~entity's~~ user computer over the global computer network.

41. (Currently Amended) The method of claim 40 further comprising automatically with the computer system electronically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes ~~that were~~ used in targeting the advertisements.

42. (Currently Amended) The method of claim 41 further comprising automatically with the computer system electronically determining whether the

received partial profile contains any profile attributes about the entity that were not previously contained in a ~~matching~~ maintained profile.

43. (Currently Amended) The method of claim 40 further ~~comprising allowing use of the maintained profile along with~~ maintaining with the computer system a credibility rating associated with at least one of the profile attributes of the maintained profile.

44. (Original) The method of claim 43 wherein the credibility rating is reflected in a price for the at least one profile attribute.

45. (Currently Amended) The method of claim 40 ~~wherein allowing use of the maintained profile includes allowing selection of~~ further comprises automatically with the computer system selecting profile attributes from the maintained profile based on the source thereof.

46. (Currently Amended) The method of claim 40 further comprising automatically with the computer system electronically reading a cookie previously stored on the entity's computer, as a result of the URL redirection.

47. (Currently Amended) A tangible, non-transitory data storage medium comprising indicia of instructions for a processor to perform a method of updating profiles of Internet-using entities, the method comprising:

(a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one ~~of~~ server controlled by one of a plurality of unaffiliated third parties operating [[a]] respective websites, a partial profile of an entity that uses a user computer coupled to [[a]] the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;

(b) wherein receiving the partial profile is achieved by automatic electronic URL redirection [[of]] from a portion of a page of the website accessed by the ~~entity's~~ user computer;

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

(d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; ~~and~~

(e) ~~allowing use of~~ wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the ~~entity's~~ user computer over the global computer network.

48. (New) The method of claim 40 further comprising, in accordance with a predetermined arrangement, automatically using the electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes to create electronic data used to identify a payment amount due to the unaffiliated third party as a result of using at least one of the profile attributes in the partial profile contributed by that third party in targeting the third-party advertisements to the entity's computer over the global computer network.

49. (New) The data storage medium of claim 47 wherein the indicia of instructions instruct the processor to performing a method that further comprises: in accordance with a predetermined arrangement, automatically using the electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes to create electronic data used to identify a payment amount due to the unaffiliated third party as a result of using at least one of the profile attributes in the partial profile contributed by that third party in targeting the third-party advertisements to the entity's computer over the global computer network.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	Art Unit
	Jonathan Ouellette	3629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

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

CLAIM		DATE								
Final	Original	09/30/2010	01/10/2011	05/05/2011						
	1	-	-	-						
	2	-	-	-						
	3	-	-	-						
	4	-	-	-						
	5	-	-	-						
	6	-	-	-						
	7	-	-	-						
	8	-	-	-						
	9	-	-	-						
	10	-	-	-						
	11	-	-	-						
	12	-	-	-						
	13	-	-	-						
	14	-	-	-						
	15	-	-	-						
	16	-	-	-						
	17	-	-	-						
	18	-	-	-						
	19	-	-	-						
	20	-	-	-						
	21	-	-	-						
	22	-	-	-						
	23	-	-	-						
	24	-	-	-						
	25	-	-	-						
	26	-	-	-						
	27	-	-	-						
	28	-	-	-						
	29	-	-	-						
	30	-	-	-						
	31	-	-	-						
	32	-	-	-						
	33	-	-	-						
	34	-	-	-						
	35	-	-	-						
	36	-	-	-						

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	Art Unit
	Jonathan Ouellette	3629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

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

CLAIM		DATE								
Final	Original	09/30/2010	01/10/2011	05/05/2011						
	37	-	-	-						
	38	-	-	-						
	39	-	-	-						
1	40	✓	✓	=						
2	41	✓	✓	=						
3	42	✓	✓	=						
4	43	✓	✓	=						
5	44	✓	✓	=						
6	45	✓	✓	=						
7	46	✓	✓	=						
9	47	✓	✓	=						
8	48			=						
10	49			=						

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	**Art Unit**
	Jonathan Ouellette	3629

ORIGINAL		INTERNATIONAL CLASSIFICATION										
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED					
705	14.4	G	0	6	Q	30 / 00 (2006.0)						
CROSS REFERENCE(S)		G	0	7	G	1 / 14 (2006.0)						
		G	0	6	Q	10 / 00 (2006.0)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)											
705	1.1											

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1		17		33	10	49								
	2		18		34										
	3		19		35										
	4		20		36										
	5		21		37										
	6		22		38										
	7		23		39										
	8		24	1	40										
	9		25	2	41										
	10		26	3	42										
	11		27	4	43										
	12		28	5	44										
	13		29	6	45										
	14		30	7	46										
	15		31	9	47										
	16		32	8	48										

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 10	
/Jonathan Ouellette/ Primary Examiner.Art Unit 3629 5/5/2011 (Primary Examiner) (Date)	O.G. Print Claim(s) 40	O.G. Print Figure 1

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	Art Unit
	Jonathan Ouellette	3629

SEARCHED			
Class	Subclass	Date	Examiner
705	1.1, 14.4	9/29/2010	JO

SEARCH NOTES		
Search Notes	Date	Examiner
EAST (US and FOR)	9/29/2010	JO
DIALOG - NPL Search	9/29/2010	JO
Reviewed Search and Examination of Parent Applications: 11/099861, 09/593993	9/29/2010	JO

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
705	1.1, 14.4	5/5/2011	JO

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BIB DATA SHEET

CONFIRMATION NO. 2033

SERIAL NUMBER	FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
12/186,918	08/06/2008 RULE	705	3629	14-DP-DIV

APPLICANTS
Roy Shkedi, New York, NY;

**** CONTINUING DATA **************************
This application is a DIV of 11/099,861 04/06/2005 PAT 7,428,493
which is a CON of 09/593,993 06/14/2000 PAT 6,925,440

**** FOREIGN APPLICATIONS **************************
ISRAEL 133489 12/13/1999

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
08/18/2008

Foreign Priority claimed ☑ Yes ☐ No 35 USC 119(a-d) conditions met ☑ Yes ☐ No Verified and Acknowledged /JONATHAN P OUELLETTE/ Examiner's Signature	☐ Met after Allowance JO Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		NY	3	8	2

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

TITLE
Descriptive-profile mercantile method

FILING FEE RECEIVED	FEES: Authority has been given in Paper	☐ All Fees
435	No._____ to charge/credit DEPOSIT ACCOUNT	☐ 1.16 Fees (Filing)
	No._____ for following:	☐ 1.17 Fees (Processing Ext. of time)
		☐ 1.18 Fees (Issue)
		☐ Other _____
		☐ Credit

BIB (Rev. 05/07).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Roy Shkedi	Art Unit	:	3629
Serial No.	:	12/186,918	Examiner	:	Ouellette, J.P.
Filed	:	08/06/2008	RULE 116 - EXPEDITED CONSIDERATION REQUESTED		

Title : Method and Stored Program for Accumulating Descriptive Profile Data Along with Source Information for Use in Targeting Third-Party Advertisements

---

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

SUPPLEMENTAL AMENDMENT AND INTERVIEW REPORT

Dear Sir:

Amendments to the title are on page 2.

Amendments to the claims begin on page 3.

Remarks begin on page 6.

A fee is submitted concurrently for the one-month extension of time being requested through the submission of this paper.

IN THE TITLE:

Please amend the title as follows:

-- ~~Descriptive Profile Mercantile Method~~ Method and Stored Program for Accumulating Descriptive Profile Data Along with Source Information for Use in Targeting Third-Party Advertisements --

IN THE CLAIMS

1-39. (Canceled)

40. (Currently Amended) An automated method of collecting ~~and utilizing~~ profiles of Internet-using entities, the method comprising:

(a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one ~~of~~ server controlled by one of a plurality of unaffiliated third parties operating [[a]] respective websites, a partial profile of an entity that uses a user computer coupled to [[a]] the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;

(b) wherein receiving the partial profile is achieved by automatic electronic URL redirection [[of]] from a portion of a page of the website accessed by the ~~entity's~~ user computer;

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

(d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; ~~and~~

(e) ~~allowing use of~~ wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the ~~entity's~~ user computer over the global computer network.

41. (Currently Amended) The method of claim 40 further comprising automatically with the computer system electronically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes ~~that were~~ used in targeting the advertisements.

42. (Currently Amended) The method of claim 41 further comprising automatically with the computer system electronically determining whether the

received partial profile contains any profile attributes about the entity that were not previously contained in a ~~matching~~ maintained profile.

43. (Currently Amended) The method of claim 40 further ~~comprising allowing use of the maintained profile along with~~ maintaining with the computer system a credibility rating associated with at least one of the profile attributes of the maintained profile.

44. (Original) The method of claim 43 wherein the credibility rating is reflected in a price for the at least one profile attribute.

45. (Currently Amended) The method of claim 40 ~~wherein allowing use of the maintained profile includes allowing selection of~~ further comprises automatically with the computer system selecting profile attributes from the maintained profile based on the source thereof.

46. (Currently Amended) The method of claim 40 further comprising automatically with the computer system electronically reading a cookie previously stored on the entity's computer, as a result of the URL redirection.

47. (Currently Amended) A tangible, non-transitory data storage medium comprising indicia of instructions for a processor to perform a method of updating profiles of Internet-using entities, the method comprising:

(a) electronically receiving at a programmed computer system coupled to a global computer network, from at least one ~~of~~ server controlled by one of a plurality of unaffiliated third parties operating [[a]] respective websites, a partial profile of an entity that uses a user computer coupled to [[a]] the global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity, and automatically with the computer system storing the received partial profile;

(b) wherein receiving the partial profile is achieved by automatic electronic URL redirection [[of]] from a portion of a page of the website accessed by the ~~entity's~~ user computer;

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

(d) automatically with the computer system generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; ~~and~~

(e) ~~allowing use of~~ wherein the maintained profile, including the added partial profile, comprises data used in targeting third-party advertisements to the ~~entity's~~ user computer over the global computer network.

48. (New) The method of claim 40 further comprising, in accordance with a predetermined arrangement, automatically using the electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes to create electronic data used to identify a payment amount due to the unaffiliated third party as a result of using at least one of the profile attributes in the partial profile contributed by that third party in targeting the third-party advertisements to the entity's computer over the global computer network.

49. (New) The data storage medium of claim 47 wherein the indicia of instructions instruct the processor to performing a method that further comprises: in accordance with a predetermined arrangement, automatically using the electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes to create electronic data used to identify a payment amount due to the unaffiliated third party as a result of using at least one of the profile attributes in the partial profile contributed by that third party in targeting the third-party advertisements to the entity's computer over the global computer network.

Remarks and Interview Report

The Office Action dated January 19, 2011, which was made final, rejects the claims under Section 102 over the reference known as Acxiom.

First, assignee respectfully submits that the finality should be withdrawn because assignee requested and was entitled to an interview before final, which request the Office apparently overlooked.

After receipt of the Office Action, assignee's undersigned representative arranged for an in-person interview with the examiner, which took place on March 29, 2011. The examiner's time and assistance is much appreciated.

With regard to the request to withdraw the finality of the Office Action, the examiner stated in the interview that, as it appeared that this case could be put into condition for allowance (see interview report recording that agreement was reached), the point would likely be moot. The examiner promised to consider amendments, even after final, as thought useful to place the case in closer condition for allowance, even if such amendments altered the scope of the invention somewhat.

Assignee presents certain claim amendments here, which are thought to clarify the situation in view of the current state of the law and in response to the examiner's request for improved clarity but are not thought to redirect the invention materially from the claims examined in this application to date. Assignee believes that the application remains in condition for allowance.

In response to the Section 102 rejection in the final Office Action over Acxiom, assignee submits respectfully that the rejection misapprehends the meaning of "redirection." The Office Action (p. 2, bottom) stated, apparently in response to assignee's arguments, that Acxiom disclosed "redirection" because, in that reference, "Page 2 [discloses] email addresses exchanged/redirected - originally obtained/saved through website field input." In other words, as the examiner clarified in the interview, the Acxiom reference discloses something akin to one party sending another party an electronic disk or other storage device containing email addresses obtained via the first party's website. In the interview, assignee's representative questioned whether this could validly be considered "redirection," which is the term used in the pending claims.

Assignee submitted several computer dictionaries defining "redirection" in the sense used in the specification. For example, one commonly repeated definition from the "computing dictionary" found at www.mondofacto.com (see attached), defines "URL redirection" as follows: "When a web server tells a client browser to obtain a certain requested page from a different location." The definition further says, "The new URL may be on the same server or a different one and may itself be subject to redirection." The dictionary, although accessed last month, indicates that it dates from "01 Mar 1997," and assignee is unaware of any material change in the definition or usage since the time of the specification here.

Acxiom clearly fails to disclose any "redirection" in the sense used in this specification. In the interview, the examiner accepted the point and agreed that use of redirection for this purpose would have been non-obvious, but he asked that the term "URL redirection" be used to clarify the meaning still further. Assignee complies with that request through this amendment, although it is not thought to narrow the scope of the invention, when considered (as required) in view of the specification.

In addition, assignee's representative suggested in the interview presenting claim amendments to comply with Office policy post-*Bilski*. The examiner replied that, in his opinion, the claims as written (pre-amendment) met Section 101 requirements under *Bilski* because the term "automatic" implies a machine necessarily. Nevertheless, assignee here amends the claims to insert explicit reference to the computer system, to avoid doubt, and the examiner had no objection to such added clarity. Such amendments are not necessary for patentability, nor does making express what was implicit before narrow the claims in any way.

In connection with those amendments, assignee advises that the phrase "programmed computer system" used in the claims as amended refers to a machine. The word "computer" is defined (using the most general definition only) by Webopedia as follows: "Computer. A programmable ***machine***. The two principal characteristics of a computer are: [1] It responds to a specific set of instructions in a well-defined manner. [2] It can execute a prerecorded list of instructions (a program). Modern computers are electronic and digital. The actual machinery - wires, transistors, and circuits - is called

hardware; the instructions and data are called software." [Emphasis added] Assignee uses the claim term "computer system" in the Webopedia sense - although a computer system *includes* software, it is not *purely* software. After amendment, therefore (as before), all method steps in the method claims are for sure performed by a machine.

Claim 47 is a "stored-program claim." As amended, that claim refers to a *tangible* medium only. As discussed in the interview with the examiner, the Office has a policy to require that the medium be specified as "non-transitory." The examiner explained that what the Office considers as not statutory and intends to exclude using that term is the case of carrier waves propagating through an ephemeral medium such as air. The examiner supported assignee's belief that various non-ephemeral media (such as RAM, ROM, DVD, hard drives, flash memory, optical media, and others, including distributed or local media, even if "temporary" in some sense) are not intended to be excluded by the term "non-transitory." Assignee agreed to insert the term "non-transitory" into claim 47 under that understanding. Because the media specified or intended to be referenced in the specification are non-transitory in that sense, it does not narrow claim 47 at all to insert the word "non-transitory" in the preamble. Assignee does not intend, by entry of that word to exclude any of the mediums specified above. If the examiner believes that any listed medium would be eliminated through this amendment, assignee respectfully requests that he call the undersigned or so indicate in the expected notice of allowance.

A few additional amendments are entered for clarity:

* The title changed to be more descriptive of claims of this divisional.

* The term "user computer" is substituted for "entity computer" just for clarity; no difference in scope is intended.

* The phrase "attempting to match" is replaced by the term "adding" to clarify that the act of consolidating the data is completed, not just attempted.

* The phrase "allowing use" of profile data in serving ads is replaced by a "wherein" clause saying that the profile data is used in serving ads, to allow for cases where ads are served by a party other than the one performing the method, and to avoid any risk that the claim term "allowing" might be misinterpreted as referring to a

human-performed step. The revised language still contains a positive restriction requiring that the data be used (by someone) to serve electronic ads, as opposed to comprising just any data. Accordingly, there has been no material change in scope by virtue of the altered wording.

* The word "third-party" is added to describe the advertisement to make clear that the profile data used in targeting the advertisement is not simply information from the advertiser itself, as made clear in the specification. Again, this does not broaden the claim (or materially narrow it, if the previous version were properly interpreted).

Finally, assignee submits new dependent claims 48 and 49, which are identically worded except for the preambles, and which depend on independent claims 40 and 47 respectively. The new claim language derives from certain parts of the claims of parent patent 7,428,493, with some modest wording revisions, so there is clearly no new matter added by entry of this dependent claim language. In view of assignee's remarks above and the examiner's cooperation in allowing certain flexibility in amending after final, assignee respectfully requests that the examiner permit entry of this dependent claim. No additional claim fees are due, because after entry of this amendment, there will be only 10 total claim, 2 of which are independent.

In a brief follow-on telephone call today, the examiner indicated that the changes proposed here appeared acceptable. Nevertheless, please feel free to telephone the undersigned if it would in any way advance prosecution of this application.

Respectfully submitted,

ALMONDNET INC.
by its attorney

Dated: April 27, 2011

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

LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard
Suite 2100
Phoenix, Arizona 85028
(480) 948-3295

URL redirection **computing dictionary**

<**world-wide web**> (Or "URL forwarding")

When a **web server** tells the **client** **browser** to obtain a certain requested page from a different location. This is controlled by **directives** in the server's configuration files or a "Location: header output by a **CGI** script.

The web server stores all its documents in a **directory tree** rooted at some configured directory, known as its "document root". Normally the **URI** part of the **URL** (the part after the **hostname**) is used as a **relative path** from the document root to the desired file or directory. A redirect directive allows the server administrator to specify exceptions to this general mapping from URL to file name by telling the browser "try this URL instead". The new URL may be on the same server or a different one and may itself be subject to redirection.

The user is normally unaware of this process except that it may introduce extra delay while the browser sends the new request and the browser will usually display the new URL rather than the one the user originally requested.

(01 Mar 1997)

Electronic Patent Application Fee Transmittal	
Application Number:	12186918
Filing Date:	06-Aug-2008
Title of Invention:	Descriptive-profile mercantile method
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14-DP-DIV
Filed as Small Entity	

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 1 month with $0 paid	2251	1	65	65

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**65**

Electronic Acknowledgement Receipt

EFS ID:	9970396
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
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-DIV
Receipt Date:	27-APR-2011
Filing Date:	06-AUG-2008
Time Stamp:	17:13:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$65
RAM confirmation Number	3902
Deposit Account	
Authorized User	

File Listing:

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

1	Amendment After Final	11-04-27-Almondnet-DescProfile-DIV-AF_Amend_and_IVRpt.pdf	95810 2ad4f77b5a021befb61bc653d5ccd6d6ff5ab0da	no	10
Warnings:					
Information:					
2	Fee Worksheet (PTO-875)	fee-info.pdf	30069 95bac8ab7ec23fdefab979de9b99d3608046d3b8	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	125879		

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.

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
12/186,918	08/06/2008	

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)	SMALL ENTITY ☒		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	04/27/2011	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 10	Minus	** 20	= 0	X $26 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $110 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

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

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

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

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

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

Legal Instrument Examiner:
/DANTE r. SMITH/

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV	2033

26362 7590 04/12/2011

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

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	PAPER NUMBER
3629	

NOTIFICATION DATE	DELIVERY MODE
04/12/2011	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com
shaelyn@valuablepatents.com

PTOL-90A (Rev. 04/07)

Interview Summary	Application No.	Applicant(s)	
	12/186,918	SHKEDI, ROY	
	Examiner	Art Unit	
	Jonathan Ouellette	3629	

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

(1) *Jonathan Ouellette*. (3)_____.

(2) *Louis Hoffman*. (4)_____.

Date of Interview: *29 March 2011*.

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: *All Independant*.

Identification of prior art discussed: *Acxiom*.

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: *Mr. Hoffman and Examiner Ouellette discussed the outstanding rejection and some amendments to the independent claims that would overcome the sited prior art.*.

(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 A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS 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.

/Jonathan Ouellette/ Primary Examiner, Art Unit 3629	

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV	2033

26362 7590 01/19/2011

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

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	PAPER NUMBER
3629	

NOTIFICATION DATE	DELIVERY MODE
01/19/2011	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com
shaelyn@valuablepatents.com

PTOL-90A (Rev. 04/07)

Office Action Summary	Application No.	Applicant(s)	
	12/186,918	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) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1)☒ Responsive to communication(s) filed on *17 December 2010*.

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) *40-47* 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) *40-47* 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/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 1-39 have been cancelled; therefore, Claims 40-47 are currently pending in application 12/186,918.

Claim Rejections - 35 USC § 102

2. 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 –

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

3. **Claims 40-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Acxiom ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).**

4. As per **independent Claims 40 and 47**, Acxiom discloses a method (data storage medium) of collecting and utilizing profiles of Internet-using entities, the method comprising: (a) electronically receiving, from at least one of a plurality of unaffiliated third parties operating a website, a partial profile of an entity that uses a computer coupled to a global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity; (b) wherein receiving the partial profile is achieved by redirection of a portion of a page of the website accessed by the entity's computer (Page 2, email addresses exchanged/redirected – originally obtained/saved through website field input); (c) automatically electronically attempting to

match the received partial profile to a maintained profile believed to be related to the same entity; (d) automatically generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; (Pg.2, email addresses saved with third party information for royalty purposes) and (e) allowing use of the maintained profile in targeting advertisements to the entity's computer over the global computer network ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

5. As per Claim 41, Acxiom discloses automatically maintaining an electronic record of which unaffiliated third part contributed, to the maintained profile, the profile attributes that were used in targeting the advertisements ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).
6. As per Claim 42, Acxiom discloses determining whether the received partial profile contains any profile attributes about the entity that were not previously contained in a matching maintained profile ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).
7. As per Claim 43, Acxiom discloses allowing use of the maintained profile along with a credibility rating associated with at least one of the profile attributes of the maintained profile ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).
8. As per Claim 44, Acxiom discloses wherein the credibility rating is reflected in a price for the at least one profile attribute ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

9. As per Claim 45, Acxiom discloses wherein allowing use of the maintained profile includes allowing selection of profile attributes from the maintained profile based on the source thereof ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

10. As per Claim 46, Acxiom discloses reading a cookie previously stored on the entity's computer, as a result of the redirection ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

Response to Arguments

11. Applicant's arguments filed on **12/17/2010**, with respect to Claims 40-47, have been fully considered but are not persuasive. The rejection will remain as FINAL, based on the sited prior art.

12. 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.

13. The Applicant's arguments are addressed in the clarified rejection above.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jamisue Plucinski can be reached on (571) 272-6811. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.

16. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (571) 272-4000. Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 13, 2011

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	Art Unit
	Jonathan Ouellette	3629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

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

CLAIM		DATE								
Final	Original	09/30/2010	01/10/2011							
	1	-	-							
	2	-	-							
	3	-	-							
	4	-	-							
	5	-	-							
	6	-	-							
	7	-	-							
	8	-	-							
	9	-	-							
	10	-	-							
	11	-	-							
	12	-	-							
	13	-	-							
	14	-	-							
	15	-	-							
	16	-	-							
	17	-	-							
	18	-	-							
	19	-	-							
	20	-	-							
	21	-	-							
	22	-	-							
	23	-	-							
	24	-	-							
	25	-	-							
	26	-	-							
	27	-	-							
	28	-	-							
	29	-	-							
	30	-	-							
	31	-	-							
	32	-	-							
	33	-	-							
	34	-	-							
	35	-	-							
	36	-	-							

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	**Art Unit**
	Jonathan Ouellette	3629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

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

CLAIM		DATE								
Final	Original	09/30/2010	01/10/2011							
	37	-	-							
	38	-	-							
	39	-	-							
	40	✓	✓							
	41	✓	✓							
	42	✓	✓							
	43	✓	✓							
	44	✓	✓							
	45	✓	✓							
	46	✓	✓							
	47	✓	✓							

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Roy Shkedi	Art Unit	:	3629
Serial No.	:	12/186,918	Examiner	:	Ouellette, J.P.
Filed	:	08/06/2008			
Title	:	Descriptive-Profile Mercantile Method			

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

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action dated October 6, 2010, assignee respectfully requests reconsideration of the rejection in view of the following remarks. An amendment is presented to update the cross-reference to related applications. An interview is requested. No fees are due.

Amendment

IN THE CROSS-REFERENCE TO RELATED APPLICATIONS SECTION:

Please amend the paragraph as follows:

This application is a division of application Serial No. 11/099,861, filed April 6, 2005, now U.S. Patent 7,428,493, which is a continuation of application Serial No. 09/593,993, filed June 14, 2000, now U.S. Patent 6,925,440, which claims priority to Israel Application No. 133,489, filed December 13, 1999. A portion of the disclosure of this patent document contains material that is subject to copyright protection. The copyright owner has no objection to the facsimile reproduction by anyone of the patent document or the patent disclosure, as it appears in the Patent and Trademark Office patent file or records, but otherwise reserves all copyright rights whatsoever.

Remarks

The amendment to the specification is being made only to update the related applications section and hence do not contain any "new matter."

Claims 40-47 are pending and were restricted from the parent application.

The Office Action rejects the pending claims as allegedly anticipated by a reference cited in the parent known as Acxiom, which is a 1999 article describing a system publicized by a company of that name.

Independent claim 40 says: "A method of collecting and utilizing profiles of Internet-using entities, the method comprising:

(a) electronically receiving, from at least one of a plurality of unaffiliated third parties operating a website, a partial profile of an entity that uses a computer coupled to a global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity;

(b) wherein receiving the partial profile is achieved by redirection of a portion of a page of the website accessed by the entity's computer;

(c) automatically electronically attempting to match the received partial profile to a maintained profile believed to be related to the same entity;

(d) automatically generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; and

(e) allowing use of the maintained profile in targeting advertisements to the entity's computer over the global computer network."

The second independent claim, 47, is a "data storage medium" with similar limitations.

Assignee respectfully submits that Acxiom does not disclose the inventive combination of claim 40 (or 47) as claimed. Specifically, assignee does not understand how Acxiom discloses parts (b) and (d) of the claimed invention (at a minimum).

Part (b) refers to "redirection" when a "website [is] accessed" by the computer of a visitor to a website. According to part (a), "a partial profile" of a person or computer "accessing the website" is received from the website operator, and according to part (b), receipt of the partial profile is "achieved by [the] redirection."

Assignee does not see any disclosure or discussion in Acxiom of "redirection" of computers of visitors to a website, nor achieving receipt of a partial profile by such redirection.

Part (d) refers to "automatically generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes."

Assignee does not see any disclosure or discussion in Acxiom of maintaining a record of who contributed what. More exactly, in Acxiom, there is no discussion of the databank company keeping any electronic record identifying which website (or profile provider generally, given that no websites are discussed) contributed which profile attribute (item of information). Acxiom discloses paying a profile provider a "royalty," but that disclosure does not *require* (inherently disclose) the databank to keep an electronic record of who contributed particular profile attributes. Instead, it is alternatively possible in Acxiom for the databank to keep non-electronic records or an electronic record of which provider or providers contributed *any* piece of information to a particular data record (*i.e.*, a record related to a particular subject) without recording who gave which *attribute*, because either of those alternatives would be enough to allow the databank to pay royalties to the correct profile providers.

The Office Action simply quotes the entirety of claim 40 and cites the entire Acxiom article as a whole; nowhere does it identify any specific quotation from or portion in Acxiom that corresponds to the elements of the claimed invention. Accordingly, assignee respectfully submits that the Office Action provides no help in explaining where Acxiom is thought to disclose elements (b) and (d) of claim 40.

Parallel limitations, *i.e.*, those missing from Acxiom, are contained also in claim 47 and also incorporated through dependency into dependent claims 41-46. Thus, the anticipation rejections of those claims are similarly in error.

Please note: assignee's discussion of what is lacking from Acxiom should not be construed as limiting the scope of the claims as written.

Assignee draws the Office's attention to the Supreme Court's decision in the case of *In re Bilski*, 561 U.S. ____ (2010), and asks the Office to consider whether the claims pending here, which were written before that court decision, meet the requirements of patentable subject matter under Section 101 of the Patent Act.

Interview request: Assignee respectfully requests the Examiner to telephone the undersigned before issuance of the next Office Action to arrange a suitable time for an interview (likely by telephone) to discuss the matter, including the results of any supplemental search, as well as any other issues identified by the Examiner as of concern, so that the application can be passed to allowance and issue most efficiently.

Please feel free to telephone the undersigned at any time to advance prosecution of this application.

Respectfully submitted,

ALMONDNET INC.
by its attorney

Dated: December 17, 2010

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

LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard
Suite 2100
Phoenix, Arizona 85028
(480) 948-3295

Electronic Acknowledgement Receipt

EFS ID:	9061303
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
Title of Invention:	Descriptive-profile mercantile method
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman
Filer Authorized By:	
Attorney Docket Number:	14-DP-DIV
Receipt Date:	17-DEC-2010
Filing Date:	06-AUG-2008
Time Stamp:	13:20:34
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	Amendment/Req. Reconsideration-After Non-Final Reject	10-12-17-Almondnet-DescProfile-DIV-RTOA-I.pdf	36171 95149642643d8f8a031db293aeb6a5450a02a762	no	5

Warnings:	
Information:	

Total Files Size (in bytes):	36171

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 NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV	2033

26362 7590 10/06/2010

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

EXAMINER	
OUELLETTE, JONATHAN P	
ART UNIT	PAPER NUMBER
3629	

NOTIFICATION DATE	DELIVERY MODE
10/06/2010	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com
shaelyn@valuablepatents.com

Office Action Summary	Application No.	Applicant(s)	
	12/186,918	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) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1)☒ Responsive to communication(s) filed on *06 August 2008*.

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) *40-47* 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) *40-47* 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/SB/08) Paper No(s)/Mail Date *20080806, 20090528*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 1-39 have been cancelled and Claims 40-47 have been added; therefore, Claims 40-47 are currently pending in application 12/186,918.

Claim Rejections - 35 USC § 102

2. 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 –

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

3. **Claims 40-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Acxiom ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).**

4. As per **independent Claims 40 and 47**, Acxiom discloses a method (data storage medium) of collecting and utilizing profiles of Internet-using entities, the method comprising: (a) electronically receiving, from at least one of a plurality of unaffiliated third parties operating a website, a partial profile of an entity that uses a computer coupled to a global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity; (b) wherein receiving the partial profile is achieved by redirection of a portion of a page of the website accessed by the entity's computer; (c) automatically electronically attempting to match the received partial profile to a maintained profile believed to be related to the same entity; (d)

automatically generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; and (e) allowing use of the maintained profile in targeting advertisements to the entity's computer over the global computer network ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

5. As per Claim 41, Acxiom discloses automatically maintaining an electronic record of which unaffiliated third part contributed, to the maintained profile, the profile attributes that were used in targeting the advertisements ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).
6. As per Claim 42, Acxiom discloses determining whether the received partial profile contains any profile attributes about the entity that were not previously contained in a matching maintained profile ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).
7. As per Claim 43, Acxiom discloses allowing use of the maintained profile along with a credibility rating associated with at least one of the profile attributes of the maintained profile ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).
8. As per Claim 44, Acxiom discloses wherein the credibility rating is reflected in a price for the at least one profile attribute ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).
9. As per Claim 45, Acxiom discloses wherein allowing use of the maintained profile includes allowing selection of profile attributes from the maintained profile based on the source thereof ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

10. As per Claim 46, Acxiom discloses reading a cookie previously stored on the entity's computer, as a result of the redirection ("Their Time Has Come," Direct, v11, n8, p1+, June 1999).

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jamisue Plucinski can be reached on (571) 272-6811. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.

13. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (571) 272-4000. Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 1, 2010

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629

Notice of References Cited	Application/Control No. 12/186,918	Applicant(s)/Patent Under Reexamination SHKEDI, ROY	
	Examiner Jonathan Ouellette	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-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	Art Unit
	Jonathan Ouellette	3629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

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

CLAIM		DATE								
Final	Original	09/30/2010								
	1	-								
	2	-								
	3	-								
	4	-								
	5	-								
	6	-								
	7	-								
	8	-								
	9	-								
	10	-								
	11	-								
	12	-								
	13	-								
	14	-								
	15	-								
	16	-								
	17	-								
	18	-								
	19	-								
	20	-								
	21	-								
	22	-								
	23	-								
	24	-								
	25	-								
	26	-								
	27	-								
	28	-								
	29	-								
	30	-								
	31	-								
	32	-								
	33	-								
	34	-								
	35	-								
	36	-								

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	Art Unit
	Jonathan Ouellette	3629

✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

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

CLAIM		DATE								
Final	Original	09/30/2010								
	37	-								
	38	-								
	39	-								
	40	✓								
	41	✓								
	42	✓								
	43	✓								
	44	✓								
	45	✓								
	46	✓								
	47	✓								

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	12186918	SHKEDI, ROY
	Examiner	Art Unit
	Jonathan Ouellette	3629

SEARCHED			
Class	Subclass	Date	Examiner
705	1.1, 14.4	9/29/2010	JO

SEARCH NOTES		
Search Notes	Date	Examiner
EAST (US and FOR)	9/29/2010	JO
DIALOG - NPL Search	9/29/2010	JO
Reviewed Search and Examination of Parent Applications: 11/099861, 09/593993	9/29/2010	JO

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

PTO/SB/08a (04-09)
Approved for use through 05/31/2009. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	12/186,918
Filing Date	08-06-2008
First Named Inventor	Shkedi, Roy
Art Unit	3629 (in parent)
Examiner Name	Ouellette, J.P. (in parent)
Attorney Docket Number	10-DP-DIV

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]
		WO 97/16796	05-09-1997	Herz et al.		

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	~~CONTINUATION of 09/509,693~~
Filing Date	
First Named Inventor	Shkedi, Roy
Art Unit	
Examiner Name	
Attorney Docket Number	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number - Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		us-6855008	12/29/1998	Goldhaber et al.	
		us-6055513	04/25/2000	Katz et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] -Number[4]- Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours 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.

BEST AVAILABLE COPY BEST AVAILABLE COPY

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08B (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet | | of | |

Complete if Known	
Application Number	
Filing Date	
First Named Inventor	
Group Art Unit	
Examiner Name	
Attorney Docket Number	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
		"Their Time Has Come", Direct, v11, n8, p1+, June 1999.	
		www.acxiom.com, www.archive.org, date range: 2/24/1999-11/14/1999.	
		Barrett, Jennifer, "Databasing in the 90s: data and what we're doing with it!" Direct Marketing, v58, n4, p40, August 1995.	
		Odell, Patricia, "Sweetening the pot." Direct, v10, n9, p91, July 1998.	
		Hatch, Denny, "Co-op databases", Target Marketing, v21n5, pp:38-42, May 1998.	

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours 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.

BEST AVAILABLE COPY

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08A (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4863384	09-05-1989	Slade	
		US- 5099422	03-24-1992	Foresman, et al.	
		US- 5446891	08-29-1995	Kaplan, et al.	
		US- 5710884	01-20-1998	Dedrick	
		US- 5717923	02-10-1998	Dedrick	
		US- 5724521	03-03-1998	Dedrick	
		US- 5752238	05-12-1998	Dedrick	
		US- 5848396	12-08-1998	Gerace	
		US- 5956693	09-21-1999	Geerlings	
		US- 6055573	04-25-2000	Gardenswartz, et al.	
		US- 6128624	10-03-2000	Papierniak, et al.	
		US- 6134532	10-17-2000	Lazarus, et al.	
		US- 6141010	10-31-2000	Hoyle	
		US- 6151601	11-21-2000	Papierniak, et al.	
		US- 6216129	04-10-2001	Eldering	
		US- 6269361	07-31-2001	Davis, et al.	
		US- 6393471	05-21-2002	Kobata	
		US- 6415322	07-02-2002	Jaye	
		US- 6832207	12-14-2004	Shkedi	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08A (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 3

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	[redacted]
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6868389	03-15-2005	Wilkins, et al.	
		US- 6925440	08-02-2005	Shkedi	
		US- 6973436	12-06-2005	Shkedi	
		US- 6993590	01-31-2006	Gauthier, et al.	
		US- 7065500	06-20-2006	Singh, et al.	
		US- 7072853	07-04-2006	Shkedi	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]
		WO 98/59481	12-30-1998	Buckland		
		WO 00/08583	02-17-2000	Keen		
		EP 1 024 437 A2	08-02-2000	Chen		

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 3 of 3

	Complete if Known
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
		Brody, R.; "The Conditions and Consequences of Profiling in Commercial and Governmental Settings"; IEEE; 1998.	
		"IntelliQuest, 24/7 Media Pair to Deliver Tech Household Database"; from webpage http://www.clickz.com; October 6, 1998.	
		"Internet Access: Intelliquest and 24/7 Media Team Up to Deliver 100 Million Household Database to Internet Marketers"; from website http://findarticles.com; October 12, 1998.	
		24/7 Real Media Inc. - TFSM; Form S-1A, filed with the SEC April 14, 1999 (portions).	
		Engage Technologies, Inc.; Form S-1A; filed with the SEC July 19, 1999; pp. 36-50.	
		"The e-Marketing Report"; Morgan Stanley Dean Witter; May, 2000 (portions).	

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08A (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 20030149938	08/07/03	McElfresh et al	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08A (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6594691	07-15-2003	McCollum, et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] Number[4] Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

	Complete if Known
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
		"DoubleClick Launches New Marketing Solutions"; from website www.clickz.com; October 6, 1998.	

Examiner Signature	/Jonathan Ouellette/	Date Considered	09/30/2010

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JO/

PTO/SB/08a (04-09)
Approved for use through 05/31/2009. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	12/186,918
Filing Date	08-06-2008
First Named Inventor	Shkedi, Roy
Art Unit	3629 (in parent)
Examiner Name	Ouellette, J.P. (in parent)
Attorney Docket Number	10-DP-DIV

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] *(if known)*	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]
		WO 97/16796	05-09-1997	Herz et al.		

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PCT WORLD INTELLECTUAL PROPERTY ORGANIZATION
International Bureau

INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification 6 : **G06F 17/30**	**A1**	**(11) International Publication Number:**	**WO 97/16796**
		(43) International Publication Date:	9 May 1997 (09.05.97)

(21) International Application Number: PCT/US96/17981

(22) International Filing Date: 29 October 1996 (29.10.96)

(30) Priority Data:
08/551,198 31 October 1995 (31.10.95) US

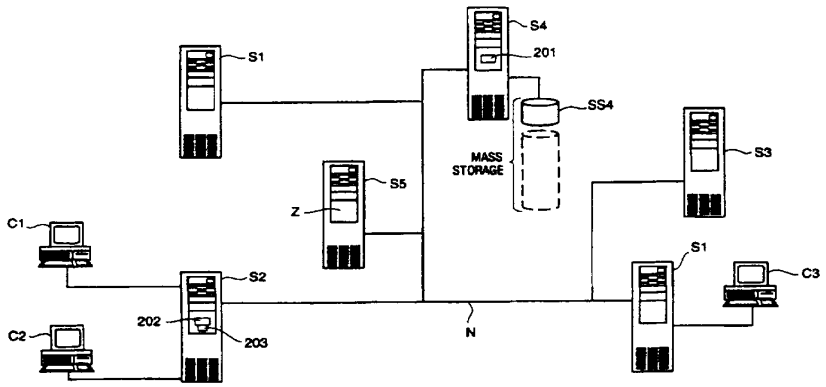
(71)(72) Applicants and Inventors: HERZ, Frederick, S., M. [US/US]; Box 625 Canaan Valley, Davis, WV 26260 (US). EISNER, Jason, M. [US/US]; 1015 Spruce Street, Philadelphia, PA 19107 (US). SMITH, Jonathan, M. [US/US]; 771 Princeton-Kingston Road, Princeton, NJ 08540-4165 (US). SALZBERG, Steven, L. [US/US]; 4409 Wickford Road, Baltimore, MD 21210 (US).

(74) Agents: GRAZIANO, James, M. et al.; Duft, Graziano & Forest, P.C., Suite 140, 1790-30th Street, Boulder, CO 80301-1018 (US).

(81) Designated States: AM, AU, BR, BY, CA, CN, EE, IL, IS, JP, KP, KR, KZ, LV, MN, MX, NZ, RU, SG, TM, TR, UA, UZ, VN, European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE).

Published
With international search report.

(54) Title: SYSTEM FOR CUSTOMIZED ELECTRONIC IDENTIFICATION OF DESIRABLE OBJECTS



(57) Abstract

This invention relates to customized electronic identification of desirable objects, such as news articles, in an electronic media environment, and in particular to a system that automatically constructs both a "target profile" for each target object in the electronic media based, for example, on the frequency with which each word appears in an article relative to its overall frequency of use in all articles, as well as a "target profile interest summary" for each user, which target profile interest summary describes the user's interest level in various types of target objects. The system then evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing of target objects most likely to be of interest to each user so that the user can select from among these potentially relevant target objects, which were automatically selected by this system from the plethora of target objects that are profiled on the electronic media. Users' target profile interest summaries can be used to efficiently organize the distribution of information in a large scale system consisting of many users interconnected by means of a communication network. Additionally, a cryptographically-based pseudonym proxy server is provided to ensure the privacy of a user's target profile interest summary, by giving the user control over the ability of third parties to access this summary and to identify or contact the user.

FOR THE PURPOSES OF INFORMATION ONLY

Codes used to identify States party to the PCT on the front pages of pamphlets publishing international applications under the PCT.

AM	Armenia	**GB**	United Kingdom	**MW**	Malawi
AT	Austria	**GE**	Georgia	**MX**	Mexico
AU	Australia	**GN**	Guinea	**NE**	Niger
BB	Barbados	**GR**	Greece	**NL**	Netherlands
BE	Belgium	**HU**	Hungary	**NO**	Norway
BF	Burkina Faso	**IE**	Ireland	**NZ**	New Zealand
BG	Bulgaria	**IT**	Italy	**PL**	Poland
BJ	Benin	**JP**	Japan	**PT**	Portugal
BR	Brazil	**KE**	Kenya	**RO**	Romania
BY	Belarus	**KG**	Kyrgystan	**RU**	Russian Federation
CA	Canada	**KP**	Democratic People's Republic of Korea	**SD**	Sudan
CF	Central African Republic			**SE**	Sweden
CG	Congo	**KR**	Republic of Korea	**SG**	Singapore
CH	Switzerland	**KZ**	Kazakhstan	**SI**	Slovenia
CI	Côte d'Ivoire	**LI**	Liechtenstein	**SK**	Slovakia
CM	Cameroon	**LK**	Sri Lanka	**SN**	Senegal
CN	China	**LR**	Liberia	**SZ**	Swaziland
CS	Czechoslovakia	**LT**	Lithuania	**TD**	Chad
CZ	Czech Republic	**LU**	Luxembourg	**TG**	Togo
DE	Germany	**LV**	Latvia	**TJ**	Tajikistan
DK	Denmark	**MC**	Monaco	**TT**	Trinidad and Tobago
EE	Estonia	**MD**	Republic of Moldova	**UA**	Ukraine
ES	Spain	**MG**	Madagascar	**UG**	Uganda
FI	Finland	**ML**	Mali	**US**	United States of America
FR	France	**MN**	Mongolia	**UZ**	Uzbekistan
GA	Gabon	**MR**	Mauritania	**VN**	Viet Nam

SYSTEM FOR CUSTOMIZED ELECTRONIC IDENTIFICATION OF DESIRABLE OBJECTS

CROSS-REFERENCE TO RELATED APPLICATIONS

This patent application is a continuation-in-part of U.S. Patent Application Serial No. 08/346,425, filed November 28, 1994 and titled "SYSTEM AND METHOD FOR SCHEDULING BROADCAST OF AND ACCESS TO VIDEO PROGRAMS AND OTHER DATA USING CUSTOMER PROFILES", which application is assigned to the same assignee as the present application.

FIELD OF INVENTION

This invention relates to customized electronic identification of desirable objects, such as news articles, in an electronic media environment, and in particular to a system that automatically constructs both a "target profile" for each target object in the electronic media based, for example, on the frequency with which each word appears in an article relative to its overall frequency of use in all articles, as well as a "target profile interest summary" for each user, which target profile interest summary describes the user's interest level in various types of tar get objects. The system then evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing of target objects most likely to be of interest to each user so that the user can select from among these potentially relevant target objects, which were automatically selected by this system from the plethora of target objects that are profiled on the electronic media. Users' target profile interest summaries can be used to efficiently organize the distribution of information in a large scale system consisting of many users interconnected by means of a communication network. Additionally, a cryptographically based proxy server is provided to ensure the privacy of a user's target profile interest summary, by giving the user control over the ability of third parties to access this summary and to identify or contact the user.

PROBLEM

It is a problem in the field of electronic media to enable a user to access information of relevance and interest to the user without requiring the user to expend an excessive amount of time and energy searching for the information. Electronic media, such as on-line information sources, provide a vast amount of information to users, typically in the form of "articles," each of which comprises a publication item or document that relates to a specific topic. The difficulty with electronic media is that the amount of information available to the user is overwhelming and the article repository systems that are connected on-line are not

organized in a manner that sufficiently simplifies access to only the articles of interest to the user. Presently, a user either fails to access relevant articles because they are not easily identified or expends a significant amount of time and energy to conduct an exhaustive search of all articles to identify those most likely to be of interest to the user. Furthermore, even if the user conducts an exhaustive search, present information searching techniques do not necessarily accurately extract only the most relevant articles, but also present articles of marginal relevance due to the functional limitations of the information searching techniques. There is also no existing system which automatically estimates the inherent quality of a n article or other target object to distinguish among a number of articles or target objects identified as of possible interest to a user.

Therefore, in the field of information retrieval, there is a long-standing need for a system which enables users to navigate through the plethora of information. With commercialization of communication networks, such as the Internet, the growth of available information has increased. Customization of the information delivery process to the user's unique tastes and interests is the ultimate solution to this problem. However, the techniques which have been proposed to date either only address the user's interests on a superficial level or provide greater depth and intelligence at the cost of unwanted demands on the user's time and energy. While many researchers have agreed that traditional methods have been lacking in this regard, no one to date has successfully addressed these problems in a holistic manner and provided a system that can fully learn and reflect the user's tastes and interests. This is particularly true in a practical commercial context, such as on-line services available on the Internet. There is a need for an information retrieval system that is largely or entirely passive, unobtrusive, undemanding o f the user, and yet both precise and comprehensive in its ability to learn and truly represent the user's tastes and interests. Present information retrieval systems require the user to specify the desired information retrieval behavior through cumbersome interfaces.

Users may receive information on a computer network either by actively retrieving the information or by passively receiving information that is sent to them. Just as users of information retrieval systems face the problem of too much information, so do users who are targeted with electronic junk mail by individuals and organizations. An ideal system would protect the user from unsolicited advertising, both by automatically extracting only the most relevant messages received by electronic ma il, and by preserving the

confidentiality of the user's preferences, which should not be freely available to others on the network.

Researchers in the field of published article information retrieval have devoted considerable effort to finding efficient and accurate methods of allowing users to select articles of interest from a large set of articles. The most widely used methods of information retrieval are based on keyword matching: the user specifies a set of keywords which the user thinks are exclusively found in the desired articles and the information retrieval computer retrieves all articles which contain those keywords. Such methods are fast, but are notoriously unreliable, as users may not think of the right keywords, or the keywords may be used in unwanted articles in an irrelevant or unexpected context. As a result, the information retrieval computers retrieve many articles which are unwanted by the user. The logical combination of keywords and the use of wild-card search parameters help improve the accuracy of keyword searching but do not completely solve the problem of inaccurate search results.

Starting in the 1960's, an alternate approach to information retrieval was developed: users were presented with an article and asked if it contained the information they wanted, or to quantify how close the information contained in the article was to what they wanted. Each article was described by a profile which comprised either a list of the words in the article or, in more advanced systems, a table of word frequencies in the article. Since a measure of similarity between articles is the distance between their profiles, the measured similarity of article profiles can be used in article retrieval. For example, a user searching for information on a subject can write a short description of the desired information. The information retrieval computer generates an article profile for the request and then retrieves articles with profiles similar to the profile generated for the request. These requests can then be refined using "relevance feedback", where the user actively or passively rates the articles retrieved as to how close the information contained therein is to what is desired. The information retrieval computer then uses this relevance feedback information to refine the request profile and the process is repeated until the user either finds enough articles or tires of the search.

A number of researchers have looked at methods for selecting articles of most interest to users. An article titled "Social Information filtering: algorithms for automating 'word of mouth'" was published at the CHi-95 Proceedings by Patti Maes et al and describes the Ringo information retrieval system which recommends musical selections. The Ringo

system requires active feedback from the users -- users must manually specify how much they like or dislike each musical selection. The Ringo system maintains a complete list of users ratings of music selections and makes recommendations by finding which selections were liked by multiple people. However, the Ringo system does not take advantage of any available descriptions of the music, such as structured descriptions in a data base, or free text, such as that contained in music reviews. An article titled "Evolving agents for personalized information filtering", published at the Proc. 9th IEEE Conf. on AI for Applications by Sheth and Maes, described the use of agents for information filtering which use genetic algorithms to learn to categorize Usenet news articles. In this system, users must define news categories and the users actively indicate their opinion of the selected articles. Their system uses a list of keywords to represent sets of articles and the records of users' interests are updated using genetic algorithms.

A number of other research groups have looked at the automatic generation and labeling of clusters of articles for the purpose of browsing through the articles. A group at Xerox Parc published a paper titled "Scatter/gather: a cluster-based approach to browsing large article collections" at the 15 Ann. Int'l SIGIR '92, ACM 318-329 (Cutting et al. 1992). This group developed a method they call "scatter/gather" for performing information retrieval searches. In this method, a collection of articles is "scattered" into a small number of clusters, the user then chooses one or more of these clusters based on short summaries of the cluster. The selected clusters are then "gathered" into a subcollection, and then the process is repeated. Each iteration of this process is expected to produce a small, more focused collection. The cluster "summaries" are generated by picking those words which appear most frequently in the cluster and the titles of those articles closest to the center of the cluster. However, no feedback from users is collected or stored, so no performance improvement occurs over time.

Apple's Advanced Technology Group has developed an interface based on the concept of a "pile of articles". This interface is described in an article titled "A 'pile' metaphor for supporting casual organization of information in Human factors in computer systems" published in CHI '92 Conf. Proc. 627-634 by Mander, R. G. Salomon and Y. Wong. 1992. Another article titled "Content awareness in a file system interface: implementing the 'pile' metaphor for organizing information" was published in 16 Ann. Int'l SIGIR '93, ACM 260-269 by Rose E. D. et al. The Apple interface uses word frequencies to automatically file articles by picking the pile most similar to the article being filed. This

system functions to cluster articles into subpiles, determine key words for indexing by picking the words with the largest TF/IDF (where TF is term (word) frequency and IDF is the inverse document frequency) and label piles by using the determined key words.

Numerous patents address information retrieval methods, but none develop records of a user's interest based on passive monitoring of which articles the user accesses. None of the systems described in these patents pre sent computer architectures to allow fast retrieval of articles distributed across many computers. None of the systems described in these patents address issues of using such article retrieval and matching methods for purposes of commerce or of matching users with common interests or developing records of users' interests. U.S. Patent No. 5,321,833 issued to Chang et al. teaches a method in which users choose terms to use in an information retrieval query, and specify the relative weightings of the different terms. The Chang system then calculates multiple levels of weighting criteria. U.S. Patent No. 5,301,109 issued to Landauer et al. teaches a method for retrieving articles in a multiplicity of languages by constructing "latent vectors" (SVD or PCA vectors) which represent correlations between the different words. U.S. Patent No. 5,331,554 issued to Graham et al. discloses a method for retrieving segments of a manual by comparing a query with nodes in a decision tree. U.S. Patent No. 5,331,556 addresses techniques for deriving morphological part-of-speech information and thus to make use of the similarities of different forms of the same word (e.g. "article" and "articles").

Therefore, there presently is no information retrieval and delivery system operable in an electronic media environment that enables a user to access information of relevance and interest to the user without requiring the user to expend an excessive amount of time and energy.

SOLUTION

The above-described problems are solved and a technical advance achieved in the field by the system for customized electronic identification of desirable objects in an electronic media environment, which system enables a user to access target objects of relevance and interest to the user without requiring the user to expend an excessive amount of time and energy. Profiles of the target objects are stored on electronic media and are accessible via a data communication network. In many applications, the target objects are informational I n nature, and so may themselves be stored on electronic media and be accessible via a data communication network.

Relevant definitions of terms for the purpose of this description include: (a.) an object available for access by the user, which may be either physical or electronic in nature, is termed a "target object", (b.) a digitally represented profile indicating t hat target object's attributes is termed a "target profile", (c.) the user looking for the target object is termed a "user", (d.) a profile holding that user's attributes, including age/zip code/etc. is termed a "user profile", (e.) a summary of digital profiles of target objects that a user likes and/or dislikes, is termed the "target profile interest summary" of that user, (f.) a profile consisting of a collection of attributes, such that a user likes target objects whose profiles are similar to this collection of attributes, is termed a "search profile" or in some contexts a "query" or "query profile," (g.) a specific embodiment of the target profile interest summary which comprises a set of search profiles is termed the "search profile set" of a user, (h.) a collection of target objects with similar profiles, is termed a "cluster," (i.) an aggregate profile formed by averaging the attributes of all tar get objects in a cluster, termed a "cluster profile," (j.) a real number determined by calculating the statistical variance of the profiles of all target objects in a cluster, is termed a "cluster variance," (k.) a real number determined by calculating the maximum distance between the profiles of any two target objects in a cluster, is termed a "cluster diameter."

The system for electronic identification of desirable objects of the present invention automatically constructs both a target profile for each target object in the electronic media based, for example, on the frequency with which each word appears in an article relative to its overall frequency of use in all articles, as well as a "target profile interest summary" for each user, which target profile interest summary describes the user's interest level in various types of target objects. The system then evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing of tar get objects most likely to be of interest to each user so that the user can select from among these potentially relevant target objects, which were automatically selected by this system from the plethora of target objects available on the electronic media.

Because people have multiple interests, a target profile interest summary for a single user must represent multiple areas of interest, for example, by consisting of a set of individual search profiles, each of which identifies one of the user's areas of interest. Each user is presented with those target objects whose profiles most closely match the user's interests as described by the user's target profile interest summary. Users' target profile interest summaries are automatically updated on a continuing basis to reflect each user's

changing interests. In addition, target objects can be grouped into clusters based on their similarity to each other, for example, based on similarity of their topics in the case where the target objects are published articles, and menus automatically generated for each cluster of target objects to allow users to navigate throughout the clusters and manually locate target objects of interest. For reasons of confidentiality and privacy, a particular user may not wish to make public all of the interests recorded in the user's target profile interest summary, particularly when these interests are determined by the user's purchasing patterns. The user may desire that all or part of the target profile interest summary be kept confidential, such as information relating to the user's political, religious, financial or purchasing behavior; indeed, confidentiality with respect to purchasing behavior is the user's legal right in many states. It is therefore necessary that data in a user's target profile interest summary be protected from unwanted disclosure except with the user's agreement. At the same time, the user's target profile interest summaries must be accessible to the relevant servers that perform the matching of target objects to the users, if the benefit of this matching is desired by both providers and consumers of the target objects. The disclosed system provides a solution to the privacy problem by using a proxy server which acts as an intermediary between the information provider and the user. The proxy server dissociates the user's true identity from the pseudonym by the use of cryptographic techniques. The proxy server also permits users to control access to their target profile interest summaries and/or user profiles, including provision of this information to marketers and advertisers if they so desire, possibly in exchange for cash or other considerations. Marketers may purchase these profiles in order to target advertisements to particular users, or they may purchase partial user profiles, which do not include enough information to identify the individual users in question, in order to carry out standard kinds of demographic analysis and market research on the resulting database of partial user profiles.

In the preferred embodiment of the invention, the system for customized electronic identification of desirable objects uses a fundamental methodology for accurately and efficiently matching users and target objects by automatically calculating, using and updating profile information that describes both the users' interests and the target objects' characteristics. The target objects may be published articles, purchasable items, or even other people, and their properties are stored, and/or represented and /or denoted on the electronic media as (digital) data. Examples of target objects can include, but are not limited to: a newspaper story of potential interest, a movie to watch, an item to buy, e-mail

to receive, or another person to correspond with. In all these cases, the information delivery process in the preferred embodiment is based on determining the similarity between a profile for the target object and the profiles of target objects for which the user (or a similar user) has provided positive feedback in the past. The individual data that describe a target object and constitute the target object's profile are herein termed "attributes" of the target object. Attributes may include, but are not limited to, the following: (1) long pieces of text (a newspaper story, a movie review, a product description or an advertisement), (2) short pieces of text (name of a movie's director, name of town from which an advertisement was placed, name of the language in which an article was written), (3) numeric measurements (price of a product, rating given to a movie, reading level of a book), (4) associations with other types of objects (list of actors in a movie, list of persons who have read a document). Any of these attributes, but especially the numeric ones, may correlate with the quality of the target object, such as measures of its popularity (how often it is accessed) or of user satisfaction (number of complaints received).

The preferred embodiment of the system for customized electronic identification of desirable objects operates in an electronic media environment for accessing these target objects, which may be news, electronic mail, other published documents, or product descriptions. The system in its broadest construction comprises three conceptual modules, which may be separate entities distributed across many implementing systems, or combined into a lesser subset of physical entities. The specific embodiment of this system disclosed herein illustrates the use of a first module which automatically constructs a "target profile" for each target object in the electronic media based on various descriptive attributes of the target object. A second module uses interest feedback from users to construct a "target profile interest summary" for each user, for example in the form of a "search profile set" consisting of a plurality of search profiles, each of which corresponds to a single topic of high interest for the user. The system further includes a profile processing module which estimates each us er's interest in various target objects by reference to the users' target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets, and generates for each us er a customized rank-ordered listing of target objects most likely to be of interest to that user. Each user's target profile interest summary is automatically updated on a continuing basis to reflect the user's changing interests.

Target objects may be of various sorts, and it is sometimes advantageous to use a single system that delivers and/or clusters target objects of several distinct sorts at once, in a unified framework. For example, users who exhibit a strong interest in certain novels may also show an interest in certain movies, presumably of a similar nature. A system in which some target objects are novels and other target objects are movies can discover such a correlation and exploit it in order to group particular novels with particular movies, e.g., for clustering purposes, or to recommend the movies to a user who has demonstrated interest in the novels. Similarly, if users who exhibit an interest in certain World Wide Web sites also exhibit an interest in certain products, the system can match the products with the sites and thereby recommend to the marketers of those products that they place advertisements at those sites, e.g., in the form of hypertext links to their own sites.

The ability to measure the similarity of profiles describing target objects and a user's interests can be applied in two basic ways: filtering and browsing. Filtering is useful when large numbers of target objects are described in the electronic media s pace. These target objects can for example be articles that are received or potentially received by a user, who only has time to read a small fraction of them. For example, one might potentially receive all items on the AP news wire service, all items posted to a number of news groups, all advertisements in a set of newspapers, or all unsolicited electronic mail, but few people have the time or inclination to read so many articles. A filtering system in the system for customized electronic identification of desirable objects automatically selects a set of articles that the user is likely to wish to read. The accuracy of this filtering system improves over time by noting which articles the user reads and by generating a measurement of the depth to which the user reads each article. This information is then us ed to update the user's target profile interest summary. Browsing provides an alternate method of selecting a small subset of a large number of target objects, such as articles. Articles are organized so that users can actively navigate among groups of articles by moving from one group to a larger, more general group, to a smaller, more specific group, or to a closely related group. Each individual article forms a one-member group of its own, so that the user can navigate to and from individual article s as well as larger groups. The methods used by the system for customized electronic identification of desirable objects allow articles to be grouped into clusters and the clusters to be grouped and merged into larger and larger clusters. These hierarchies of clusters then form the basis for menuing and navigational systems to allow

the rapid searching of large numbers of articles. This same clustering technique is applicable to any type of target objects that can be profiled on the electronic media.

There are a number of variations on the theme of developing and using profiles for article retrieval, with the basic implementation of an on-line news clipping service representing the preferred embodiment of the invention. Variations of this basic system are disclosed and comprise a system to filter electronic mail, an extension for retrieval of target objects such as purchasable items which may have more complex descriptions, a system to automatically build and alter menuing systems for browsing and searching through large numbers of target objects, and a system to construct virtual communities of people with common interests. These intelligent filters and browsers are necessary to provide a truly passive, intelligent system interface. A user interface that permits intuitive browsing and filtering represents for the first time an intelligent system for determining the affinities between users and target objects. The detailed, comprehensive target profiles and user-specific target profile interest summaries enable the system to provide responsive routing of specific queries for user information access. The information maps so produced and the application of users' target profile interest summaries to predict the information consumption patterns of a user allows for pre-caching of data at locations on the data communication network and at times that minimize the traffic flow in the communication network to thereby efficiently provide the desired information to the user and/or conserve valuable storage space by only storing those target objects (or segments thereof) which are relevant to the user's interests.

BRIEF DESCRIPTION OF THE DRAWING

Figure 1 illustrates in block diagram form a typical architecture of an electronic media system in which the system for customized electronic identification of desirable objects of the present invention can be implemented as part of a user server system;

Figure 2 illustrates in block diagram form one embodiment of the system for customized electronic identification of desirable objects;

Figures 3 and 4 illustrate typical network trees;

Figure 5 illustrates in flow diagram form a method for automatically generating article profiles and an associated hierarchical menu system;

Figures 6-9 illustrate examples of menu generating process;

Figure 10 illustrates in flow diagram form the operational steps taken by the system for customized electronic identification of desirable objects to screen articles for a user;

Figure 11 illustrates a hierarchical cluster tree example;

Figure 12 illustrates in flow diagram form the process for determination of likelihood of interest by a specific user in a selected target object;

Figures 13A-B illustrate in flow diagram form the automatic clustering process;

Figure 14 illustrates in flow diagram form the use of the pseudonymous server;

Figure 15 illustrates in flow diagram form the use of the system for accessing information in response to a user query; and

Figure 16 illustrates in flow diagram form the use of the system for accessing information in response to a user query when the system is a distributed network implementation.

DETAILED DESCRIPTION

MEASURING SIMILARITY

This section describes a general procedure for automatically measuring the similarity between two target objects, or, more precisely, between target profiles that are automatically generated for each of the two target objects. This similarity determination process is applicable to target objects in a wide variety of contexts. Target objects being compared can be, as an example but not limited to: textual documents, human beings, movies, or mutual funds. It is assumed that the target profiles which describe the target objects are stored at one or more locations in a data communication network on data storage media associated with a computer system. The computed similarity measurements serve as input to additional processes, which function to enable human users to locate desired target objects using a large computer system. These additional processes estimate a human user's interest in various target objects, or else cluster a plurality of target objects in to logically coherent groups. The methods used by these additional processes might in principle be implemented on either a single computer or on a computer network. Jointly or separately, they form the underpinning for various sorts of database systems and information retrieval systems.

Target Objects and Attributes

In classical Information Retrieval (IR) technology, the user is a literate human and the target objects in question are textual documents stored on data storage devices interconnected to the user via a computer network. That is, the target objects consist entirely of text, and so are digitally stored on the data storage devices within the computer network. However, there are other target object domains that present related retrieval problems that are not capable of being solved by present information retrieval technology:

(a.) the user is a film buff and the target objects are movies available on videotape.

(b.) the user is a consumer and the target objects are used cars being sold.

(c.) the user is a consumer and the target objects are products being sold through promotional deals.

(d.) the user is an investor and the target objects are publicly traded stocks, mutual funds and/or real estate properties.

(e.) the user is a student and the target objects are classes being offered.

(f.) the user is an activist and the target objects are Congressional bills of potential concern. (g.) the user is a direct-mail marketer and the target objects are potential customers.

(h.) the user is a net-surfer and the target objects are pages, servers, or newsgroups available on the World Wide Web.

(i.) the user is a philanthropist and the target objects are charities.

(j.) the user is ill and the target objects are medical specialists.

(k.) the user is an employee and the target objects are potential employers.

(l.) the user is an employer and the target objects are potential employees.

(m.) the user is an beleaguered executive and the target objects are electronic mail messages addressed to the user.

(n.) the user is a lonely heart and the target objects are potential conversation partners. (o.) the user is in search of an expert and the target objects are users, with known retrieval habits, of an document retrieval system.

(p.) the user is a social worker and the target objects are families that may need extra visits.

(q.) the user is an oncologist and the target objects are women for whom mammograms may be advisable.

(r.) the user is an auto insurance company and the target objects are potential customers

In all these cases, the user wishes to locate some small subset of the target objects -- such as the target objects that the user most desires to rent, buy, investigate, meet, read, give mammograms to, insure, and so forth. The task is to help the user identify the most interesting target objects, where the user's interest in a target object is defined to be a numerical measurement of the user's relative desire to locate that object rather than others.

The generality of this problem motivates a general approach to solving the information retrieval problems noted above. It is assumed that many target objects are known to the system for customized electronic identification of desirable objects, and that specifically, the system stores (or has the ability to reconstruct) several pieces of information about each target object. These pieces of information are termed "attributes": collectively, they are said to form a profile of the target object, or a "target profile." For example, where the system for customized electronic identification of desirable objects is activated to identify movies of interest, the system is likely be concerned with the values of attributes such as these:

(a.) title of movie,

(b.) name of director,

(c.) Motion Picture Association of America (MPAA) child-appropriateness rating (0=G, 1=PG, ...),

(d.) date of release,

(e.) number of stars granted by a particular critic,

(f.) number of stars granted by a second critic,

(g.) number of stars granted by a third critic,

(h.). full text of review by the third critic,

(i.). list of customers who have previously rented this movie,

(j.) list of actors.

Each movie has a different set of values for these attributes. This example conveniently illustrates three kinds of attributes. Attributes c-g are *numeric attributes*, of the sort that might be found in a database record. It is evident that they can be used to help the user identify target objects (movies) of interest. For example, the user might previously have rented many Parental Guidance (PG) films, and many films made in the 1970's. This generalization is useful: new films with values for one or both attributes that are numerically similar to these (such as MPAA rating of 1, release date of 1975) are judged similar to the films the user already likes, and therefore of probable interest. Attributes a-b and h are *textual attributes*. They too are important for helping the user locate desired films. For example, perhaps the user has shown a past interest in films whose review text (attribute h) contains words like "chase," "explosion," "explosions," "hero," "gripping," and "superb." This generalization is again useful in identifying new films of interest. Attribute i is an *associative attribute*. It records associations between the target objects in this domain,

namely movies, and ancillary target objects of an entirely different sort, namely humans. A good indication that the user wants to rent a particular movie is that the user has previously rented other movies with similar attribute values, and this holds for attribute I just as it does for attributes a-h. For example, if the user has often liked movies that customer C_{17} and customer C_{190} have rented, then the user may like other such movies, which have similar values for attribute i. Attribute j is another example of an associative attribute, recording associations between target objects and actors. Notice that any of these attributes can be made subject to authentication when the profile is constructed, through the use of digital signatures; for example, the target object could be accompanied by a digitally signed note from the MPAA, which note names the target object and specifies its authentic value for attribute c .

These three kinds of attributes are common: numeric, textual, and associative. In the classical information retrieval problem, where the target objects are documents (or more generally, coherent document sections extracted by a text segmentation method), the system might only consider a single, textual attribute when measuring similarity: the full text of the target object. However, a more sophisticated system would consider a longer target profile, including numeric and associative attributes:

(a.) full text of document (textual),

(b.) title (textual),

(c.) author (textual),

(d.) language in which document is written (textual),

(e.) date of creation (numeric),

(f.) date of last update (numeric),

(g.) length in words (numeric),

(h.) reading level (numeric),

(i.) quality of document as rated by a third_party editorial agency (numeric),

(j.) list of other readers who have retrieved this document (associative).

As another domain example, consider a domain where the user is an advertiser and the target objects are potential customers. The system might store the following attributes for each target object (potential customer):

(a.) first two digits of zip code (textual),

(b.) first three digits of zip code (textual),

(c.) entire five-digit zip code (textual),

(d.) distance of residence from advertiser's nearest physical storefront (numeric),

(e.) annual family income (numeric),

(f.) number of children (numeric),

(g.) list of previous items purchased by this potential customer (associative),

list of filenames stored on this potential customer's client computer (associative),

list of movies rented by this potential customer (associative),

list of investments in this potential customer's investment portfolio (associative),

list of documents retrieved by this potential customer (associative),

written response to Rorschach inkblot test (textual),

multiple-choice responses by this customer to 20 self-image questions (20 textual attributes).

As always, the notion is that similar consumers buy similar products. It should be noted that diverse sorts of information are being used here to characterize consumers, from their consumption patterns to their literary taste s and psychological peculiarities, and that this fact illustrates both the flexibility and power of the system for customized electronic identification of desirable objects of the present invention. Diverse sorts of information can be used as attributes in other domains as well (as when physical, economic, psychological and interest-related questions are used to profile the applicants to a dating service, which is indeed a possible domain for the present system), and the advertiser domain is simply an example.

As a final domain example, consider a domain where the user is an stock market investor and the target objects are publicly traded corporations. A great many attributes might be used to characterize each corporation, including but not limited to the following:

(a.) type of business (textual),

(b.) corporate mission statement (textual),

(c.) number of employees during each of the last 10 years (ten separate numeric attributes),

(d.) percentage growth in number of employees during each of the last 10 years,

(e.) dividend payment issued in each of the last 40 quarters, as a percentage of current share price,

(f.) percentage appreciation of stock value during each of the last 40 quarters, list of shareholders (associative),

(g.) composite text of recent articles about the corporation in the financial press (textual). It is worth noting some additional attributes that are of interest in some

domains. In the case of documents and certain other domains, it is useful to know the source of each target object (for example, refereed journal article vs. UPI newswire article vs. Usenet newsgroup posting vs. question-answer pair from a question-and-answer list vs. tabloid newspaper article vs. ...); the source may be represented as a single-term textual attribute. Important associative attributes for a hypertext document are the list of documents that it links to, and the list of documents that link to it. Documents with similar citations are similar with respect to the former attribute, and documents that are cited in the same places are similar with respect to the latter. A convention may optionally be adopted that any document also links to itself. Especially in systems where users can choose whether or not to retrieve a target object, a target object's popularity (or circulation) can be usefully measured as a numeric attribute specifying the number of users who have retrieved that object. Related measurable numeric attributes that also indicate a kind of popularity include the number of replies to a target object, in the domain where target objects are messages posted to an electronic community such as an computer bulletin board or newsgroup, and the number of links leading to a target object, in the domain where target objects are interlinked hypertext documents on the World Wide Web or a similar system. A target object may also receive explicit numeric evaluations (another kind of numeric attribute) from various groups, such as the Motion Picture Association of America (MPAA), as above, which rates movies' appropriateness for children, or the American Medical Association, which might rate the accuracy and novelty of medical research papers, or a random survey sample of users (chosen from all users or a selected set of experts), who could be asked to rate nearly anything. Certain other types of evaluation, which also yield numeric attributes, may be carried out mechanically. For example, the difficulty of reading a text can be assessed by standard procedures that count word and sentence lengths, while the vulgarity of a text could be defined as (say) the number of vulgar words it contains, and the expertise of a text could be crudely assessed by counting the number of similar texts its author had previously retrieved and read using the invention, perhaps confining this count to texts that have high approval ratings from critics. Finally, it is possible to synthesize certain textual attributes mechanically, for example to reconstruct the script of a movie by applying speech recognition techniques to its soundtrack or by applying optical character recognition techniques to its closed-caption subtitles.

Decomposing Complex Attributes

Although textual and associative attributes are large and complex pieces of data, for information retrieval purposes they can be decomposed into smaller, simpler numeric attributes. This means that any set of attributes can be replaced by a (usually larger) set of numeric attributes, and hence that any profile can be represented as a vector of numbers denoting the values of these numeric attributes. In particular, a textual attribute, such as the full text of a movie review, can be replaced by a collection of numeric attributes that represent scores to denote the presence and significance of the words "aardvark," "aback," "abacus," and so on through "zymurgy" in that text. The score of a word in a text may be defined in numerous ways. The simplest definition is that the score is the rate of the word in the text, which is computed by computing the number of times the word occurs in the text, an d dividing this number by the total number of words in the text. This sort of score is often called the "term frequency" (TF) of the word. The definition of term frequency may optionally be modified to weight different portions of the text unequally: for example, any occurrence of a word in the text's title might be counted as a 3-fold or more generally k-fold occurrence (as if the title had been repeated k times within the text), in order to reflect a heuristic assumption that the words in the title are particularly important indicators of the text's content or topic.

However, for lengthy textual attributes, such as the text of an entire document, the score of a word is typically defined to be not merely its term frequency, but its term frequency multiplied by the negated logarithm of the word's "global frequency," as measured with respect to the textual attribute in question. The global frequency of a word, which effectively measures the word's uninformativeness, is a fraction between 0 and 1, defined to be the fraction of all target objects for which the textual attribute in question contains this word. This adjusted score is often known in the art as TF/IDF ("term frequency times inverse document frequency"). When global frequency of a word is taken into account in this way, the common, uninformative words have scores comparatively close to zero, no matter how often or rarely they appear in the text. Thus, their rate has little influence on the object's target profile. Alternative methods of calculating word scores include latent semantic indexing or probabilistic models.

Instead of breaking the text into its component words, one could alternatively break the text into overlapping word bigrams (sequences of 2 adjacent words), or more generally, word n-grams. These word n-grams may be scored in the same way as individual words.

Another possibility is to use character n-grams. For example, this sentence contains a sequence of overlapping character 5-grams which starts "for e", "or ex", "r exa", " exam", "examp", etc. The sentence may be characterized, imprecisely but usefully, by the score of each possible character 5-gram ("aaaaa", "aaaab", ... "zzzzz") in the sentence. Conceptually speaking, in the character 5-gram case, the textual attribute would be decomposed into at least $26^5 = 11,881,376$ numeric attributes. Of course, for a given target object, most of these numeric attributes have values of 0, since most 5-grams do not appear in the target object attributes. These zero values need not be stored anywhere. For purposes of digital storage, the value of a textual attribute could be characterized by storing the set of character 5-grams that actually do appear in the text, together with the nonzero score of each one. Any 5-gram that is no t included in the set can be assumed to have a score of zero. The decomposition of textual attributes is not limited to attributes whose values are expected to be long texts. A simple, one-term textual attribute can be replaced by a collection of numeric attributes in exactly the same way. Consider again the case where the target objects are movies. The "name of director" attribute, which is textual, can be replaced by numeric attributes giving the scores for "Federico-Fellini," "Woody-Allen," "Terence- Davies," and so forth, in that attribute. For these one-term textual attributes, the score of a word is usually defined to be its rate in the text, without any consideration of global frequency. Note that under these conditions, one of the scores is 1, while the other scores are 0 and need not be stored. For example, if Davies did direct the film, then it is "Terence-Davies" whose score is 1, since "Terence-Davies" constitutes 100% of the words in the textual value of the "name of director" attribute. It might seem that nothing has been gained over simply regarding the textual attribute as having the string value "Terence-Davies." However, the trick of decomposing every non-numeric attribute into a collection of numeric attributes proves useful for the clustering and decision tree methods described later, which require the attribute values of different objects to be averaged and/or ordinally ranked. Only numeric attributes can be averaged or ranked in this way. Just as a textual attribute may be decomposed into a number of component terms (letter or word n-grams), an associative attribute may be decomposed into a number of component associations. For instance, in a domain where the target objects are movies, a typical associative attribute used in profiling a movie would be a list of customers who have rented that movie. This list can be replaced by a collection of numeric attributes, which give the "association scores" between the movie and each of the customers known to the system. For example, the 165th such numeric

attribute would be the association score between the movie and customer #165, where the association score is defined to be 1 if customer #165 has previously rented the movie, and 0 otherwise. In a subtler refinement, this association s core could be defined to be the degree of interest, possibly zero, that customer #165 exhibited in the movie, as determined by relevance feedback (as described below). As another example, in a domain where target objects are companies, an associative attribute indicating the major shareholders of the company would be decomposed into a collection of association scores, each of which would indicate the percentage of the company (possibly zero) owned by some particular individual or corporate body. Just as with the term scores used in decomposing lengthy textual attributes, each association score may optionally be adjusted by a multiplicative factor: for example, the association score between a movie and customer #165 might be multiplied by the negated logarithm of the "global frequency" of customer #165, i.e., the fraction of all movies that have been rented by customer #165. Just as with the term scores used in decomposing textual attributes, most association scores found when decomposing a particular value of an associative attribute are zero, and a similar economy of storage may be gained in exactly the same manner by storing a list of only those ancillary objects with which the target object has a nonzero association score, together with their respective association scores.

Similarity Measures

What does it mean for two target objects to be similar? More precisely, how should one measure the degree of similarity? Many approaches are possible and any reasonable metric that can be computed over the set of target object profiles can be used, where target objects are considered to be similar if the distance between their profiles is small according to this metric. Thus, the following preferred embodiment of a target object similarity measurement system has m any variations.

First, define the distance between two values of a given attribute according to whether the attribute is a numeric, associative, or textual attribute. If the attribute is numeric, then the distance between two values of the attribute is the absolute value of the difference between the two values. (Other definitions are also possible: for example, the distance between prices p1 and p2 might be defined by $|(p1-p2)|/(\max(p1,p2)+1)$, to recognize that when it comes to customer interest, $50 00 and $5020 are very similar, whereas $3 and $23 are not.) If the attribute is associative, then its value V may be decomposed as described above into a collection of real numbers, representing the

association scores between the target object in question and various ancillary objects. V may therefore be regarded as a vector with components V_1, V_2, V_3, etc., representing the association scores between the object and ancillary objects 1, 2, 3, etc., respectively. The distance between two vector values V and U of an associative attribute is then computed using the angle distance measure, arccos (VU^t /sqrt((Vv^t)(UU^t)). (Note that the three inner products in this expression have the form $XY^t = X_1 Y_1 + X_2 Y_2 + X_3 Y_3 + ...$, and that for efficient computation, terms of the form $X_i Y_i$ may be omitted from this sum if either of the scores X_i and Y_i is zero.) Finally, if the attribute is textual, then its value V may be decomposed as described above into a collection of real numbers, representing the scores of various word n-grams or character n-grams in the text. Then the value V may again be regarded as a vector, and the distance between two values is again defined via the angle distance measure. Other similarity metrics between two vectors, such as the dice measure, may be used instead. It happens that the obvious alternative metric, Euclidean distance, does not work well: even similar texts tend not to overlap substantially in the content words they use, so that texts encountered in practice are all substantially orthogonal to each other, assuming that TF/IDF scores are used to reduce the influence of non-content words. The scores of two words in a textual attribute vector may be correlated; for example, "Kennedy" and "JFK" tend to appear in the same documents. Thus it may be advisable to alter the text somewhat before computing the scores of terms in the text, by using a synonym dictionary that groups together similar words. The effect of this optional pre-alteration is that two texts using related words are measured to be as similar as if they had actually used the same words. One technique is to augment the set of words actually found in the article with a set of synonyms or other words which tend to co-occur with the words in the article, so that "Kennedy" could be added to every article that mentions "JFK." Alternatively, words found in the article may be wholly replaced by synonyms, so that "JFK" might be replaced by "Kennedy" or by "John F. Kennedy" wherever it appears. In either case, the result is that documents about Kennedy and documents about JFK are adjudged similar. The synonym dictionary may be sensitive to the topic of the document as a whole; for example, it may recognize that "crane" is likely to have a different synonym in a document that mentions birds than in a document that mentions construction. A related technique is to replace each word by its morphological stem, so that "staple", "stapler", and "staples" are all replaced by "staple." Common function words ("a", "and", "the" ...) c an influence the calculated similarity of texts without regard to their topics, and so are typically removed from the text

before the scores of terms in the text are computed. A more general approach to recognizing synonyms is to use a revised measure of the distance between textual attribute vectors V and U, namely arccos(AV(AU)^t /sqrt (AV(AV)^t AU(AU)^t), where the matrix A is the dimensionality-reducing linear transformation (or an approximation thereto) determined by collecting the vector values of the textual attribute, for all target objects known to the system, and applying singular value decomposition to the resulting collection. The same approach can be applied to the vector values of associative attributes. The above definitions allow us to determine how close together two target objects are with respect to a single attribute, whether numeric, associative, or textual. The distance between two target objects X and Y with respect to their entire multi-attribute profiles P_X and P_Y is then denoted d(X,Y) or d(P_X, P_Y) and defined as:

(((distance with respect to attribute a)(weight of attribute a))^k + ((distance with respect to attribute b)(weight of attribute b))^k + ((distance with respect to attribute c)(weight of attribute c))^k + ...)^k

where k is a fixed positive real number, typically 2, and the weights are non- negative real numbers indicating the relative importance of the various attributes. For example, if the target objects are consumer goods, and the weight of the "color" attribute is comparatively very small, then price is not a consideration in determining similarity: a user who likes a brown massage cushion is predicted to show equal interest in the same cushion manufactured in blue, and vice-versa. On the other hand, if the weight of the "color" attribute is comparatively very high, then users are predicted to show interest primarily in products whose colors they have liked in the past: a brown massage cushion and a blue massage cushion are not at all the same kind of target object, however similar in other attributes, and a good experience with one does not by itself inspire much interest in the other. Target objects may be of various sorts, and it is sometimes advantageous to use a single system that is able to compare tar get objects of distinct sorts. For example, in a system where some target objects are novels while other target objects are movies, it is desirable to judge a novel and a movie similar if their profiles show that similar users like them (an associative attribute). However, it is important to note that certain attributes specified in the movie's target profile are undefined in the novel's target profile, and vice versa: a novel has no "cast list" associative attribute and a movie has no "reading level" numeric attribute. In general, a system in which target objects fall into distinct sorts may sometimes have to measure the similarity of two target objects for which somewhat different

sets of attributes are defined. This requires an extension to the distance metric d(*,*) defined above. In certain applications, it is sufficient when carrying out such a comparison simply to disregard attributes that are not defined for both target objects: this allows a cluster of novels to be matched with the most similar cluster of movies, for example, by considering only those attributes that novels and movies have in common. However, while this method allows comparisons between (say) novels and movies, it does not define a proper metric over the combined space of novel s and movies and therefore does not allow clustering to be applied to the set of all target objects. When necessary for clustering or other purposes, a metric that allows comparison of any two target objects (whether of the same or different sorts) can b e defined as follows. If a is an attribute, then let Max(a) be an upper bound on the distance between two values of attribute a; notice that if attribute a is an associative or textual attribute, this distance is an angle determined by arccos, so that Max(a) may be chosen to be 180 degrees, while if attribute a is a numeric attribute, a sufficiently large number must be selected by the system designers. The distance between two values of attribute a is given as before in the case where both values are defined; the distance between two undefined values is taken to be zero; finally, the distance between a defined value and an undefined value is always taken to be Max(a)/2. This allows us to determine how close together two target objects are with respect to an attribute a, even if attribute a does not have a defined value for both target objects. The distance d(*,*) between two target objects with respect to their entire multi-attribute profiles is then given in terms of these individual attribute distances exactly as before. It is assumed that one attribute in such a system specifies the sort of target object ("movie", "novel", etc.), and that this attribute may be highly weighted if target objects of different sorts are considered to be very different despite any attributes they may have in common.

UTILIZING THE SIMILARITY MEASUREMENT

Matching Buyers and Sellers

A simple application of the similarity measurement is a system to match buyers with sellers in small-volume markets, such as used cars and other used goods, artwork, or employment. Sellers submit profiles of the goods (target objects) they want to sell, and buyers submit profiles of the goods (target objects) they want to buy. Participants may submit or withdraw these profiles at any time. The system for customized electronic identification of desirable objects computes the similarities between seller-submitted profiles and buyer-submitted profiles, and when two profiles match closely (i.e., the

similarity is above a threshold), the corresponding seller and buyer are notified of each other's identities. To prevent users from being flooded with responses, it may be desirable to limit the number of notifications each user receives to a fixed number, such as ten per day.

Filtering: Relevance Feedback

A filtering system is a device that can search through many target objects and estimate a given user's interest in each target object, so as to identify those that are of greatest interest to the user. The filtering system uses relevance feed back to refine its knowledge of the user's interests: whenever the filtering system identifies a target object as potentially interesting to a user, the user (if an on-line user) provides feedback as to whether or not that target object really is of interest. Such feedback is stored long-term in summarized form, as part of a database of user feedback information, and may be provided either actively or passively. In active feedback, the user explicitly indicates his or her interest, for instance, on a scale of -2 (active distaste) through 0 (no special interest) to 10 (great interest). In passive feedback, the system infers the user's interest from the user's behavior. For example, if target objects are textual documents, the system might monitor which documents the user chooses to read, or not to read, and how much time the user spends reading them. A typical formula for assessing interest in a document via passive feedback, in this domain, on a scale of 0 to 10, might be:

+ 2 if the second page is viewed,

+ 2 if all pages are viewed,

+ 2 if more than 30 seconds was spent viewing the document,

+ 2 if more than one minute was spent viewing the document,

+ 2 if the minutes spent viewing the document are greater than half the number of pages.

If the target objects are electronic mail messages, interest points might also be added in the case of a particularly lengthy or particularly prompt reply. If the target objects are purchasable goods, interest points might be added for target objects that the user actually purchases, with further points in the case of a large-quantity or high-price purchase. In any domain, further points might be added for target objects that the user accesses early in a session, on the grounds that users access the object s that most interest them first. Other potential sources of passive feedback include an electronic measurement of the extent to which the user's pupils dilate while the user views the target object or a description of the target object. It is possible to combine active and passive feedback. One option is to take

a weighted average of the two ratings. Another option is to use passive feedback by default, but to allow the user to examine and actively modify the passive feedback score. In the scenario abo ve, for instance, an uninteresting article may sometimes remain on the display device for a long period while the user is engaged in unrelated business; the passive feedback score is then inappropriately high, and the user may wish to correct it before continuing. In the preferred embodiment of the invention, a visual indicator, such as a sliding bar or indicator needle on the user's screen, can be used to continuously display the passive feedback score estimated by the system for the target object being viewed, unless the user has manually adjusted the indicator by a mouse operation or other means in order to reflect a different score for this target object, after which the indicator displays the active feedback score selected by the user, and this active feedback score is used by the system instead of the passive feedback score. In a variation, the user cannot see or adjust the indicator until just after the user has finished viewing the target object. Regardless how a user's feedback is computed, it is stored long-term as part of that user's target profile interest summary.

Filtering: Determining Topical Interest Through Similarity

Relevance feedback only determines the user's interest in certain target objects: namely, the target objects that the user has actually had the opportunity to evaluate (whether actively or passively). For target objects that the user has not yet seen, the filtering system must estimate the user's interest. This estimation task is the heart of the filtering problem, and the reason that the similarity measurement is important. More concretely, the preferred embodiment of the filtering system is a news clipping service that periodically presents the user with news articles of potential interest. The user provides active and/or passive feedback to the system relating to these presented articles. However, the system does not have feedback information from the user for articles that have never been presented to the user, such as new articles that have just been added to the database, or old articles that the system chose not to present to the user. Similarly, in the dating service domain where target objects are prospective romantic partners, the system has only received feedback on old flames, not on prospective new loves.

As shown in flow diagram form in Figure 12, the evaluation of the likelihood of interest in a particular target object for a specific user can automatically be computed. The interest that a given target object X holds for a user U is assumed to be a sum of two quantities: q(U, X), the intrinsic "quality" of X, plus f(U, X), the "topical interest" that users

like U have in target objects like X. For any target object X, the intrinsic quality measure q(U, X) is easily estimated at steps 1201-1203 directly from numeric attributes of the target object X. The computation process begins at step 1201, where certain designated numeric attributes of target object X are specifically selected, which attributes by their very nature should be positively or negatively correlated with users' interest. Such attributes, termed "quality attributes," have the normative property that the higher (or in some cases lower) their value, the more interesting a user is expected to find them. Quality attributes of target object X may include, but are not limited to, target object X's popularity among users in general, the rating a particular reviewer has given target object X, the age (time since authorship -- also known as outdatedness) of target object X, the number of vulgar words used in target object X, the price of target object X, and the amount of money that the company selling target object X has donated to the user's favorite charity. At step 1202, each of the selected attributes is multiplied by a positive or negative weight indicative of the strength of user U's preference for those target objects that have high values for this attribute, which weight must be retrieved from a data file storing quality attribute weights for the selected user. At step 1203, a weighted sum of the identified weighted selected attributes is computed to determine the intrinsic quality measure q(U, X). At step 1204, the summarized weighted relevance feedback data is retrieved, wherein some relevance feedback points are weighted more heavily than others and the stored relevance data can be summarized to some degree, for example by the use of search profile sets. The more difficult part of determining user U's interest in target object X is to find or compute at step 1205 the value of f(U, X), which denotes the topical interest that users like U generally have in target objects like X. The method of determining a user's interest relies on the following heuristic: when X and Y are similar target objects (have similar attributes), and U and V are similar users (have similar attributes), then topical interest f(U, X) is predicted to have a similar value to the value of topical interest f(V, Y). This heuristic leads to an effective method because estimated values of the topical interest function f(*, *) are actually know n for certain arguments to that function: specifically, if user V has provided a relevance-feedback rating of r(V, Y) for target object Y, then insofar as that rating represents user V's true interest in target object Y, we have r(V, Y) = q(V, Y) + f(V, Y) and can estimate f(V, Y) as r(V, Y) - q(V, Y). Thus, the problem of estimating topical interest at all points becomes a problem of interpolating among these estimates of topical interest at selected points, such as the feedback estimate of f(V, Y) a s r(V, Y) - q(V, Y). This

interpolation can be accomplished with any standard smoothing technique, using as input the known point estimates of the value of the topical interest function f(*, *), and determining as output a function that approximates the entire topical interest function f(*, *).

Not all point estimates of the topical interest function f(*, *) should be given equal weight as inputs to the smoothing algorithm. Since passive relevance feedback is less reliable than active relevance feedback, point estimates made from passive relevance feedback should be weighted less heavily than point estimates made from active relevance feedback, or even not used at all. In most domains, a user's interests may change over time and, therefore, estimates of topic al interest that derive from more recent feedback should also be weighted more heavily. A user's interests may vary according to mood, so estimates of topical interest that derive from the current session should be weighted more heavily for the duration of the current session, and past estimates of topical interest made at approximately the current time of day or on the current weekday should be weighted more heavily. Finally, in domains where users are trying to locate target objects of long-term interest (investments, romantic partners, pen pals, employers, employees, suppliers, service providers) from the possibly meager information provided by the target profiles, the users are usually not in a position to provide reliable immediate feedback on a target object, but can provide reliable feedback at a later date. An estimate of topical interest f(V, Y) should be weighted more heavily if user V has had more experience with target object Y. Indeed, a useful strategy is for the system to track long-term feedback for such target objects. For example, if target profile Y was created in 1990 to describe a particular investment that was available in 1990, and that was purchased in 1990 by user V, then the system solicits relevance feedback from user V in the years 1990, 1991, 1992, 1993, 1994, 1995, etc., and treats these as successively stronger indications of user V's true interest in target profile Y, and thus as indications of user V's likely interest in new investments whose current profiles resemble the original 1990 investment profile Y. In particular, if in 1994 and 1995 user V is well-disposed toward his or her 1990 purchase of the investment described by target profile Y, then in those years and later, the system tends to recommend additional investments when they have profiles like target profile Y, on the grounds that they too will turn out to be satisfactory in 4 to 5 years. It makes these recommendations both to user V and to users whose investment portfolios and other attributes are similar to user V's. The relevance feedback provided by user V in this case may be either active (feedback =

satisfaction ratings provided by the investor V) or passive (feedback = difference between average annual return of the investment and average annual return o f the Dow Jones index portfolio since purchase of the investment, for example).

To effectively apply the smoothing technique, it is necessary to have a definition of the similarity distance between (U, X) and (V, Y), for any users U and V and any target objects X and Y. We have already seen how to define the distance d(X, Y) between two target objects X and Y, given their attributes. We may regard a pair such as (U, X) as an extended object that bears all the attributes of target X and all the attributes of user U; then the distance between (U, X) and (V, Y) may be computed in exactly the same way. This approach requires user U, user V, and all other users to have some attributes of their own stored in the system: for example, age (numeric), social security number (textual), and list of documents previously retrieved (associative). It is these attributes that determine the notion of "similar users." Thus it is desirable to generate profiles of users (termed "user profiles") as well as profiles of target objects (termed "target profiles"). Some attributes employed for profiling users may be related to the attributes employed for profiling target objects: for example, using associative attributes, it is possible to characterize target objects such as X by the interest that various users have shown in them, and simultaneously to characterize users such as U by the interest that they have shown in various target objects. In addition, user profiles may make use of any attributes that are useful in characterizing humans, such as those suggested in the example domain above where target objects are potential consumers. Notice that user U's interest can be estimated even if user U is a new user or an off-line user who has never provided any feedback, because the relevance feedback of users whose attributes are similar to U's attributes is taken into account.

For some uses of filtering systems, when estimating topical interest, it is appropriate to make an additional "presumption of no topical interest" (or "bias toward zero"). To understand the usefulness of such a presumption, suppose the system needs to determine whether target object X is topically interesting to the user U, but that users like user U have never provided feedback on target objects even remotely like target object X. The presumption of no topical interest says that if this is so, it is because users like user U are simply not interested in such target objects and therefore do not seek them out and interact with them. On this presumption, the system should estimate topical interest f(U, X) to be low. Formally, this example has the characteristic that (U, X) is far away from all the points (V, Y) where feedback is available. In such a case, topical interest f(U, X) is presumed to

be close to zero, even if the value of the topical interest function f(*, *) is high at all the faraway surrounding points at which its value is known. When a smoothing technique is used, such a presumption of no topical interest can be introduced, if appropriate, by manipulating t he input to the smoothing technique. In addition to using observed values of the topical interest function f(*, *) as input, the trick is to also introduce fake observations of the form topical interest f(V, Y) = 0 for a lattice of points (V, Y) distributed throughout the multidimensional space. These fake observations should be given relatively low weight as inputs to the smoothing algorithm. The more strongly they are weighted, the stronger the presumption of no interest.

The following provides another simple example of an estimation technique that has a presumption of no interest. Let g be a decreasing function from non-negative real numbers to non-negative real numbers, such as $g(x) = e^x$ or $g(x) = \min(1, x^{-k})$ where $k > 1$. Estimate topical interest f(U, X) with the following g-weighted average:

$$f(U,X) = \frac{\sum ((r(V,Y) - q(V,Y)) * g(distance(U,X),(V,Y))}{\sum g(distance(U,V),(V,Y))}$$

Here the summations are over all pairs (V, Y) such that user V has provided feedback r(V, Y) on target object Y, i.e., all pairs (V, Y) such that relevance feedback r(V, Y) is defined. Note that both with this technique and with conventional smoothing techniques, the estimate of the topical interest f(U, X) is not necessarily equal to r(U, X) - q(U, X), even when r(U, X) is defined.

Filtering: Adjusting Weights and Residue Feedback

The method described above requires the filtering system to measure distances between (user, target object) pairs, such as the distance between (U, X) and (V, Y). Given the means described earlier for measuring the distance between two multi-attribute profiles, the method must therefore associate a weight with each attribute used in the profile of (user, target object) pairs, that is, with each attribute used to profile either users or target objects. These weights specify the relative importance of the attributes in establishing similarity or difference, and therefore, in determining how topical interest is generalized from one (user, target object) pair to another. Additional weights determine which attributes of a target object contribute to the quality function q, and by how much. It is possible and often desirable for a filtering system to store a different set of weights for each user. For example, a user who thinks of two-star films as having materially different topic and style from

four-star films wants to assign a high weight to "number of stars" for purposes of the similarity distance measure d(*, *); this means that interest in a two-star film does not necessarily signal interest in an otherwise similar four-star film, or vice-versa. If the user also agrees with the critics, and actually prefers four-star films, the user also wants to assign "number of stars" a high positive weight in the determination of the quality function q. In the same way, a user who dislikes vulgarity wants to assign the "vulgarity score" attribute a high negative weight in the determination of the quality function q, although the "vulgarity score" attribute does not necessarily have a high weight in determining the topical similarity of two films.

Attribute weights (of both sorts) may be set or adjusted by the system administrator or the individual user, on either a temporary or a permanent basis. However, it is often desirable for the filtering system to learn attribute weights automatically, based on relevance feedback. The optimal attribute weights for a user U are those that allow the most accurate prediction of user U's interests. That is, with the distance measure and quality function defined by these attribute weights, user U's interest in target object X, q(U, X) + f(U, X), can be accurately estimated by the techniques above. The effectiveness of a particular set of attribute weights for user U can therefore be gauged by seeing how well it predicts user U's known interests.

Formally, suppose that user U has previously provided feedback on target objects X_1, X_2, X_3, ... X_n, and that the feedback ratings are r(U, X_1), r(U, X_2), r(U, X_3), ... r(U, X_n). Values of feedback ratings r(*,*) for other users and other target objects may also be known. The system may use the following procedure to gauge the effectiveness of the set of attribute weights it currently stores for user U: (I) For each 1 <= I <= n, use the estimation techniques to estimate q(U, X_1) + f(U, X_i) from all known values of feedback ratings r. Call this estimate a_i. (ii) Repeat step (i), but this time make the estimate for each 1 <= i <= n without using the feedback ratings r(U, X_j) as input, for any j such that the distance d(X_i, X_j) is smaller than a fixed threshold. That is, estimate each q(U, X_i) + f(U, X_i) from other values of feedback rating r only; in particular, do not use r(U, X_i) itself. Call this estimate b_i. The difference $a_i - b_i$ is herein termed the "residue feedback r_{res}(U, X_i) of user U on target object X_i." (iii) Compute user U's error measure, $(a_1 - b_1)^2 + (a_2 - b_2)^2 + (a_3 - b_3)^2 + \ldots + (a_n - b_n)^2$.

A gradient-descent or other numerical optimization method may be used to adjust user U's attribute weights so that this error measure reaches a (local) minimum. This

approach tends to work best if the smoothing technique used in estimation is such that the value of f(V, Y) is strongly affected by the point estimate r(V, Y) - q(V, Y) when the latter value is provided as input. Otherwise, the presence or absence of the single input feedback rating r(U, X_i), in steps (i)-(ii) may not make a_i and b_i very different from each other. A slight variation of this learning technique adjusts a single global set of at tribute weights for all users, by adjusting the weights so as to minimize not a particular user's error measure but rather the total error measure of all users. These global weights are used as a default initial setting for a new user who has not yet provided any feedback. Gradient descent can then be employed to adjust this user's individual weights over time. Even when the attribute weights are chosen to minimize the error measure for user U, the error measure is generally still positive, meaning that residue feedback from user U has not been reduced to 0 on all target objects. It is useful to note that high residue feedback from a user U on a target object X indicates that user U liked target object X unexpectedly well given its profile, that is, better than the smoothing model could predict from user U's opinions on target objects with similar profiles. Similarly, low residue feedback indicates that user U liked target object X less than was expected. By definition, this unexplained preference or dispreference cannot be the result of topical similarity, and therefore must be regarded as an indication of the intrinsic quality of target object X. It follows that a useful quality attribute for a target object X is the average amount of residue feedback r_{res}(V, X) from users on that target object, averaged over all users V who have provided relevance feedback on the target object. In a variation of this idea, residue feedback is never averaged indiscriminately over all users to form a new attribute, but instead is smoothed to consider users' similarity to each other. Recall that the quality measure q(U, X) depends on the user U as well as the target object X, so that a given target object X may be perceived by different users to have different quality. In this variation, as before, q(U, X) is calculated as a weighted sum of various quality attributes that are dependent only on X, but then an additional term is added, namely an estimate of r_{res} (U, X) found by applying a smoothing algorithm to known values of r_{res} (V, X). Here V ranges over all users who have provided relevance feedback on target object X, and the smoothing algorithm is sensitive to the distances d(U, V) from each such user V to user U.

Using the Similarity Computation for Clustering

A method for defining the distance between any pair of target objects was disclosed above. Given this distance measure, it is simple to apply a standard clustering algorithm,

such as k- means, to group the target objects into a number of clusters, in such a way that similar target objects tend to be grouped in the same cluster. It is clear that the resulting clusters can be used to improve the efficiency of matching buyers and sellers in the application described in section "Matching Buyers and Sellers" above: it is not necessary to compare every buy profile to every sell profile, but only to compare buy profiles and sell profiles that are similar enough to appear in the same cluster. As explained below, the results of the clustering procedure can also be used to make filtering more efficient, and in the service of querying and browsing tasks.

The k-means clustering method is familiar to those skilled in the art. Briefly put, it finds a grouping of points (target profiles, in this case, whose numeric coordinates are given by numeric decomposition of their attributes as described above) to minimize the distance between points in the clusters and the centers of the clusters in which they are located. This is done by alternating between assigning each point to the cluster which has the nearest center and then, once the points have been assigned, computing the (new) center of each cluster by averaging the coordinates of the points (target profiles) located in this cluster. Other clustering methods can be used, such as "soft" or "fuzzy" k-means clustering, in which objects are allowed to belong to more than one cluster. This can be cast as a clustering problem similar to the k-means problem, but now the criterion being optimized is a little different:

$$\sum_i \sum_c i_{ic}\, d(x_i, \bar{x}_c)$$

where C ranges over cluster numbers, i ranges over target objects, x_i is the numeric vector corresponding to the profile of target object number i, $\bar{x}_C$ is the mean of all the numeric vectors corresponding to target profiles of target objects in cluster number C, termed the "cluster profile" of cluster C, d(*, *) is the metric used to measure distance between two target profiles, and i_{iC} is a value between 0 and 1 that indicates how much target object number i is associated with cluster number C, where i is an indicator matrix with the property that for each i, SUM SUB C I SUB iC = 1. For k-means clustering, i_{iC} is either 0 or 1.

Any of these basic types of clustering might be used by the system:

1) Association-based clustering, in which profiles contain only associative attributes, and thus distance is defined entirely by associations. This kind of

clustering generally (a) clusters target objects based on the similarity of the users who like them or (b) clusters users based on the similarity of the target objects they like. In this approach, the system does not need any information about target objects or users, except for their history of interaction with each other.

2) Content-based clustering, in which profiles contain only non-associative attributes. This kind of clustering (a) clusters target objects based on the similarity of their non-associative attributes (such as word frequencies) or (b) clusters users base d on the similarity of their non-associative attributes (such as demographics and psychographics). In this approach, the system does not need to record any information about users' historical patterns of information access, but it does need information about the intrinsic properties of users and/or target objects.

3) Uniform hybrid method, in which profiles may contain both associative and non-associative attributes. This method combines 1a and 2a, or 1b and 2b. The distance $d(P_X, P_Y)$ between two profiles P_X and P_Y may be computed by the general similarity-measurement methods described earlier.

4) Sequential hybrid method. First apply the k-means procedure to do 1a, so that articles are labeled by cluster based on which user read them, then use supervised clustering (maximum likelihood discriminant methods) using the word frequencies to do the process of method 2a described above. This tries to use knowledge of who read what to do a better job of clustering based on word frequencies. One could similarly combine the methods 1b and 2b described above.

Hierarchical clustering of target objects is often useful. Hierarchical clustering produces a tree which divides the target objects first into two large clusters of roughly similar objects; each of these clusters is in turn divided into two or more smaller clusters, which in turn are ea ch divided into yet smaller clusters until the collection of target objects has been entirely divided into "clusters" consisting of a single object each, as diagrammed in Figure 8 In this diagram, the node d denotes a particular target object d, or equivalently, a single-member cluster consisting of this target object. Target object d is a member of the cluster (a, b, d), which is a subset of the cluster (a, b, c, d, e, f), which in turn is a subset of all target objects. The tree shown in Figure 8 would be produced from a set of target objects such as those shown geometrically in Figure 7. In Figure 7, each letter represents a target object, and axes x1 and x2 represent two of the many numeric attributes on which the target

objects differ. Such a cluster tree may be created by hand, using human judgment to form clusters and subclusters of similar objects, or may be created automatically in either of two standard ways: top-down or bottom-up. In top-down hierarchical clustering, the set of all target objects in Figure 7 would be divided into the clusters (a, b, c, d, e, f) and (g, h, i, j, k). The clustering algorithm would then be reapplied to the target objects in each cluster, so that the cluster (g, h, i, j, k) is subpartitioned into the clusters (g, k) and (h, i, j), and so on to arrive at the tree shown in Figure 8. In bottom-up hierarchical clustering, the set of all target objects in Figure 7 would be grouped into numerous small clusters, namely (a, b), d, (c, f), e, (g,k), (h, i), and j. These clusters would then themselves be grouped into the larger clusters (a, b, d), (c, e, f), (g, k), and (h, i, j), according to their cluster profiles. These larger clusters would themselves be grouped into (a, b, c, d, e, f) and (g, k, h, i, j), and so on until all target objects had been grouped together, resulting in the tree of Figure 8. Note that for bottom-up clustering to work, it must be possible to apply the clustering algorithm to a set of existing clusters. This requires a notion of the distance between two clusters. The method disclosed above for measuring the distance between target objects can be applied directly, provided that clusters are profiled in the same way as target objects. It is only necessary to adopt the convention that a cluster's profile is the average of the target profiles of all the target objects in the cluster; that is, to determine the cluster's value for a given attribute, take the mean value of that attribute across all the target objects in the cluster. For the mean value to be well-defined, all attributes must be numeric, so it is necessary as usual to replace each textual or associative attribute with its decomposition into numeric attributes (scores), as described earlier. For example, the target profile of a single Woody Allen film would assign "Woody-Allen" a score of 1 in the "name-of-director" field, while giving "Federico-Fellini" and "Terence-Davies" scores of 0. A cluster that consisted of 20 films directed by Allen and 5 directed by Fellini would be profiled with scores of 0.8, 0.2, and 0 respectively, because, for example, 0.8 is the average of 20 ones and 5 zeros.

Searching for Target Objects

Given a target object with target profile P, or alternatively given a search profile P, a hierarchical cluster tree of target objects makes it possible for the system to search efficiently for target objects with target profiles similar to P. It is only necessarily to navigate through the tree, automatically, in search of such target profiles. The system for customized electronic identification of desirable objects begins by considering the largest, top-level clusters, and selects the cluster whose profile is most similar to target profile P.

In the event of a near-tie, multiple clusters may be selected. Next, the system considers all subclusters of the selected clusters, and this time selects the subcluster or subclusters whose profiles are closest to target profile P. This refinement process is iterated until the clusters selected on a given step are sufficiently small, and these are the desired clusters of target objects with profiles most similar to target profile P. Any hierarchical cluster tree therefore serves as a decision tree for identifying target objects. In pseudo-code form, this process is as follows (and in flow diagram form in Figures 13A and 13B):

1. Initialize list of identified target objects to the empty list at step 13A00
2. Initialize the current tree T to be the hierarchical cluster tree of all objects at step 13A01 and at step 13A02 scan the current cluster tree for target objects similar to P, using the process detailed in Figure 13B. At step 13A03, the list of target objects is returned.
3. At step 13B00, the variable I is set to 1 and for each child subtree Ti of the root of tree T, is retrieved.
4. At step 13B02, calculate $d(P, p_i)$, the similarity distance between P and p_i,
5. At step 13B03, if $d(P, p_i) < t$, a threshold, branch to one of two options
6. If tree Ti contains only one target object at step 13B04, add that target object to list of identified target objects at step 13B05 and advance to step 13B07.
7. If tree Ti contains multiple target objects at step 13B04, scan the ith child subtree for target objects similar to P by invoking the steps of the process of Figure 13B recursively and then recurse to step 3 (step 13A01 in Figure 13A) with T bound for the duration of the recursion to tree Ti, in order to search in tree Ti for target objects with profiles similar to P.

In step 5 of this pseudo-code, smaller thresholds are typically used at lower levels of the tree, for example by making the threshold an affine function or other function of the cluster variance or cluster diameter of the cluster p_i. If the cluster tree is distributed across a plurality of servers, as described in the section of this description titled "Network Context of the Browsing System", this process may be executed in distributed fashion as follows: steps 3-7 are executed by the server that stores the root node of hierarchical cluster tree T, and the recursion in step 7 to a subcluster tree T_i involves the transmission of a search request to the server that stores the root node of tree T_i, which server carries out the recursive step upon receipt of this request. Steps 1-2 are carried out by the processor that

initiates the search, and the server that executes step 6 must send a message identifying the target object to this initiating processor, which adds it to the list.

Assuming that low-level clusters have been already been formed through clustering, there are alternative search methods for identifying the low-level cluster whose profile is most similar to a given target profile P. A standard back-propagation neural net is one such method: it should be trained to take the attributes of a target object as input, and produce as output a unique pattern that can be used to identify the appropriate low-level cluster. For maximum accuracy, low-level clusters that are similar to each other (close together in the cluster tree) should be given similar identifying patterns. Another approach is a standard decision tree that considers the attributes of target profile P one at a time until it can identify the appropriate cluster. If profiles are large, this may be more rapid than considering all attributes. A hybrid approach to searching uses distance measurements as described above to navigate through the top few levels of the hierarchical cluster tree, until it reaches an cluster of intermediate size whose profile is similar to target profile P, and then continues by using a decision tree specialized to search for low-level subclusters of that intermediate cluster.

One use of these searching techniques is to search for target objects that match a search profile from a user's search profile set. This form of searching is used repeatedly in the news clipping service, active navigation, and Virtual Community Service applications, described below. Another use is to add a new target object quickly to the cluster tree. An existing cluster that is similar to the new target object can be located rapidly, and the new target object can be added to this cluster. If the object is beyond a certain threshold distance from the cluster center, then it is advisable to start a new cluster. Several variants of this incremental clustering scheme can be used, and can be built using variants of subroutines available in advanced statistical packages. Note that various methods can be used to locate t he new target objects that must be added to the cluster tree, depending on the architecture used. In one method, a "webcrawler" program running on a central computer periodically scans all servers in search of new target objects, calculates the target profiles of these objects, and adds them to the hierarchical cluster tree by the above method. In another, whenever a new target object is added to any of the servers, a software "agent" at that server calculates the target profile and adds it to the hierarchical cluster tree by the above method.

Rapid Profiling

In some domains, complete profiles of target objects are not always easy to construct automatically. When target objects are wallpaper patterns, for example, an attribute such as "genre" (a single textual term such as "Art-Deco," "Children's," "Rustic," etc.) may be a matter of judgment and opinion, difficult to determine except by consulting a human. More significantly, if each wallpaper pattern has an associative attribute that records the positive or negative relevance feedback to that pattern from various human users (consumers), then all the association scores of any newly introduced pattern are initially zero, so that it is initially unclear what other patterns are similar to the new pattern with respect to the users who like them. Indeed, if this associative attribute is highly weighted, the initial lack of relevance feedback information may be difficult to remedy, due to a vicious circle in which users of moderate-to-high interest are needed to provide relevance feedback but relevance feedback is needed to identify users of moderate-to-high interest. Fortunately, however, it is often possible in principle to determine certain attributes of a new target object by extraordinary methods, including but not limited to methods that consult a human. For example, the system can in principle determine the genre of a wallpaper pattern by consulting one or more randomly chosen individuals from a set of known human experts, while to determine the numeric association score between a new wallpaper pattern and a particular user, it can in principle show the pattern to the that user and obtain relevance feedback. Since such requests inconvenience people, however, it is important not to determine all difficult attributes this way, but only the ones that are most important for purposes of classifying the document. "Rapid profiling" is a method for selecting those numeric attributes that are most important to determine. (Recall that all attributes can be decomposed into numeric attributes, such as association scores or term scores.) First, a set of existing target objects that already have complete or largely complete profiles are clustered using a k-means algorithm. Next, each of the resulting clusters is assigned a unique identifying number, and each clustered target object is labeled with the identifying number of its cluster. Standard methods then allow construction of a single decision tree that can determine any target object's cluster number, with substantial accuracy, by considering the attributes of the target object, one at a time. Only attributes that can if necessary be determined for any new target object are used in the construction of this decision tree. To profile a new target object, the decision tree is traversed downward from its root as far as is desired. The root of the decision tree considers some attribute of the

target object. If the value of this attribute is not yet known, it is determined by a method appropriate to that attribute; for example, if the attribute is the association score of the target object with user #4589, then relevance feedback (to be used as the value of this attribute) is solicited from user #4589, perhaps by the ruse of adding the possibly uninteresting target object to a set of objects that the system recommends to the user's attention, in order to find out what the user thinks of it. Once the root attribute is determined, the rapid profiling method descends the decision tree by one level, choosing one of the decision subtrees of the root in accordance with the determined value of the root attribute. The root of this chosen subtree considers another attribute of the target object, whose value is likewise determined by an appropriate method. The process c an be repeated to determine as many attributes as desired, by whatever methods are available, although it is ordinarily stopped after a small number of attributes, to avoid the burden of determining too many attributes.

It should be noted that the rapid profiling method can be used to identify important attributes in any sort of profile, and not just profiles of target objects. In particular, recall that the disclosed method for determining topical interest through similarity requires users as well as target objects to have profiles. New users, like new target objects, may be profiled or partially profiled through the rapid profiling process. For example, when user profiles include an associative attribute that records the user's relevance feedback on a ll target objects in the system, the rapid profiling procedure can rapidly form a rough characterization of a new user's interests by soliciting the user's feedback on a small number of significant target objects, and perhaps also by determining a small n umber of other key attributes of the new user, by on-line queries, telephone surveys, or other means. Once the new user has been partially profiled in this way, the methods disclosed above predict that the new user's interests resemble the known interests of other users with similar profiles. In a variation, each user's user profile is subdivided into a set of long-term attributes, such as demographic characteristics, and a set of short-term attributes that help to identify the user's temporary desires and emotional state, such as the user's textual or multiple-choice answers to questions whose answers reflect the user's mood. A subset of the user's long-term attributes are determined when the user first registers with the system, through the use of a rapid profiling tree of long-term attributes. In addition, each time the user logs on to the system, a subset of the user's short-term attributes are additionally determined, through the use of a separate rapid profiling tree that asks about short-term attributes.

Market Research

A technique similar to rapid profiling is of interest in market research (or voter research). Suppose that the target objects are consumers. A particular attribute in each target profile indicates whether the consumer described by that target profile h as purchased product X. A decision tree can be built that attempts to determine what value a consumer has for this attribute, by consideration of the other attributes in the consumer's profile. This decision tree may be traversed to determine whether additional users are likely to purchase product X. More generally, the top few levels of the decision tree provide information, valuable to advertisers who are planning mass-market or direct-mail campaigns, about the most significant characteristics of consumers of product X.

Similar information can alternatively be extracted from a collection of consumer profiles without recourse to a decision tree, by considering attributes one at a time, and identifying those attributes on which pro duct X's consumers differ significantly from its non-consumers. These techniques serve to characterize consumers of a particular product; they can be equally well applied to voter research or other survey research, where the objective is to characterize those individuals from a given set of surveyed individuals who favor a particular candidate, hold a particular opinion, belong to a particular demographic group, or have some other set of distinguishing attributes. Researchers may wish to purchase batches of analyzed or unanalyzed user profiles from which personal identifying information has been removed. As with any statistical database, statistical conclusions can be drawn, and relationships between attributes can be elucidated using knowledge discovery techniques which are well known in the art.

SUPPORTING ARCHITECTURE

The following section describes the preferred computer and network architecture for implementing the methods described in this patent.

Electronic Media System Architecture

Figure 1 illustrates in block diagram form the overall architecture of an electronic media system, known in the art, in which the system for customized electronic identification of desirable objects of the present invention can be used to provide user customized access to target objects that are available via the electronic media system. In particular, the electronic media system comprises a data communication facility that interconnects a plurality of users with a number of information servers. The users a re typically individuals, whose personal computers (terminals) T_1-T_n are connected via a data communications link, such as a modem and a telephone connection established in well-known fashion, to a

telecommunication network N. User information access software is resident on the user's personal computer and serves to communicate over the data communications link and the telecommunication network N with one of the plurality of network vendors V_1-V_k (America Online, Prodigy, CompuServe, other private companies or even universities) who provide data interconnection service with selected ones of the information servers I_1 -I_m. The user can, by use of the user information access software, interact with the information servers I_1 -I_m to request and obtain access to data that resides on mass storage systems -SS_m that are part of the information server apparatus. New data is input to this system y users via their personal computers T_1 -T_n and by commercial information services by populating their mass storage systems SS_1 -SS_m with commercial data. Each user terminal T -T and the information servers I_1 -I_m have phone numbers or IP addresses on the network N which enable a data communication link to be established between a particular user terminal T_1 -T_n and the selected information server I_1 -I_m. A user's electronic mail address also uniquely identifies the user and the user's network vendor V_1 -V_k in an industry-standard format such as: username@aol.com or username@netcom.com. The network vendors V_1 -V_k provide access passwords for their subscribers (selected users), through which the users can access the information servers I_1 -I_m. The subscribers pay the network vendors V_1 -V_k for the access services on a fee schedule that typically includes a monthly subscription fee and usage based charges. A difficulty with this system is that there are numerous information servers I_1 -I_m located around the world, each of which provides access to a set of information of differing format, content and topics and via a cataloging system that is typically unique to the particular information server I_1 -I_m. The information is comprised of individual "files," which can contain audio data, video data, graphics data, text data, structured database data and combinations thereof. In the terminology of this patent, each target object is associated with a unique file: for target objects that are informational in nature and can be digitally represented, the file directly stores the informational content of the target object, while for target objects that are not stored electronically, such as purchasable goods, the file contains an identifying description of the target object. Target objects stored electronically as text files can include commercially provided news articles, published documents , letters, user-generated documents, descriptions of physical objects, or combinations of these classes of data. The organization of the files containing the information and the native format of the data contained in files of the same conceptual type may vary by information server I_1 -I_m.

Thus, a user can have difficulty in locating files that contain the desired information, because the information may be contained in files whose information server cataloging may not enable the user to locate them. Furthermore, there is no standard catalog that defines the presence and services provided by all information servers I_1 -I_m. A user therefore does not have simple access to information but must expend a significant amount of time and energy to excerpt a segment of the information that may be relevant to the user from the plethora of information that is generated and populated on this system. Even if the user commits the necessary resources to this task, existing information retrieval processes lack the accuracy and efficiency to ensure that the user obtains the desired information. It is obvious that within the constructs of this electronic media system, the three modules of the system for customized electronic identification of desirable objects can be implemented in a distributed manner, even with various modules being implemented on and/or by different vendors within the electronic media system. For example, the information servers I_1 -I_m can include the target profile generation module while the network vendors V_1 -V_k may implement the user profile generation module, the target profile interest summary generation module, and/or the profile processing module. A module can itself be implemented in a distributed manner, with numerous nodes being present in the network N, each node serving a population of users in a particular geographic area. The totality of these nodes comprises the functionality of the particular module. Various other partitions of the modules and their functions are possible and the examples provided herein represent illustrative examples and are not intended to limit the scope of the claimed invention. For the purposes of pseudonymous creation and update of users' target profile interest summaries (as described below), the vendors V_1 -V_k may be augmented with some number of proxy servers, which provide a mechanism for ongoing pseudonymous access and profile building through the method described herein. At least one trusted validation server must be in place to administer the creation of pseudonyms in the system.

An important characteristic of this system for customized electronic identification of desirable objects is its responsiveness, since the intended use of the system is in an interactive mode. The system utility grows with the number of the users and this increases the number of possible consumer/product relationships between users and target objects. A system that serves a large group of users must maintain interactive performance and the disclosed method for profiling and clustering target objects and users can in turn be used for

optimizing the distribution of data among the members of a virtual community and through a data communications network, based on users' target profile interest summaries.

Network Elements and System Characteristics

The various processors interconnected by the data communication network N as shown in Figure 1 can be divided into two classes and grouped as illustrated in Figure 2: clients and servers. The clients C1-Cn are individual user's computer systems which are connected to servers S1-S5 at various times via data communications links. Each of the clients Ci is typically associated with a single server Sj, but these associations can change over time. The clients C1-Cn both interface with users and produce and retrieve files to and from servers. The clients C1-Cn are not necessarily continuously on-line, since they typically serve a single user and can be movable systems, such as laptop computers, which can be connected to the data communications network N at any of a number of locations. Clients could also be a variety of other computers, such as computers and kiosks providing access to customized information as well as targeted advertising to many users, where the users identify themselves with passwords or with smart cards. A server Si is a computer system that is presumed to be continuously on-line and functions to both collect files from various sources on the data communication network N for access by local clients C1-Cn and collect files from local clients C1-Cn for access by remote clients. The server Si is equipped with persistent storage, such as a magnetic disk data storage medium, and are interconnected with other servers via data communications links. The data communications links can be of arbitrary topology and architecture, and are described herein for the purpose of simplicity as point-to-point links or, more precisely, as virtual point-to-point links. The servers S1-S5 comprise the network vendors V1-Vk as well as the information servers I_1 -I_m of Figure 1 and the functions performed by these two classes of modules can be merged to a greater or lesser extent in a single server Si or distributed over a number of servers in the data communication network N. Prior to proceeding with the description of the preferred embodiment of the invention, a number of terms are defined. Figure 3 illustrates in block diagram form a representation of an arbitrarily selected network topology for a plurality of servers A-D, each of which is interconnected to at least one other server and typically also to a plurality of clients p-s. Servers A-D are interconnected by a collection of point to point data communications links, and server A is connected to client r, server B is connected to clients p-q, while server D is connected to client s. Servers transmit encrypted or unencrypted messages amongst themselves: a message typically contains the textual and/or

graphic information stored in a particular file, and also contains data which describe the type and origin of this file, the name of the server that is supposed to receive the message, and the purpose for which the file contents are being transmitted. Some messages are not associated with any file, but are sent by one server to other servers for control reasons, for example to request transmission of a file or to announce the availability of a new file. Messages can be forwarded by a server to another server, as in the case where server A transmits a message to server D via a relay node of either server C or servers B, C. It is generally preferable to have multiple paths through the network, with each path being characterized by its performance capability and cost to enable the network N to optimize traffic routing.

Proxy Servers and Pseudonymous Transactions

While the method of using target profile interest summaries presents many advantages t o both target object providers and users, there are important privacy issues for both users and providers that must be resolved if the system is to be used freely and without inhibition by users without fear of invasion of privacy. It is likely that user s desire that some, if not all, of the user-specific information in their user profiles and target profile interest summaries remain confidential, to be disclosed only under certain circumstances related to certain types of transactions and according to t heir personal wishes for differing levels of confidentiality regarding their purchases and expressed interests.

However, complete privacy and inaccessibility of user transactions and profile summary information would hinder implementation of the system for customized electronic identification of desirable objects and would deprive the user of many of the ad vantages derived through the system's use of user-specific information. In many cases, complete and total privacy is not desired by all parties to a transaction. For example, a buyer may desire to be targeted for certain mailings that describe products that are related to his or her interests, and a seller may desire to target users who are predicted to be interested in the goods and services that the seller provides. Indeed, the usefulness of the technology described herein is contingent upon the ability of the system to collect and compare data about many users and many target objects. A compromise between total user anonymity and total public disclosure of the user's search profiles or target profile interest summary is a pseudonym. A pseudonym is an artifact that allows a service provider to communicate with users and build and accumulate records of their preferences over time, while at the same time remaining ignorant of the users' true identities, so that users can keep their purchases

or preferences private. A second and equally important requirement of a pseudonym system is that it provide for digital credentials, which are used to guarantee that the user represented by a particular pseudonym has certain properties. These credentials may be granted on the basis of result of activities and transactions conducted by means of the system for customized electronic identification of desirable objects, or on the basis of other activities and transactions conducted on the network N of the present system, on the basis of users' activities outside of network N. For example, a service provider may require proof that the purchaser has sufficient funds on deposit at his/her bank, which might possibly not be on a network, before agreeing to transact business with that user. The user, therefore, must provide the service provider with proof of funds (a credential) from the bank, while still not disclosing the user's true identity to the service provider.

Our method solves the above problems by combining the pseudonym granting and credential transfer methods taught by D. Chaum and J.H. Evertse, in the paper titled "A secure and privacy-protecting protocol for transmitting personal information between organizations," with the implementation of a set of one or more proxy servers distributed throughout the network N. Each proxy server, for example S2 in Figure 2, is a server which communicates with clients and other servers S5 in the network either directly or through anonymizing mix paths as detailed in the paper by D.Chaum titled "Untraceable Electronic Mail, Return Addresses, and Digital Pseudonyms," published in Communications of the ACM, Volume 24, Number 2, February 1981. Any server in the network N may be configured to act as a proxy server in addition to its other functions. Each proxy server provides service to a set of users, which set is termed the "user base" of that proxy server. A given proxy server provides three sorts of service to each user U in its user base, as follows:

1. The first function of the proxy server is to bidirectionally transfer communications between user U and other entities such as information servers (possibly including the proxy server itself) and/or other users. Specifically, letting S denote the server that is directly associated with user U's client processor, the proxy server communicates with server S (and thence with user U), either through anonymizing mix paths that obscure the identity of server S and user U, in which case the proxy server knows user U only through a secure pseudonym, or else through a conventional virtual point-to-point connection, in which case the proxy

server knows user U by user U's address at server S, which address may be regarded as a non-secure pseudonym for user U.

2. A second function of the proxy server is to record user-specific information associated with user U. This user-specific information includes a user profile and target profile interest summary for user U, as well as a list of access control instructions specified by user U, as described below, and a set of one-time return addresses provided by user U that can be used to send messages to user U without knowing user U's true identity. All of this user-specific information is stored in a database that is keyed by user U's pseudonym (whether secure or non-secure) on the proxy server.

3. A third function of the proxy server is to act as a selective forwarding agent for unsolicited communications that are addressed to user U: the proxy server forwards some such communications to user U and rejects others, in accordance with the access control instructions specified by user U.

Our combined method allows a given user to use either a single pseudonym in all transactions where he or she wishes to remain pseudonymous, or else different pseudonyms for different types of transactions. In the latter case, each service provider might transact with the user under a different pseudonym for the user. More generally, a coalition of service providers, all of whom match users with the same genre of target objects, might agree to transact with the user using a common pseudonym, so that the target profile interest summary associated with that pseudonym would be complete with respect to said genre of target objects. When a user employs several pseudonyms in order to transact with different coalitions of service providers, the user may freely choose a proxy server to service each pseudonym; these proxy servers may be the same or different.

From the service provider's perspective, our system provides security, in that it can guarantee that users of a service are legitimately entitled to the services used and that no user is using multiple pseudonyms to communicate with the same provider. This uniqueness of pseudonyms is important for the purposes of this application, since the transaction information gathered for a given individual must represent a complete and consistent picture of a single user's activities with respect to a given service provider or coalition of service providers; otherwise, a user's target profile interest summary and user profile would not be able to represent the user's interests to other parties as completely and accurately as possible.

The service provider must have a means of protection from users who violate previously agreed upon terms of service. For example, if a user that uses a given pseudonym engages in activities that violate the terms of service, then the service provider should be able to take action against the user, such as denying the user service and blacklisting the user from transactions with other parties that the user might be tempted to defraud. This type of situation might occur when a user employs a service provider for illegal activities or defaults in payments to the service provider. The method of the paper titled "Security without identification: Transaction systems to make Big-Brother obsolete", published in the Communications of the ACM, 28(10), Oct. 1985; pp.1030-1044, incorporated herein, provides for a mechanism to enforce protection against this type of behavior through the use of resolution credentials, which are credentials that are periodically provided to individuals contingent upon their behaving consistent with the agreed upon terms of service between the user and information provider and network vendor entities (such as regular payment for services rendered, civil conduct, etc.). For the user's safety, if the issuer of a resolution credential refuses to grant this resolution credential to the user, then the refusal may be appealed to an adjudicating third party. The integrity of the user profiles and target profile interest summaries stored on proxy servers is important: if a seller relies on such user-specific information to deliver promotional offers or other material to a particular class of users, but not to other users, then the user-specific information must be accurate and untampered with in any way. The user may likewise wish to ensure that other parties not tamper with the user's user profile and target profile interest summary, since such modification could degrade the system's ability to match the user with the most appropriate target objects. This is done by providing for the user to apply digital signatures to the control messages sent by the user to the proxy server. Each pseudonym is paired with a public cryptographic key and a private cryptographic key, where the private key is known only to the user who holds that pseudonym; when t he user sends a control message to a proxy server under a given pseudonym, the proxy server uses the pseudonym's public key to verify that the message has been digitally signed by someone who knows the pseudonym's private key. This prevents other parties from masquerading as the user.

Our approach, as disclosed in this application, provides an improvement over the prior art in privacy-protected pseudonymy for network subscribers such as taught in U.S. Patent 5,245,656, which provides for a name translator station to act as an intermediary between a service provider and the user. However, while U.S. Patent 5,245,656 provides

that the information transmitted between the end user U and the service provider be doubly encrypted, the fact that a relationship exist s between user U and the service provider is known to the name translator, and this fact could be used to compromise user U, for example if the service provider specializes in the provision of content that is not deemed acceptable by user U's peers. The method of U.S. Patent 5,245,656 also omits a method for the convenient updating of pseudonymous user profile information, such as is provided in this application, and does not provide for assurance of unique and credentialed registration of pseudonyms from a credentialing agent as is also provided in this application, and does not provide a means of access control to the user based on profile information and conditional access as will be subsequently described. The method described by Loeb et al. also does not describe any provision for credentials, such as might be used for authenticating a user's right to access particular target objects, such as target objects that are intended to be available only upon payment of a subscription fee, or target objects that are intend ed to be unavailable to younger users.

Proxy Server Description

In order that a user may ensure that some or all of the information in the user's user profile and target profile interest summary remain dissociated from the user's true identity, the user employs as an intermediary any one of a number of proxy servers available on the data communication network N of Figure 2 (for example, server S2). The proxy servers function to disguise the true identity of the user from other parties on the data communication network N. The proxy server represents a given us er to either single network vendors and information servers or coalitions thereof. A proxy server, e.g. S2, is a server computer with CPU, main memory, secondary disk storage and network communication function and with a database function which retrieves the target profile interest summary and access control instructions associated with a particular pseudonym P, which represents a particular user U, and performs bi-directional routing of commands, target objects and billing information between the user at a given client (e.g. C3) and other network entities such as network vendors V1-Vk and information servers I1-Im. Each proxy server maintains an encrypted target profile interest summary associated with each allocated pseudonym in its pseudonym database D . The actual user-specific information and the associated pseudonyms need not be stored locally on the proxy server, but may alternatively be stored in a distributed fashion and be remotely addressable from the proxy server via point-to-point connections .

The proxy server supports two types of bi-directional connections: point-to-point connections and pseudonymous connections through mix paths, as taught by D.Chaum in the paper titled "Untraceable Electronic Mail, Return Addresses, and Digital Pseudonyms", Communications of the ACM, Volume 24, Number 2, February 1981. The normal connections between the proxy server and information servers, for example a connection between proxy server S2 and information server S4 in Figure 2, are accomplished through the point-to-point connection protocols provided by network N as described in the "Electronic Media System Architecture" section of this application. The normal type of point-to-point connections may be used between S2-S4, for example, since the dissociation of the user and the pseudonym need only occur between the client C3 and the proxy server S2, where the pseudonym used by the user is available. Knowing that an information provider such as S4 communicates with a given pseudonym P on proxy server S2 does not compromise the true identity of user U. The bidirectional connection between the user and the proxy server S2 can also be a normal point-to-point connection, but it may instead be made anonymous and secure, if the user desires, though the consistent use of an anonymizing mix protocol as taught by D.Chaum in the paper titled "Untraceable Electronic Mail, Return Addresses, and Digital Pseudonyms", Communications of the ACM, Volume 24, Number 2, February 1981. This mix procedure provides untraceable secure anonymous mail between to parties with blind return addresses through a set of forwarding and return routing servers termed "mixes". The mix routing protocol, as taught in the Chaum paper, is used with the proxy server S2 to provide a registry of persistent secure pseudonyms that can be employed by users other than user U, by information providers I1-Im, by vendors V1-Vk and by other proxy servers to communicate with the users in the proxy server's user base on a continuing basis. The security provided by this mix path protocol is distributed and resistant to traffic analysis attacks and other known forms of analysis which may be used by malicious parties to try and ascertain the true identity of a pseudonym bearer. Breaking the protocol requires a large number of parties to maliciously collude or be cryptographically compromised. In addition an extension to the method is taught where the user can include a return path definition in the message so the information server S4 can return the requested information to the user's client processor C3 . We utilize this feature in a novel fashion to provide for access and reachability control under user and proxy server control.

Validation and Allocation of a Unique Pseudonym

Chaum's pseudonym and credential issuance system, as described in a publication by D. Chaum and J.H. Evertse, titled "A secure and privacy-protecting protocol for transmitting personal information between organizations," has several desirable properties for use as a component in our system. The system allows for individuals to use different pseudonyms with different organizations (such as banks and coalitions of service providers). The organizations which are presented with a pseudonym have no more information about the individual than the pseudonym itself and a record of previous transactions carried out under that pseudonym. Additionally, credentials, which represent facts about a pseudonym that an organization is willing to certify, can be granted to a particular pseudonym, and transferred to other pseudonyms that the same user employs. For, example, the user can use different pseudonyms with different organizations (or disjoint sets of organizations), yet still present credentials that were granted by one organization, under one pseudonym, in order to transact with another organization under another pseudonym, without revealing that the two pseudonyms correspond to the same user. Credentials may be granted to provide assurances regarding the pseudonym bearer's age, financial status, legal status, and the like. For example, credentials signifying "legal adult" may be issued to a pseudonym based on information known about the corresponding user by the given is suing organization. Then, when the credential is transferred to another pseudonym that represents the user to another disjoint organization, presentation of this credential on the other pseudonym can be taken as proof of legal adulthood, which might satisfy a condition of terms of service. Credential-issuing organizations may also certify particular facts about a user's demographic profile or target profile interest summary, for example by granting a credential that asserts "the bearer of this pseudonym is either well-read or is middle-aged and works for a large company"; by presenting this credential to another entity, the user can prove eligibility for (say) a discount without revealing the user 's personal data to that entity.

Additionally, the method taught by Chaum provides for assurances that no individual may correspond with a given organization or coalition of organizations using more than one pseudonym; that credentials may not be feasibly forged by the user; and t hat credentials may not be transferred from one user's pseudonym to a different user's pseudonym. Finally, the method provides for expiration of credentials and for the issuance of "black marks" against Individuals who do not act according to the terms of service that they are extended. This is done through the resolution credential mechanism as described in Chaum's work,

in which resolutions are issued periodically by organizations to pseudonyms that are in good standing. If a user is not issued this resolution credential by a particular organization or coalition of organization, then this user cannot have it available to be transferred to other pseudonyms which he uses with other organizations. Therefore, the user cannot convince these other organizations that he has acted accordance with terms of service in other dealings. If this is the case, then the organization can use this lack of resolution credential to infer that the user is not in good standing in his other dealings. In one approach organizations (or other users) may issue a list of quality related credentials based upon the experience of transaction (or interaction) with the user which may act similarly to a letter of recommendation as in a resume. If such a credential is issued from multiple organizations, their values become averaged. In an alternative variation organizations may be issued credentials from users such as customers which may be used to indicate to other future users quality of service which can be expected by subsequent users on the basis of various criteria.

In our implementation, a pseudonym is a data record consisting of two fields. The first field specifies the address of the proxy server at which the pseudonym is registered. The second field contains a unique string of bits (e.g., a random binary number) that is associated with a particular user; credentials take the form of public-key digital signatures computed on this number, and the number itself is issued by a pseudonym administering server Z, as depicted in Figure 2, and detailed I n a generic form in the paper by D. Chaum and J.H. Evertse, titled "A secure and privacy-protecting protocol for transmitting personal information between organizations.". It is possible to send information to the user holding a given pseudonym, by enveloping the information in a control message that specifies the pseudonym and is addressed to the proxy server that is named in the first field of the pseudonym; the proxy server may forward the information to the user upon receipt of the control message.

While the user may use a single pseudonym for all transactions, in the more general case a user has a set of several pseudonyms, each of which represents the user in his or her interactions with a single provider or coalition of service providers. Each pseudonym in the pseudonym set is designated for transactions with a different coalition of related service providers, and the pseudonyms used with o ne provider or coalition of providers cannot be linked to the pseudonyms used with other disjoint coalitions of providers . All of the user's transactions with a given coalition can be linked by virtue of the fact that they are conducted

under the same pseudonym, and therefore can be combined to define a unified picture, in the form of a user profile and a target profile interest summary, of the user's interests vis-a-vis the service or services provided by said coalition. There are other circumstances for which the use of a pseudonym may be useful and the present description is in no way intended to limit the scope of the claimed invention for example, the previously described rapid profiling tree could be used to pseudonymously acquire information about the user which is considered by the user to be sensitive such as that information which is of interest to such entities as insurance companies, medical specialists, family counselors or dating services.

Detailed Protocol

In our system, the organizations that the user U interacts with are the servers S1-Sn on the network N. However, rather than directly corresponding with each server, the user employs a proxy server, e.g. S2, as an intermediary between the local server of the user' s own client and the information provider or network vendor. Mix paths as described by D.Chaum in the paper titled "Untraceable Electronic Mail, Return Addresses, and Digital Pseudonyms", Communications of the ACM, Volume 24, Number 2, February 1981 allow for untraceability and security between the client, such as C3, and the proxy server, e.g. S2. Let S(M,K) represent the digital signing of message M by modular exponentiation with key K as detailed in a paper by Rivest, R.L., Shamir, A., and Adleman, L. Titled "A method for obtaining digital signatures and public-key cryptosystems", published in the Comm. ACM 21, 2 Feb.120-126. Once a user applies to server Z for a pseudonym P and is granted a signed pseudonym signed with the private key SK_Z of server Z, the following protocol takes place to establish an entry for the user U in the proxy server S2's database D. 1. The user now sends proxy server S2 the pseudonym, which has been signed by Z to indicate the authenticity and uniqueness of the pseudonym. The user also generates a PK_P, SK_P key pair for use with the granted pseudonym, where is the private key associated with the pseudonym and PK_P is the public key associated with the pseudonym. The user forms a request to establish pseudonym P on proxy server S2, by sending the signed pseudonym $S(P, SK_Z)$ to the proxy server S2 along with a request to create a new database entry, indexed by P, and the public key PK_P. It envelopes the message and transmits it to a proxy server S2 through an anonymizing mix path, along with an anonymous return envelope header. 2. The proxy server S2 receives the database creation entry request and associated certified pseudonym message. The proxy server S2 checks to ensure that the requested pseudonym P is signed

by server Z and if so grants the request and creates a database entry for the pseudonym, as well as storing the user's public key PK_P to ensure that only the user U can make requests in the future using pseudonym P. 3. The structure of the user's database entry consists of a user profile as detailed herein, a target profile interest summary as detailed herein, and a Boolean combination of access control criteria as detailed below, along with the associated public key for the pseudonym P. 4. At any time after database entry for Pseudonym P is established, the user U may provide proxy server S2 with credentials on that pseudonym, provided by third parties, which credentials make certain assertions about that pseudonym. The proxy server may verify those credentials and make appropriate modifications to the user's profile as required by these credentials. such as recording the user's new demographic status as an adult. It may also store those credentials, so that it can present them to service providers on the user's behalf.

The above steps may be repeated, with either the same or a different proxy server, each time user U requires a new pseudonym for use with a new and disjoint coalition of providers. In practice there is an extremely small probability that a given pseudonym may have already been allocated by due to the random nature of the pseudonym generation process carried out by Z. If this highly unlikely event occurs, then the proxy server S2 may reply to the user with a signed message indicating that the generated pseudonym has already been allocated, and asking for a new pseudonym to be generated.

Pseudonymous Control of an Information Server

Once a proxy server S2 has authenticated and registered a user's pseudonym, the user may begin to use the services of the proxy server S2, in interacting with other network entities such as service providers, as exemplified by server S4 in Figure 2, an information service provider node connected to the network. The user controls the proxy server S2 by forming digitally encoded requests that the user subsequently transmits to the proxy server S2 over the network N. The nature and format of these requests will vary, since the proxy server may be used for any of the services described in this application, such as the browsing , querying, and other navigational functions described below.

In a generic scenario, the user wishes to communicate under pseudonym P with a particular information provider or user at address A, where P is a pseudonym allocated to the user and A is either a public network address at a server such as S4, or another pseudonym that is registered on a proxy server such as S4. (In the most common version of this scenario, address A is the address of an information provider, and the user is

requesting that the in formation provider send target objects of interest.) The user must form a request R to proxy server S2, that requests proxy server S2 to send a message to address A and to forward the response back to the user. The user may thereby communicate with other parties, either non-pseudonymous parties, in the case where address A is a public network address, or pseudonymous parties, in the case where address A is a pseudonym held by, for example, a business or another user who prefers to operate pseudonymously.

In other scenarios, the request R to proxy server S2 formed by the user may have different content. For example, request R may instruct proxy server S2 to use the methods described later in this description to retrieve from the most convenient server a particular piece of information that has been multicast to many servers, and to send this information to the user. Conversely, request R may instruct proxy server S2 to multicast to many servers a file associated with a new target object provided by the user, as described below. If the user is a subscriber to the news clipping service described below, request R may instruct proxy server S2 to forward to the user all target objects that the news clipping service has sent to proxy server S2 for the user's attention. If the user is employing the active navigation service described below, request R may instruct proxy server S2 to select a particular cluster from the hierarchical cluster tree and provide a menu of its subclusters to the user, or to activate a query that temporarily affects proxy server S2's record of the user's target profile interest summary. If the user is a member of a virtual community as described below, request R may instruct proxy server S2 to forward to the user all messages that have been sent to the virtual community.

Regardless of the content of request R, the user, at client C3, initiates a connection to the user's local server S1, and instructs server S1 to send the request R along a secure mix path to the proxy server S2, initiating the following sequence of actions:

1. The user's client processor C3 forms a signed message $S(R, SK_P)$, which is paired with the user's pseudonym P and (if the request R requires a response) a secure one-time set of return envelopes, to form a message M. It protects the message M with an multiply enveloped route for the outgoing path. The enveloped route s provide for secure communication between S1 and the proxy server S2. The message M is enveloped in the most deeply nested message and is therefore difficult to recover should the message be intercepted by an eavesdropper.

2. The message M is sent by client C3 to its local server S1, and is then routed by the data communication network N from server S1 through a set of mixes as dictated by the outgoing envelope set and arrives at the selected proxy server S2.

3. The proxy server S2 separates the received message M into the request message R, the pseudonym P, and (if included) the set of envelopes for the return path. The proxy server S2 uses pseudonym P to index and retrieve the corresponding record in proxy server S2's database, which record is stored in local storage at the proxy server S2 or on other distributed storage media accessible to proxy server S2 via the network N. This record contains a public key PK_P, user-specific information, and credentials associated with pseudonym P. The proxy server S2 uses the public key PK_P to check that the signed version $S(R, SK_P)$ of request message R is valid.

4. Provided that the signature on request message R is valid, the proxy server S2 acts on the request R. For example, in the generic scenario described above, request message R includes an embedded message M1 and an address A to whom message M1 should be sent; in this case, proxy server S2 sends message M1 to the server named in address A, such as server S4. The communication is done using signed and optionally encrypted messages over the normal point to point connections provided by the data communication network N. When necessary in order to act on embedded message M1, server S4 may exchange or be caused to exchange further signed and optionally encrypted messages with proxy server S2, still over normal point to point connections, in order to negotiate the release of user-specific information and credentials from proxy server S2. In particular, server S4 may require server S2 to supply credentials proving that the user is entitled to the information requested -- for example, proving that the user is a subscriber in good standing to a particular information service, that the user is old enough to legally receive adult material, and that the user has been offered a particular discount (by means of a special discount credential issued to the user's pseudonym).

5. If proxy server S2 has sent a message to a server S4 and server S4 has created a response M2 to message M1 to be sent to the user, then server S4 transmits the response M2 to the proxy server S2 using normal network point-to-point connections.

6. The proxy server S2, upon receipt of the response M2, creates a return message Mr comprising the response M2 embedded in the return envelope set that was earlier transmitted to proxy server S2 by the user in the original message M. It transmits the return message Mr along the pseudonymous mix path specified by this return envelope set, so that the response M2 reaches the user at the user's client processor C3.

7. The response M2 may contain a request for electronic payment to the information server S4. The user may then respond by means of a message M3 transmitted by the same means as described for message M1 above, which message M3 encloses some form of anonymous payment. Alternatively, the proxy server may respond automatically with such a payment, which is debited from an account maintained by the proxy server for this user.

8. Either the response message M2 from the information server S4 to the user, or a subsequent message sent by the proxy server S2 to the user, may contain advertising material that is related to the user's request and/or is targeted to the user. Typically, if the user has just retrieved a target object X, then (a) either proxy server S2 or information server S4 determines a weighted set of advertisements that are "associated with" target object X, (b) a subset of this set is chosen randomly, where the weight of an advertisement is proportional to the probability that it is included in the subset, and (c) proxy server S2 selects from this subset just those advertisements that the user is most likely to be interested in. In the variation where proxy server S2 determines the set of advertisements associated with target object X, then this set typically consists of all advertisements that the proxy server's owner has been paid to disseminate and whose target profiles are within a threshold similarity distance of the target profile of target object X. In the variation where proxy server S4 determines the set of advertisements associated with target object X, advertisers typically purchase the right to include advertisements in this set. In either case, the weight of an advertisement is determined by the amount that an advertiser is willing to pay. Following step (c), proxy server S2 retrieves the selected advertising material and transmits it to the user's client processor C3, where it will be displayed to the user, within a specified length of time after it is received, by a trusted process running on the user's client processor C3. When proxy server S2 transmits an advertisement, it sends a message to the advertiser, indicating that

the advertisement has been transmitted to a user with a particular predicted level of interest. The message may also indicate the identity of target object X. In return, the advertiser may transmit an electronic payment to proxy server S2; proxy server S2 retains a service fee for itself, optionally forwards a service fee to information server S4, and the balance is forwarded to the user or used to credit the user's account on the proxy server.

9. If the response M2 contains or identifies a target object, the passive and/or active relevance feedback that the user provides on this object is tabulated by a process on the user's client processor C3. A summary of such relevance feedback information, digitally signed by client processor C3 with a proprietary private key SK_{C3}, is periodically transmitted through an a secure mix path to the proxy server S2, whereupon the search profile generation module 202 resident on server S2 updates the appropriate target profile interest summary associated with pseudonym P, provided that the signature on the summary message can be authenticated with the corresponding public key PK_{C3} which is available to all tabulating process that are ensured to have integrity.

When a consumer enters into a financial relationship with a particular information server based on both parties agreeing to terms for the relationship, a particular pseudonym may be extended for the consumer with respect to the given provider as detailed in the previous section. When entering into such a relationship, the consumer and the service provider agree to certain terms. However, if the user violates the terms of this relationship, the service provider may decline to provide service to the pseudonym under which it transacts with the user. In addition, the service provider has the recourse of refusing to provide resolution credentials to the pseudonym, and may choose to do so until the pseudonym bearer returns to good standing.

Pre-Fetching of Target Objects

In some circumstances, a user may request access in sequence to many files, which are stored on one or more information servers. This behavior is common when navigating a hypertext system such as the World Wide Web, or when using the target object browsing system described below.

In general, the user requests access to a particular target object or menu of target objects; once the corresponding file has been transmitted to the user's client processor, the user views its contents and makes another such request, and so on. Each request may take

many seconds to satisfy, due to retrieval and transmission delays. However, to the extent that the sequence of requests is predictable, the system for customized electronic identification of desirable objects can respond more quickly to each request, by retrieving or starting to retrieve the appropriate files even before the user requests them. This early retrieval is termed "pre-fetching of files."

Pre-fetching of locally stored data has been heavily studied in memory hierarchies, including CPU caches and secondary storage (disks), for several decades. A leader in this area has been A. J. Smith of Berkeley, who identified a variety of schemes and analyzed opportunities using extensive traces in both databases and CPU caches. His conclusion was that general schemes only really paid off where there was some reasonable chance that sequential access was occurring, e.g, in a sequential read of data. As the balances between various latencies in the memory hierarchy shifted during the late 1980's and early 1990's, J. M. Smith and others identified further opportunities for pre-fetching of both locally stored data and network data. In particular, deeper analysis of patterns in work by Blaha showed the possibility of using expert systems for deep pattern analysis that could be used for pre-fetching. Work by J. M. Smith proposed the use of reference history trees to anticipate references in storage hierarchies where there was some historical data. Recent work by Touch and the Berkeley work addressed the case of data on the World-Wide Web, where the large size of images and the long latencies provide extra incentive to pre-fetch; Touch's technique is to pre-send when large bandwidths permit some speculation using HTML storage references embedded in WEB pages, and the Berkeley work uses techniques similar to J. M. Smith's reference histories specialized to the semantics of HTML data.

Successful pre-fetching depends on the ability of the system to predict the next action or actions of the user. In the context of the system for customized electronic identification of desirable objects, it is possible to cluster users into groups according to the similarity of their user profiles. Any of the well-known pre-fetching methods that collect and utilize aggregate statistics on past user behavior, in order to predict future user behavior, may then be implemented in so as to collect and utilize a separate set of statistics for each cluster of users. In this way, the system generalizes its access pattern statistics from each user to similar users, without generalizing among users who have substantially different interests. The system may further collect and utilize a similar set of statistics that describes the aggregate behavior of all users; in cases where the system cannot confidently make a prediction as to what a particular user will do, because the relevant statistics concerning that

user's user cluster are derived from only a small amount of data, the system may instead make its predictions based on the aggregate statistics for all users, which are derived from a larger amount of data. For the sake of concreteness, we now describe a particular instantiation of a pre-fetching system, that both employs these insights and that makes its pre-fetching decisions through accurate measurement of the expected cost and benefit of each potential pre-fetch.

Pre-fetching exhibits a cost-benefit tradeoff. Let t denote the approximate number of minutes that pre-fetched files are retained in local storage (before they are deleted to make room for other pre-fetched files). If the system elects to pre-fetch a file corresponding to a target object X, then the user benefits from a fast response at no extra cost, provided that the user explicitly requests target object X soon thereafter. However, if the user does not request target object X within t minutes of the pre-fetch, then the pre-fetch was worthless, and its cost is an added cost that must be borne (directly or indirectly) by the user. The first scenario therefore provides benefit at no cost, while the second scenario incurs a cost at no benefit. The system tries to favor the first scenario by pre-fetching only those files that the user will access anyway. Depending on the user's wishes, the system may pre-fetch either conservatively, where it controls costs by pre-fetching only files that the user is extremely likely to request explicitly (and that are relatively cheap to retrieve), or more aggressively, where it also pre-fetches files that the user is only moderately likely to request explicitly, thereby increasing both the total cost and (to a lesser degree) the total benefit to the user.

In the system described herein, pre-fetching for a user U is accomplished by the user's proxy server S. Whenever proxy server S retrieves a user-requested file F from an information server, it uses the identity of this file F and the characteristics of the user, as described below, to identify a group of other files G1...Gk that the user is likely to access soon. The user's request for file F is said to "trigger" files G1...Gk. Proxy server S pre-fetches each of these triggered files Gi as follows:

1. Unless file Gi is already stored locally (e.g., due to previous pre-fetch), proxy server S retrieves file Gi from an appropriate information server and stores it locally.

2. Proxy server S timestamps its local copy of file Gi as having just been pre-fetched, so that file Gi will be retained in local storage for a minimum of approximately t minutes before being deleted.

Whenever user U (or, in principle, any other user registered with proxy server S) requests proxy server S to retrieve a file that has been pre-fetched and not yet deleted, proxy server S can then retrieve the file from local storage rather than from another server. In a variation on steps 1-2 above, proxy server S pre-fetches a file Gi somewhat differently, so that pre-fetched files are stored on the user's client processor q rather than on server S:

1. If proxy server S has not pre-fetched file Gi in the past t minutes, it retrieves file Gi and transmits it to user U's client processor q.

2. Upon receipt of the message sent in step 1, client q stores a local copy of file Gi if one is not currently stored.

3. Proxy server S notifies client q that client q should timestamp its local copy of file Gi; this notification may be combined with the message transmitted in step 1, if any.

4. Upon receipt of the message sent in step 3, client q timestamps its local copy of file Gi as having just been pre-fetched, so that file Gi will be retained in local storage for a minimum of approximately t minutes before being deleted.

During the period that client q retains file Gi in local storage, client q can respond to any request for file Gi (by user U or, in principle, any other user of client q) immediately and without the assistance of proxy server S.

The difficult task is for proxy server S, each time it retrieves a file F in response to a request, to identify the files G1...Gk that should be triggered by the request for file F and pre-fetched immediately. Proxy server S employs a cost-benefit analysis, performing each pre-fetch whose benefit exceeds a user-determined multiple of its cost; the user may set the multiplier low for aggressive prefetching or high for conservative prefetching. These pre-fetches may be performed in parallel. The benefit of pre-fetching file Gi immediately is defined to be the expected number of seconds saved by such a pre-fetch, as compared to a situation where Gi is left to be retrieved later (either by a later pre-fetch, or by the user's request) if at all. The cost of pre-fetching file Gi immediately is defined to be the expected cost for proxy server S to retrieve file Gi, as determined for example by the network locations of server S and file Gi and by information provider charges, times 1 minus the probability that proxy server S will have to retrieve file Gi within t minutes (to satisfy either a later pre-fetch or the user's explicit request) if it is not pre-fetched now.

The above definitions of cost and benefit have some attractive properties. For example, if users tend to retrieve either file F1 or file F2 (say) after file F, and tend only in

the former case to subsequently retrieve file G1, then the system will generally not pre-fetch G1 immediately after retrieving file F: for, to the extent that the user is likely to retrieve file F2, the cost of the pre-fetch is high, and to the extent that the user is likely to retrieve file F1 instead, the benefit of the pre-fetch is low, since the system can save as much or nearly as much time by waiting until the user chooses F1 and pre-fetching G1 only then.

The proxy server S may estimate the necessary costs and benefits by adhering to the following discipline:

1. Proxy server S maintains a set of disjoint clusters of the users in its user base, clustered according to their user profiles.

2. Proxy server S maintains an initially empty set PFT of "pre-fetch triples" <C,F,G>, where F and G are files, and where C identifies either a cluster of users or the set of all users in the user base of proxy server S. Each pre-fetch triple in the set PFT is associated with several stored values specific to that triple. Pre-fetch triples and their associated values are maintained according to the rules in 3 and 4.

3. Whenever a user U in the user base of proxy server S makes a request R2 for a file G, or a request R2 that triggers file G, then proxy server S takes the following actions:

a. For C being the user cluster containing user U, and then again for C being the set of all users:

b. For any request R0 for a file, say file F, made by user U during the t minutes strictly prior to the request R2:

c. If the triple <C,F,G> is not currently a member of the set PFT, it is added to the set PFT with a count of 0, a trigger-count of 0, a target-count of 0, a total benefit of 0, and a timestamp whose value is the current date and time.

d. The count of the triple <C,F,G> is increased by one.

e. If file G was not triggered or explicitly retrieved by any request that user U made strictly in between requests R0 and R2, then the target-count of the triple <C,F,G> is increased by one.

f. If request R2 was a request for file G, then the total benefit of triple <C,F,G> is increased either by the time elapsed between request R0 and request R2, or by the expected time to retrieve file G, whichever is less.

g. If request R2 was a request for file G, and G was triggered or explicitly retrieved by one or more requests that user U made strictly in between requests R0 and R2,

with R1 denoting the earliest such request, then the total benefit of triple <C,F,G> is decreased either by the time elapsed between request R1 and request R2, or by the expected time to retrieve file G, whichever is less.

4. If a user U requests a file F, then the trigger-count is incremented by one for each triple currently in the set PFT such that the triple has form <C,F,G>, where user U is in the set or cluster identified by C.

5. The "age" of a triple <C,F,G> is defined to be the number of days elapsed between its timestamp and the current date and time. If the age of any triple <C,F,G> exceeds a fixed constant number of days, and also exceeds a fixed constant multiple of the triple's count, then the triple may be deleted from the set PFT.

Proxy server S can therefore decide rapidly which files G should be triggered by a request for a given file F from a given user U, as follows.

1. Let C0 be the user cluster containing user U, and C1 be the set of all users.

2. Server S constructs a list L of all triples <C0,F,G> such that <C0,F,G> appears in set PFT with a count exceeding a fixed threshold.

3. Server S adds to list L all triples <C1,F,G> such that <C0,F,G> does not appear on list L and <C1,F,G> appears in set PFT with a count exceeding another fixed threshold. 4. For each triple <C,F,G> on list L:

5. Server S computes the cost of triggering file G to be expected cost of retrieving file Gi, times 1 minus the quotient of the target-count of <C,F,G> by the trigger-count of <C,F,G>.

6. Server S computes the benefit of triggering file G to be the total benefit of <C,F,G> divided by the count of <C,F,G>.

7. Finally, proxy server S uses the computed cost and benefit, as described earlier, to decide whether file G should be triggered. The approach to pre-fetching just described has the advantage that all data storage and manipulation concerning pre-fetching decisions by proxy server S is handled locally at proxy server S. However, this "user-based" approach does lead to duplicated storage and effort across proxy servers, as well as incomplete data at each individual proxy server. That is, the information indicating what files are frequently retrieved after file F is scattered in an uncoordinated way across numerous proxy servers. An alternative, "file-based" approach is to store all such information with file F itself. The difference is as follows. In the user-based approach, a pre-fetch triple <C,F,G> in

server S's set PFT may mention any file F and any file G on the network, but is restricted to clusters C that are subsets of the user base of server S. By contrast, in the file-based approach, a pre-fetch triple <C,F,G> in server S's set PFT may mention any user cluster C and any file G on the network, but is restricted to files F that are stored on server S. (Note that in the file-based approach, user clustering is network wide, and user clusters may include users from different proxy servers.) When a proxy server S2 sends a request to server S to retrieve file F for a user U, server S2 indicates in this message the user U's user cluster C0, as well as the user U's value for the user-determined multiplier that is used in cost-benefit analysis. Server S can use this information, together with all its triples in its set PFT of the form <C0,F,G> and <C1,F,G>, where C1 is the set of all users everywhere on the network, to determine (exactly as in the user-based approach) which files G1...Gk are triggered by the request for file F. When server S sends file F back to proxy server S2, it also sends this list of files G1...Gk, so that proxy server S2 can proceed to pre-fetch files G1...Gk.

The file-based approach requires some additional data transmission. Recall that under the user-based approach, server S must execute steps 3c-3g above for any ordered pair of requests R0 and R2 made within t minutes of each other by a user who employs server S as a proxy server. Under the file-based approach, server S must execute steps 3c-3g above for any ordered pair of requests R0 and R2 made within t minutes of each other, by any user on the network, such that R0 requests a file stored on server S. Therefore, when a user makes a request R2, the user's proxy server must send a notification of request R2 to all servers S such that, during the preceding t minutes (where the variable t may now depend on server S), the user has made a request R0 for a file stored on server S. This notification need not be sent immediately, and it is generally more efficient for each proxy server to buffer up such notifications and send them periodically in groups to the appropriate servers.

Access And Reachability Control of Users and User-Specific Information

Although users' true identities are protected by the use of secure mix paths, pseudonymity does not guarantee complete privacy. In particular, advertisers can in principle employ user-specific data to barrage users with unwanted solicitations. The general solution to this problem is for proxy server S2 to act as a representative on behalf of each user in its user base, permitting access to the user and the user's private data only in

accordance with criteria that have been set by the user. Proxy server S2 can restrict access in two ways:

1. The proxy server S2 may restrict access by third parties to server S2's pseudonymous database of user-specific information. When a third party such as an advertiser sends a message to server S2 requesting the release of user-specific information for a pseudonym P, server S2 re fuses to honor the request unless the message includes credentials for the accessor adequate to prove that the accessor is entitled to this information. The user associated with pseudonym P may at any time send signed control messages to proxy server S2, specifying the credentials or Boolean combinations of credentials that proxy server S2 should thenceforth consider to be adequate grounds for releasing a specified subset of the information associated with pseudonym P. Proxy server S2 stores these access criteria with its database record for pseudonym P. For example, a user might wish to proxy server S2 to release purchasing information only to selected information providers, to charitable organizations (that is, organizations that can provide a government-issued credential that is issued only to registered charities), and to market researchers who have paid user U for the right to study user U's purchasing habits.

2. The proxy server S2 may restrict the ability of third parties to send electronic messages to the user. When a third party such as an advertiser attempts to send information (such as a textual message or a request to enter into spoken or written real -time communication) to pseudonym P, by sending a message to proxy server S2 requesting proxy server S2 to forward the information to the user at pseudonym P, proxy server S2 will refuse to honor the request, unless the message includes credentials for the accessor adequate to meet the requirements the user has chosen to impose, as above, on third parties who wish to send information to the user. If the message does include adequate credentials, then proxy server S2 removes a single-use pseudonymous return address envelope from it s database record for pseudonym P, and uses the envelope to send a message containing the specified information along a secure mix path to the user of pseudonym P. If the envelope being used is the only envelope stored for pseudonym P, or more generally if the supply of such envelopes is low, proxy server S2 adds a notation to this message before sending it, which notation indicates to the user's local server that it should send additional envelopes to proxy server S2 for future use.

In a more general variation, the user may instruct the proxy server S2 to impose more complex requirements on the granting of requests by third parties, not simply boolean combinations of required credentials. The user may impose any Boolean combination of simple requirements that may include, but are not limited to, the following:

(a.) the accessor (third party) is a particular party

(b.) the accessor has provided a particular credential

(c.) satisfying the request would involve disclosure to the accessor of a certain fact about the user's user profile

(d.) satisfying the request would involve disclosure to the accessor of the user's target profile interest summary

(e.) satisfying the request would involve disclosure to the accessor of statistical summary data, which data are computed from the user's user profile or target profile interest summary together with the user profiles and target profile interest summaries of at least n other users in the user base of the proxy server

(f.) the content of the request is to send the user a target object, and this target object has a particular attribute (such as high reading level, or low vulgarity, or an authenticated Parental Guidance rating from the MPAA)

(g.) the content of the request is to send the user a target object, and this target object has been digitally signed with a particular private key (such as the private key used by the National Pharmaceutical Association to certify approved documents)

(h.) the content of the request is to send the user a target object, and the target profile has been digitally signed by a profile authentication agency, guaranteeing that the target profile is a true and accurate profile of the target object it claims to describe, with all attributes authenticated.

(i.) the content of the request is to send the user a target object, and the target profile of this target object is within a specified distance of a particular search profile specified by the user

(j.) the content of the request is to send the user a target object, and the proxy server S2,.by using the user's stored target profile interest summary, estimates the user's likely interest in the target object to be above a specified threshold

(k.) the accessor indicates its willingness to make a particular payment to the user in exchange for the fulfillment of the request

The steps required to create and maintain the user's access-control requirements are as follows:

1. The user composes a boolean combination of predicates that apply to requests; the resulting complex predicate should be true when applied to a request that the user wants proxy server S2 to honor, and false otherwise. The complex predicate may be encoded in another form, for efficiency.

2. The complex predicate is signed with SK_P, and transmitted from the user's client processor C3 to the proxy server S2 through the mix path enclosed in a packet that also contains the user's pseudonym P.

3. The proxy server S2 receives the packet, verifies its authenticity using PK_P and stores the access control instructions specified in the packet as part of its database record for pseudonym P.

The proxy server S2 enforces access control as follows:

1. The third party (accessor) transmits a request to proxy server S2 using the normal point-to-point connections provided by the network N . The request may be to access the target profile interest summaries associated with a set of pseudonyms P1...Pn, or to access the user profiles associated with a set of pseudonyms P1...Pn, or to forward a message to the users associated with pseudonyms P1...Pn. The accessor may explicitly specify the pseudonyms P1...Pn, or may ask that P1...Pn be chosen to be the set of all pseudonyms registered with proxy server S2 that meet specified conditions.

2. The proxy server S2 indexes the database record for each pseudonym Pi ($1 <= I <= n$), retrieves the access requirements provided by the user associated with Pi, and determines whether and how the transmitted request should be satisfied for Pi. If the requirements are satisfied, S2 proceeds with steps 3a-3c.

3a. If the request can be satisfied but only upon payment of a fee, the proxy server S2 transmits a payment request to the accessor, and waits for the accessor to send the payment to the proxy server S2. Proxy server S2 retains a service fee and forward s the balance of the payment to the user associated with pseudonym Pi, via an anonymous return packet that this user has provided.

3b. If the request can be satisfied but only upon provision of a credential, the proxy server S2 transmits a credential request to the accessor, and waits for the accessor to send the credential to the proxy server S2.

3c. The proxy server S2 satisfies the request by disclosing user-specific information to the accessor, by providing the accessor with a set of single-use envelopes to communicate directly with the user, or by forwarding a message to the user, as requested. 4. Proxy server S2 optionally sends a message to the accessor, indicating why each of the denied requests for P1...Pn was denied, and/or indicating how many requests were satisfied.

5. The active and/or passive relevance feedback provided by any user U with respect to any target object sent by any path from the accessor is tabulated by the above-described tabulating process resident on user U's client processor C3. As described above, a summary of such information is periodically transmitted to the proxy server S2 to enable the proxy server S2 to update that user's target profile interest summary and user profile.

The access control criteria can be applied to solicited as well as unsolicited transmissions. That is, the proxy server can be used to protect the user from inappropriate or misrepresented target objects that the user may request. If the user requests a target object from an information server, but the target object turns out not to meet the access control criteria, then the proxy server will not permit the information server to transmit the target object to the user, or to charge the user for such transmission. For example, to guard against target objects whose profiles have been tampered with, the user may specify an access control criterion that requires the provider to prove the target profile's accuracy by means of a digital signature from a profile authentication agency. As another example, the parents of a child user may instruct the proxy server that only target objects that have been digitally signed by a recognized child protection organization may be transmitted to the user; thus, the proxy server will not let the user retrieve pornography, even from a rogue information server that is willing to provide pornography to users who have not supplied an adulthood credential.

Distribution of Information with Multicast Trees

The graphical representation of the network N presented in Figure 3 shows that at least one of the data communications links can be eliminated, as shown in Figure 4, while still enabling the network N to transmit messages among all the servers A-D. By elimination, we mean that the link is unused in the logical design of the network, rather than a physical disconnection of the link. The graphs that result when all redundant data communications links are eliminated are termed "trees" or "connected acyclic graphs." A

graph where a message could be transmitted by a server through other servers and then return to the transmitting server over a different originating data communications link is termed a "cycle." A tree is thus an acyclic graph whose edges (links) connect a set of graph "nodes" (servers). The tree can be used to efficiently broadcast any data file to selected servers in a set of interconnected servers.

The tree structure is attractive in a communications network because much information distribution is multicast in nature -- that is, a piece of information available at a single source must be distributed to a multiplicity of points where the information can be accessed. This technique is widely known: for example, "FAX trees" are in common use in political organizations, and multicast trees are widely used in distribution of multimedia data in the Internet; for example, see "Scalable Feedback Control for Multicast Video Distribution in the Internet," (Jean - Chrysostome Bolot, Thierry Turletti, & Ian Wakeman, Computer Communication Review, Vol. 24, # 4, Oct. '94, Proceedings of SIGCOMM'94 , pp. 58 - 67) or "An Architecture For Wide-Area Multicast Routing," (Stephen Deering, Deborah Estrin, Dino Farinacci, Van Jacobson, Ching-Gung Liu, & Liming Wei, Computer Communication Review, Vol. 24, # 4, Oct. '94, Proceedings of SIGCOMM'94 , pp. 126 - 135). While there are many possible trees that can be overlaid on a graph representation of a network, both the nature of the networks (e.g., the cost of transmitting data over a link) and their use (for example, certain nodes may exhibit more frequent intercommunication) can make one choice of tree better than another for use as a multicast tree. One of the most difficult problems in practical network design is the construction of "good" multicast trees, that is, tree choices which exhibit low cost (due to data not traversing links unnecessarily) and good performance (due to data frequently being close to where it is needed)

Constructing a Multicast Tree

Algorithms for constructing multicast trees have either been ad-hoc, as is the case of the Deering, et al. Internet multicast tree, which adds clients as they request service by grafting them into the existing tree, or by construction of a minimum cost spanning tree. A distributed algorithm for creating a spanning tree (defined as a tree that connects, or "spans," all nodes of the graph) on a set of Ethernet bridges was developed by Radia Perlman ("Interconnections: Bridges and Routers," Radia Perlman, Addison-Wesley, 1992). Creating a minimal-cost spanning tree for a graph depends on having a cost model for the arcs of the graph (corresponding to communications l inks in the communications network). In the case of Ethernet bridges, the default cost (more complicated costing models for path costs are

discussed on pp. 72-73 of Perlman) is calculated as a simple distance measure to the root; thus the spanning tree minimizes the cost to the root by first electing a unique root and then constructing a spanning tree based on the distances from the root. In this algorithm, the root is elected by recourse to a numeric ID contained in "configuration messages": the server w hose ID has minimum numeric value is chosen as the root. Several problems exist with this algorithm in general. First, the method of using an ID does not necessarily select the best root for the nodes interconnected in the tree. Second, the cost model is simplistic.

We first show how to use the similarity-based methods described above to select the servers most interested in a group of target objects, herein termed "core servers" for that group. Next we show how to construct an unrooted multicast tree that can be used to broadcast files to these core servers. Finally, we show how files corresponding to target objects are actually broadcast through the multicast tree at the initiative of a client, and how these files are later retrieved from the core servers when clients request them.

Since the choice of core servers to distribute a file to depends on the set of users who are likely to retrieve the file (that is, the set of users who are likely to be interested in the corresponding target object), a separate set of core servers and hence a separate multicast tree may be used for each topical group of target objects. Throughout the description below, servers may communicate among themselves through any path over which messages can travel; the goal of each multicast tree is to optimize the multicast distribution of files corresponding to target objects of the corresponding topic. Note that this problem is completely distinct from selecting a multiplicity of spanning trees for the complete set of interconnected nodes as disclosed by Sincoskie in U.S. Patent No. 4,706,080 and the publication titled "Extended Bridge Algorithms for Large Networks" by W. D. Sincoskie and C. J. Cotton, published January 1988 in IEEE Network on pages 16-24. The trees in this disclosure are intentionally designed to interconnect a selected *subset* of nodes in the system, and are successful to the degree that this *subset* is relatively small.

Multicast Tree Construction Procedure

A set of topical multicast trees for a set of homogenous target objects may be constructed o r reconstructed at any time, as follows. The set of target objects is grouped into a fixed number of topical clusters C1...Cp with the methods described above, for example, by choosing C1...Cp to be the result of a k-means clustering of the set of target objects, or alternatively a covering set of low-level clusters from a hierarchical cluster tree

of these target objects. A multicast tree MT(c) is then constructed from each cluster C in C1...Cp, by the following procedure:

1. Given a set of proxy servers, S1...Sn, and a topical cluster C. It is assumed that a general multicast tree MT_{full} that contains all the proxy servers S1...Sn has previously been constructed by well-known methods.

2. Each pair <Si, C> is associated with a weight, w(Si, C), which is intended to covary with the expected number of users in the user base of proxy server Si who will subsequently access a target object from cluster C. This weight is computed by proxy server Si in any of several ways, all of which make use of the similarity measurement computation described herein.

One variation makes use of the following steps: (a) Proxy server Si randomly selects a target object T from cluster C. (b) For each pseudonym in its local database, with associated user U, proxy server Si applies the techniques disclosed above to user U's stored user profile and target profile interest summary in order to estimate the interest w(U, T) that user U has in t he selected target object T. The aggregate interest w(Si, T) that the user base of proxy server Si has in the target object T is defined to be the sum of these interest values w(U, T). Alternatively, w(Si, T) may be defined to be the sum of values s(w(U, T)) over all U in the user base. Here s(*) is a sigmoidal function that is close to 0 for small arguments and close to a constant p_{max} for large arguments; thus s(w(U, T)) estimates the probability that user U will access target object T, which probability is assumed to be independent of the probability that any other user will access target object T. In a variation, w(Si, T) is made to estimate the probability that at least one user from the user base of Si will access target object T: then w(Si, T) may be defined as the maximum of values w(U, T), or of 1 minus the product over the users U of the quantity (1 - s(w(U, T))). (c)Proxy server Si repeats steps (a)-(b) for several target objects T selected randomly from cluster C, and averages the several values of w(Si, T) thereby computed in step (b) to determine the desired quantity w(Si, C), which quantity represents the expected aggregate interest by the user base of proxy server Si in the target objects of cluster C.

In another variation, where target profile interest summaries are embodied as search profile sets, the following procedure is followed to compute w(Si, C): (a). For each search profile P_S in the locally stored search profile set of any user in the user base of proxy server Si, proxy server Si computes the distance $d(P_S , P_C)$ between the search profile and the cluster profile P_C of cluster C. (b). w(Si,C) is chosen to be the maximum value of (-d(P_S

,P_C)/r) across all such search profiles P_S, where r is computed as an affine function of the cluster diameter of cluster C. The slope and/or intercept of this affine function are chosen to be smaller (thereby increasing w(Si, C)) for servers Si for which the target object provider wishes to improve performance, as may be the case if the users in the user base of proxy server Si pay a premium for improved performance, or if performance at Si will otherwise be unacceptably low due to slow network connections.

In another variation, the proxy server Si is modified so that it maintains not only target profile interest summaries for each user in its user base, but also a single aggregate target profile interest summary for the entire user base. This aggregate target profile interest summary is determined in the usual way from relevance feedback, but the relevance feedback on a target object, in this case, is considered to be the frequency with which users in the user base retrieved the target object when it was new. Whenever a user retrieves a target object by means of a request to proxy server Si, the aggregate target profile interest summary for proxy server Si is updated. In this variation, w(Si, C) I s estimated by the following steps:

(a) Proxy server Si randomly selects a target object T from cluster C.

(b) Proxy server Si applies the techniques disclosed above to its stored aggregate target profile interest summary in order to estimate the aggregate interest w(Si, T) that its aggregated user base had in the selected target object T, when new; this may be interpreted as an estimate of the likelihood that at least one member of the user base will retrieve a new target object similar to T.

(c)Proxy server Si repeats steps (a)-(b) for several target objects T selected randomly from cluster C, and averages the several values of w(Si, T) thereby computed in step (b) to determine the desired quantity w(Si, C), which quantity represents the expected aggregate interest by the user base of proxy server Si in the target objects of cluster C..

3. Those servers Si from among S1...Sn with the greatest weights w(Si, C) are designated "core servers" for cluster C. In one variation, where it is desired to select a fixed number of core servers, those servers Si with the greatest values of w(Si, C) are selected. In another variation, the value of w(Si, C) for each server Si is compared against a fixed threshold w_{min}, and those servers Si such that w(Si, C) equals or exceeds w_{min} are selected as core servers. If cluster C represents a narrow and specialized set of target objects, as often happens when the clusters C1...Cp are numerous, it is usually adequate to select only

a small number of core server cluster C, thereby obtaining substantial advantages in computational efficiency in steps 4-5 below

.4. A complete graph G(C) is constructed whose vertices are the designated core servers for cluster C. For each pair of core servers, the cost of transmitting a message between those core servers along the cheapest path is estimated, and the weight of the edge connecting those core servers is taken to be this cost. The cost is determined as a suitable function of average transmission charges, average transmission delay, and worst-case or near-worst-case transmission delay.

5. The multicast tree MT(C) is computed by standard methods to be the minimum spanning tree (or a near-minimum spanning tree) for G(C), where the weight of an edge between two core servers is taken to b e the cost of transmitting a message between those two core servers. Note that MT(C) does not contain as vertices all proxy servers S1...Sn, but only the core servers for cluster C.

6. A message M is formed describing the cluster profile for cluster C, the core servers for cluster C and the topology of the multicast tree MT(C) constructed on those core servers. Message M is broadcast to all proxy servers S1...Sn by means of the general multicast tree MT_{full}. Each proxy server Si, upon receipt of message M, extracts the cluster profile of cluster C, and stores it on a local storage device, together with certain other information that it determines from message M, as follows. If proxy server Si is named in message M as a core server for cluster C, then proxy server Si extracts and stores the subtree of MT(C) induced by all core servers whose path distance from Si in the graph MT(C) is less than or equal to d, where d is a constant positive integer (usually from 1 to 3). If message M does not name proxy server Si as a core server for MT(C), then proxy server Si extracts and stores a list of one or more nearby core servers that can be inexpensively contacted by proxy server Si over virtual point-to-point links.

In the network of Figure 3, to illustrate the use of trees, as applied to the system of the present invention, consider the following simple example where it is assumed that client r provides on-line information for the network, such as an electronic newspaper. This information can be structured by client r into a prearranged form, comprising a number of files, each of which is associated with a different target object. In the case of an electronic newspaper, the files can contain textual representations of stock prices, weather forecasts, editorials, etc. The system determines likely demand for the target objects associated with these files in order to optimize the distribution of the files through the network N of

interconnected clients p-s and proxy servers A-D. Assume that cluster C consists of text articles relating to the aerospace industry; further assume that the target profile interest summaries stored at proxy servers A and B for the users at clients p and r indicate that these users are strongly interested in such articles. Then the proxy servers A and B are selected as core servers for the multicast tree MT(C). The multicast tree MT(C) is then computed to consist of the core servers, A and B, connected by an edge that represents the least costly virtual point-to-point link between A and B (either the direct path A-B or the indirect path A-C-B, depending on the cost).

Global Requests to Multicast Trees

One type of message that may be transmitted to any proxy server S is termed a "global request message." Such a message M triggers the broadcast of an embedded request R to all core servers in a multicast tree MT(C). The content of request R and the identity of cluster C are included in the message M, as is a field indicating that message M is a global request message. In addition, the message M contains a field S_{last} which is unspecified except under certain circumstances described below, when it names a specific core server. A global request message M may be transmitted to proxy server S by a user registered with proxy server S, which transmission may take place along a pseudonymous mix path, or it may be transmitted to proxy server S from another proxy server, along a virtual point-to-point connection.

When a proxy server S receives a message M that is marked as a global request message, it acts as follows: 1. If proxy server S is not a core server for topic C, it retrieves its locally stored list of nearby core servers for topic C, selects from this list a nearby core server S', and transmits a copy of message M over a virtual point-to-point connection to cor e server S'. If this transmission fails, proxy server S repeats the procedure with other core servers on its list. 2. If proxy server S is a core server for topic C, it executes the following steps: (a) Act on the request R that is embedded in message M. (b) Set S_{curr} to be S(C) Retrieve the locally stored subtree of MT(C), and extract from it a list L of all core servers that are directly linked to S_{curr} in this subtree. (d) If the message M specifies a value for S_{last} and S_{last} appears on the list L, remove S_{last} from the list L. Note that list L may be empty before this step, or may become empty as a result of this step. (e) For each server Si in list L, transmit a copy of message M from server S to server Si over a virtual point-to-point connection, where the S_{last} field of the copy of message M has been altered to S_{curr}. If Si cannot be reached in a reasonable amount of time by any virtual point-to-point connection

(for example, server Si is broken), recurse to step (c) above with S_{orig} bound to S_{curr} and S_{curr} bound to S{\sub I} for the duration of the recursion.

When server S' in step 1 or a server Si in step 2(e) receives a copy of the global request message M, it acts according to exactly the same steps. As a result, all core servers eventually receive a copy of global request message M and act on the embedded request R, unless some core servers cannot be reached. Even if a core server is unreachable, step (e) ensures that the broadcast can continue to other core servers in most circumstances, provided that d > 1; higher values of d provide additional insurance against unreachable core servers.

Multicasting Files

The system for customized electronic information of desirable objects executes the following steps in order to introduce a new target object into the system. These steps are initiated by an entity E, which may be either a user entering commands via a keyboard at a client processor q, as illustrated in Figure 3, or an automatic software process resident on a client or server processor q. 1. Processor q forms a signed request R, which asks the receiver to store a copy of a file F on its local storage device. File F, which is maintained by client q on storage at client q or on storage accessible by client q over the network, contains the informational content of or an identifying description of a target object, as described above. The request R also includes an address at which entity E may be contacted (possibly a pseudonymous address at some proxy server D), and asks the receiver t o store the fact that file F is maintained by an entity at said address. 2. Processor q embeds request R in a message M1, which it pseudonymously transmits to the entity E's proxy server D as described above. Message M1 instructs proxy server D to broadcast request R along an appropriate multicast tree. 3. Upon receipt of message M1, proxy server D examines the doubly embedded file F and computes a target profile P for the corresponding target object. It compares the target profile P to each of the cluster profiles for topical clusters C1...Cp described above, and chooses Ck to be the cluster with the smallest similarity distance to profile P. 4. Proxy server D sends itself a global request message M instructing itself to broadcast request R along the topical multicast tree MT(Ck). 5. Proxy server D notifies entity E through a pseudonymous communication that file F has been multicast along the topical multicast tree for cluster Ck.

As a result of the procedure that server D and other servers follow for acting on global request messages, step 4 eventually causes all core servers for topic Ck to act on

request R and therefore store a local copy of file F. In order to make room for file F on its local storage device, a core server Si may have to delete a less useful file. There are several ways to choose a file to delete. One option, well known in the art, is for Si to choose to delete the least recently accessed file. In another variation, Si deletes a file that it believes few users will access. In this variation, whenever a server Si stores a copy of a file F, it also computes and stores the weight w(Si, C_F), where C_F is a cluster consisting of the single target object associated with file F. Then, when server Si needs to delete a file, it chooses to delete the file F with the lowest weight w(Si, C_F). To reflect the fact that files are accessed less as they age, server Si periodically multiplies its stored value of w(Si, C_F) by a decay factor, such as 0.95, for each file F that it then stores. Alter natively, instead of using a decay factor, server Si may periodically recompute aggregate interest w(Si, C_F) for each file F that it stores; the aggregate interest changes over time because target objects typically have an age attribute that the system considers in estimating user interest, as described above.

If entity E later wishes to remove file F from the network, for example because it has just multicast an updated version, it pseudonymously transmits a digitally signed global request message to proxy server D, requesting all proxy servers in the multicast tree MT(Ck) to delete any local copy of file F that they may be storing.

Queries to Multicast Trees

In addition to global request messages, another type of message that may be transmitted to any proxy server S is termed a "query message." When transmitted to a proxy server, a query message causes a reply to be sent to the originator of the message; this reply will contain an answer to a given query Q if any of the servers in a given multicast tree MT(C) are able to answer it, and will otherwise indicate that no answer is available. The query and the cluster C are named in the query message. In addition, the query message contains a field S_{last} which is unspecified except under certain circumstances described below, when it names a specific core server. When a proxy server S receives a message M that is marked as a query message, it acts as follows:1. Proxy server S sets A_r to be the return address for the client or server that transmitted message M to server S. A_r may be either a network address or a pseudonymous address 2. If proxy server S is not a core server for cluster C, it retrieves its locally stored list of nearby core servers for topic C, selects from this list a nearby core server S', and transmits a copy of the locate message M over a virtual point-to-point connection to core server S'. If this transmission fails, proxy

server S repeats the procedure with other core servers on its list. Upon receiving a reply, it forwards this reply to address A_r. 3. If proxy server S is a core server for cluster C, and it is able to answer query Q using locally stored information, then it transmits a "positive" reply to A_r containing the answer. 4. If proxy server S is a core server for topic C, but it is unable to answer query Q using locally stored information, then it carries out a parallel depth-first search by executing the following steps: (a) Set L to be the empty list. (b) Retrieve the locally stored subtree of MT(C). For each server Si directly linked to S_{curr} in this subtree, other than S_{last} (if specified), add the ordered pair (Si, S) to the list L. (c) If L is empty, transmit a "negative" reply to address A_r saying that server S cannot locate an answer to query Q, and terminate the execution of step 4; otherwise proceed to step (d). (d) Select a list L1 of one or more server pairs (Ai, Bi) from the list L. For each server pair (Ai, Bi) on the list L1, form a locate message M(Ai, Bi), which is a copy of message M whose S_{last} field has been modified to specify Bi, and transmit this message M(Ai, Bi) to server Ai over a virtual point-to-point connection. (e) For each reply received (by S) to a message sent in step (d), act as follows: (I) If a "positive" reply arrives to a locate message M(Ai, Bi), then forward this reply to A_r and terminate step 4, immediately. (ii) If a "negative" reply arrives to a locate message M(Ai, Bi), then remove the pair (Ai, Bi) from the list L1. (iii) If the message M(Ai, Bi) could not be successfully delivered to Ai, then remove the pair (Ai, Bi) from the list L1, and add the pair (Ci, Ai) to the list L1 for each Ci other than Bi that is directly linked to Ai in the locally stored subtree of MT(C). (f) Once L1 no longer contains any pair (Ai, Bi) for which a message M(Ai, Bi) has been sent, or after a fixed period of time has elapsed, return to step (c).

Retrieving Files from a Multicast Tree

When a processor q in the network wishes to retrieve the file associated with a given target object, it executes the following steps. These steps are initiated by an entity E, which may be either a user entering commands via a keyboard at a client q, as illustrated in Figure 3, or an automatic software process resident on a client or server processor q. 1. Processor q forms a query Q that asks whether the recipient (a core server for cluster C) still stores a file F that was previously multicast to the multicast tree MT(C); if so, the recipient server should reply with its own server name . Note that processor q must already know the name of file F and the identity of cluster C; typically, this information is provided to entity E by a service such as the news clipping service or browsing system described below, which must identify files to the user by (name, multicast topic) pair. 2. Processor q forms a query

message M that poses query Q to the multicast tree MT(C). 3. Processor q pseudonymously transmits message M to the user's proxy server D, as described above. 4. Processor q receives a response M2 to message M. 5. If the response M2 is "positive," that is, it names a server S that still stores file F, then processor q pseudonymously instructs the user's proxy server D to retrieve file F from server S. If the retrieval fails because server S has deleted file F since it answered the query, then client q returns to step 1. 6. If the response M2 is "negative," that is, it indicates that no server in MT(C) still stores file F, then processor q forms a query Q that asks the recipient for the address A of the entity that maintains file F; this entity will ordinarily maintain a copy of file F indefinitely. All core servers in MT(C) ordinarily retain this information (unless instructed to delete it by the maintaining entity), even if they delete file F for space reasons. Therefore, processor q should receive a response providing address A, whereupon processor q pseudonymously instructs the user's proxy server D to retrieve file F from address A.

When multiple versions of a file F exist on local servers throughout the data communication network N, but are not marked as alternate versions of the same file, the system's ability to rapidly locate files similar to F (by treating them as target objects and applying the methods disclosed in "Searching for Target Objects" above) makes it possible to find all the alternate versions, even if they are stored remotely. These related data files may then be reconciled by any method. In a simple instantiation, all versions of the data file would be replaced with the version that had the latest date or version number. In another instantiation, each version would be automatically annotated with references or pointers to the other versions.

NEWS CLIPPING SERVICE

The system for customized electronic identification of desirable objects of the present invention can be used in the electronic media system of Figure 1 to implement an automatic news clipping service which learns to select (filter) news articles to match a user's interests, based solely on which articles the user chooses to read. The system for customized electronic identification of desirable objects generates a target profile for each article that enters the electronic media system, based on the relative frequency of occurrence of the words contained in the article. The system for customized electronic identification of desirable objects also generates a search profile set for each user, as a function of the target profiles of the articles the user has accessed and the relevance feedback the user has provided on these articles. As new articles are received for storage on the mass storage

systems SS_1 -SS_m of the information servers I_1 -I_m , the system for customized electronic identification of desirable objects generates their target profiles. The generated target profiles are later compared to the search profiles in the users' search profile sets, and those new articles whose tar get profiles are closest (most similar) to the closest search profile in a user's search profile set are identified to that user for possible reading. The computer program providing the articles to the user monitors how much the user reads (the number of screens of data and the number of minutes spent reading), and adjusts the search profiles in the user's search profile set to more closely match what the user apparently prefers to read. T he details of the method used by this system are disclosed in flow diagram form in Figure 5. This method requires selecting a specific method of calculating user-specific search profile sets, of measuring similarity between two profiles, and of updating a user's search profile set (or more generally target profile interest summary) based on what the user read, and the examples disclosed herein are examples of the many possible implementations that can be used and should not be construed to limit the scope of the system.

Initialize Users' Search Profile Sets

The news clipping service instantiates target profile interest summaries as search profile sets, so that a set of high-interest search profiles is stored for each user. The search profiles associate d with a given user change over time. As in any application involving search profiles, they can be initially determined for a new user (or explicitly altered by an existing user) by any of a number of procedures, including the following preferred methods : (1) asking the user to specify search profiles directly by giving keywords and/or numeric attributes, (2) using copies of the profiles of target objects or target clusters that the user indicates are representative of his or her interest, (3) using a standard set of search profiles copied or otherwise determined from the search profile sets of people who are demographically similar to the user.

Retrieve New Articles from Article Source

Articles are available on-line from a wide variety of sources. In the preferred embodiment, one would use the current days news as supplied by a news source, such as the AP or Reuters news wire. These news articles are input to the electronic media system by being loaded into the mass storage system SS_4 of an information server S_4. The article profile module 201 of the system for customized electronic identification of desirable objects can reside on the information server S_4 and operates pursuant to the steps illustrated in the flow diagram of Figure 5, where, as each article is received at step 501 by the

information server S_4, the article profile module 201 at step 502 generates a target profile for the article and stores the target profile in an article indexing memory (typically part of mass storage system SS_4 for later use in selectively delivering articles to users. This method is equally useful for selecting which articles to read from electronic news groups and electronic bulletin boards, and can be used as part of a system for screening and organizing electronic mail ("e-mail").

Calculate Article Profiles

A target profile is computed for each new article, as described earlier. The most important attribute of the target profile is a textual attribute that stands for the entire text of the article. This textual attribute is represented as described earlier, as a vector of numbers, which numbers in the preferred embodiment include the relative frequencies (TF/IDF scores) of word occurrences in this article relative to other comparable articles. The server must count the frequency of occurrence of each word in the article in order to compute the TF/IDF scores.

These news articles are then hierarchically clustered in a hierarchical cluster tree at step 503, which serves as a decision tree for determining which news articles are closest to the user's interest. The resulting clusters can be viewed as a tree in which the top of the tree includes all target objects and branches further down the tree represent divisions of the set of target objects into successively smaller subclusters of target objects. Each cluster has a cluster profile, so that at each node of the tree, the average target profile (centroid) of all target objects stored in the subtree rooted at that node is stored. This average of target profiles is computed over the representation of target profiles as vectors of numeric attributes, as described above.

Compare Current Articles' Target Profiles to a User's Search Profiles

The process by which a user employs this apparatus to retrieve news articles of interest is illustrated in flow diagram form in Figure 11. At step 1101, the user logs into the data communication network N via their client processor C_1 and activates the news reading program. This is accomplished by the user establishing a pseudonymous data communications connection as described above to a proxy server S_2, which provides front-end access to the data communication network N. The proxy server S_2 maintains a list of authorized pseudonyms and their corresponding public keys and provides access and billing control. The user has a search profile set stored in the local data storage medium on the proxy server S_2. When the user requests access to "news" at step 1102, the profile

matching module 203 resident on proxy server S_2 sequentially considers each search profile p_k from the user's search profile set to determine which news articles are most likely of interest to the user. The news articles were automatically clustered into a hierarchical cluster tree at an earlier step so that the determination can be made rapidly for each user. The hierarchical cluster tree serves as a decision tree for determining which articles' target profiles are most similar to search profile p_k: the search for relevant articles begins at the top of the tree, and at each level of the tree the branch or branches are selected which have cluster profiles closest to p_k. This process is recursively executed until the leaves of the tree are reached, identifying individual articles of interest to the user, as described in the section "Searching for Target Objects" above.

A variation on this process exploits the fact that many users have similar interests. Rather than carry out steps 5-9 of the above process separately for each search profile of each user, it is possible to achieve added efficiency by carrying out these steps only once for each group of similar search profiles, thereby satisfying many users' needs at once. In this variation, the system begins by non-hierarchically clustering all the search profiles in the search profile sets of a large number of users. For each cluster k of search profiles, with cluster profile p_k, it uses the method described in the section "Searching for Target Objects" to locate articles with target profiles similar to p_k. Each located article is then identified as of interest to each user who has a search profile represented in cluster k of search profiles.

Notice that the above variation attempts to match clusters of search profiles with similar clusters of articles. Since this is a symmetrical problem, it may instead be given a symmetrical solution, as the following more general variation shows. At some point before the matching process commences, all the news articles to be considered are clustered into a hierarchical tree, termed the "target profile cluster tree," and the search profiles of all users to be considered are clustered into a second hierarchical tree, termed the "search profile cluster tree." The following steps serve to find all matches between individual target profiles from any target profile cluster tree and individual search profiles from any search profile cluster tree: 1. For each child subtree S of the root of the search profile cluster tree (or, let S be the entire search profile cluster tree if it contains only one search profile): 2. Compute the cluster profile P_S to be the average of all search profiles in subtree S 3. For each subcluster (child subtree) T of the root of the target profile cluster tree (or, let T be the entire target profile cluster tree if it contains only one target profile): 4. Compute the cluster profile P_T to be the average of all target profiles in subtree T 5. Calculate $d(P_S, P_T,$

the distance between P_S and P_T 6. If $d(P_S, P_T) < t$, a threshold, 7. If S contains only one search profile and T contains only one target profile, decl are a match between that search profile and that target profile,8. otherwise recurse to step 1 to find all matches between search profiles in tree S and target profiles in tree T.

The threshold used in step 6 is typically an affine function or other function of the greater of the cluster variances (or cluster diameters) of S and T. Whenever a match is declared between a search profile and a target profile, the target object that contributed the target profile is identified as being of interest to the user who contributed the search profile. Notice that the process can be applied even when the set of users to be considered or the set of target objects to be considered is very small. In the case of a single user, the process reduces to the method given for identifying articles of interest to a single user. In the case of a single target object, the process constitutes a method for identifying users to whom that target object is of interest.

Present List of Articles to User

Once the profile correlation step is completed for a selected user or group of users, at step 1104 the profile processing module 203 stores a list of the identified articles for presentation to each user. At a user's request, the profile processing system 203 retrieves the generated list of relevant articles and presents this list of titles of the selected articles to the user, who can then select at step 1105 any article for viewing. (If no titles are available, then the first sentence(s) of each article can be used.) The list of article titles is sorted according to the degree of similarity of the article's target profile to the most similar search profile in the user's search profile set. The resulting sorted list is either transmitted in real time to the user client processor C_1, if the user is present at their client processor C_1, or can be transmitted to a user's mailbox, resident on the user's client processor C_1 or stored within the server S_2 for later retrieval by the user; other methods of transmission include facsimile transmission of the printed list or telephone transmission by means of a text-to-speech system. The user can then transmit a request by computer, facsimile, or telephone to indicate which of the identified articles the user wishes to review, if any. The user can still access all articles in any information server S_4 to which the user has authorized access, however, those lower on the generated list are simply further from the user's interests, as determined by the user's search profile set. The server S_2 retrieves the article from the local data storage medium or from an information server S_4 and presents the article one screen at

a time to the user's client processor C_1. The user can at any time select another article for reading or exit the process.

Monitor Which Articles Are Read

The user's search profile set generator 202 at step 1107 monitors which articles the user reads, keeping track of how many pages of text are viewed by the user, how much time is spent viewing the article, and whether all pages of the article were viewed. This information can be combined to measure the depth of the user's interest in the article, yielding a passive relevance feedback score, as described earlier. Although the exact details depend on the length and nature of the articles being searched, a typical formula might be: measure of article attractiveness =0.2 if the second page is accessed + 0.2 if all pages are accessed + 0.2 if more than 30 seconds was spent on the article + 0.2 if more than one minute was spent on the article + 0.2 if the minutes spent in the article are greater than half the number of pages.

The computed measure of article attractiveness can then be used as a weighting function to adjust the user's search profile set to thereby more accurately reflect the user's dynamically changing interests.

Update User Profiles

Updating of a user's generated search profile set can be done at step 1108 using the method described in copending U.S. Patent Application Serial No. 08/346,425. When an article is read, the server S_2 shifts each search profile in the set slightly in the direction of the target profiles of those nearby articles for which the computed measure of article attractiveness was high. Given a search profile with attributes u_{ik} from a user's search profile set, and a set of J articles available with attributes d_{jk} (assumed correct for now), where I indexes users, j indexes articles, and k indexes attributes, user I would be predicted to pick a set of P distinct articles to minimize the sum of $d(u_I, b_j)$ over the chosen articles j. The user's desired attributes u_{ik} and an article's attributes d_{jk} would be some form of word frequencies such as TF/IDF and potentially other attributes such as the source, reading level, and length of the article, while $d(u_I, d_j)$ is the distance between these two attribute vectors (profiles) using the similarity measure described above. If the user picks a different set of P articles than was predicted, the user search profile set generation module should try to adjust u and/ord to more accurately predict the articles the user selected. In particular, u_I and/or d_j should be shifted to increase their similarity if user I was predicted not to select article j but did select it, and perhaps also to decrease their similarity if user I was predicted

to select article j but did not. A preferred method is to shift u for each wrong prediction that user I will not select article j, using the formula: $u_{ik}' = u_{ik} - e(u_{ik} d_{jk})$

Here u_I is chosen to be the search profile from user I's search profile set that is closest to target profile. If e is positive, this adjustment increases the match between user I's search profile set and the target profiles of the articles user I actually selects, by making u_I closer to d_j for the case where the algorithm failed to predict an article that the viewer selected. The size of e determines how many example articles one must see to change the search profile substantially. If e is too large, the algorithm becomes unstable, but for sufficiently small e, it drives u to its correct value. In general, e should be proportional to the measure of article attractiveness; for example, it should be relatively high if user I spends a long time reading article j. One could in theory also use the above formula to decrease the match in the case where the algorithm predicted an article that the user did not read, by making e negative in that case. However, there is no guarantee that u will move in the correct direction in that case. One can also shift the attribute weights w_I of user I by using a similar algorithm: $w_{ik}' = (w_{ik} - e|u_{ik} - d_{jk}|) / \Sigma_k (w_{ik} - e| u_{ik} - d_{jk}|)$ This is particularly important if one is combining word frequencies with other attributes. As before, this increases the match if e is positive -- for the case where the algorithm failed to predict an article that the user read, this time by decreasing t he weights on those characteristics for which the user's target profile u_I differs from the article's profile d_j Again, the size of e determines how many example articles one must see to replace what was originally believed. Unlike the procedure for adjusting u, one also make use of the fact that the above algorithm decreases the match if e is negative -- for the case where the algorithm predicted an article that the user did not read. The denominator of the expression prevents weights from shrinking to zero over time by renormalizing the modified weights w_I' so that they sum to one. Both u and w can be adjusted for each article accessed. When e is small, as it should be, there is no conflict between the two parts of the algorithm. The selected user's search profile set is updated at step 1108.

Further Applications of the Filtering Technology

The news clipping service may deliver news articles (or advertisements and coupons for purchasables) to off-line users as well as to users who are on-line. Although the off-line users may have no way of providing relevance feedback, the user profile of an off-line user U may be similar to the profiles of on-line users, for example because user U is demographically similar to these other users, and the level of user U's interest in

particular target objects can therefore be estimated via the general interest-estimation methods described earlier. In one application, the news clipping service chooses a set of news articles (respectively, advertisements and coupons) that are predicted to be of interest to user U, thereby determining the content of a customized newspaper (respectively, advertising/coupon circular) that may be printed and physically sent to user U via other methods. In general, the target objects included in the printed document delivered to user U are those with the highest median predicted interest among a group G of users, where group G consists of either the single off-line user U, a set of off-line users who are demographically similar to user U, or a set of off-line users who are in the same geographic area and thus on the same newspaper delivery route. In a variation, user group G is clustered into several subgroups G1...Gk; an average user profile Pi is created from each subgroup Gi; for each article T and each user profile Pi, the interest in T by a hypothetical user with user profile Pi is predicted, and the interest of article T to group G is taken to be the maximum interest in article T by any of these k hypothetical users; finally, the customized newspaper for user group G is constructed from those articles of greatest interest to group G.

The filtering technology of the news clipping service is not limited to news articles provided by a single source, but may be extended to articles or target objects collected from any number of sources. For example, rather than identifying new news articles of interest, the technology may identify new or updated World Wide Web pages of interest. In a second application, termed "broadcast clipping," where individual users desire to broadcast messages to all interested users, the pool of news articles is replaced by a pool of messages to be broadcast, and these messages are sent to the broadcast-clipping-service subscribers most interested in them. In a third application, the system scans the transcripts of all real-time spoken or written discussions on the network that are currently in progress and designated as public, and employs the news-clipping technology to rapidly identify discussions that the user may be interested in joining, or to rapidly identify and notify users who may be interested in joining an ongoing discussion. In a fourth application, the method is used as a post-process that filters and ranks in order of interest the many target objects found by a conventional database search, such as a search for all homes selling for under $200,000 in a given area, for all 1994 news articles about Marcia Clark, or for all Italian-language films. In a fifth application, the method is used to filter and rank the links in a hypertext document by estimating the user's interest in the document or other object

associated with each link. In a sixth application, paying advertisers, who may be companies or individuals, are the source of advertisements or other messages, which take the place of the news articles in the news clipping service. A consumer who buys a product is deemed to have provided positive relevance feedback on advertisements for that product, and a consumer who buys a product apparently because of a particular advertisement (for example, by using a coupon clipped from that advertisement) is deemed to have provided particularly high relevance feedback on that

advertisement. Such feedback may be communicated to a proxy server by the consumer's client processor (if the consumer is making the purchase electronically), by the retail vendor, or by the credit-card reader (at the vendor's establishment) that the consumer uses to pay for the purchase. Given a database of such relevance feedback, the disclosed technology is then used to match advertisements with those users who are most interested in them; advertisements selected for a user are presented to that user by any one of several means, including electronic mail, automatic display on the users screen, or printing them on a printer at a retail establishment where the consumer is paying for a purchase. The threshold distance used to identify interest may be increased for a particular advertisement, causing the system to present that advertisement to more users, in accordance with the amount that the advertiser is willing to pay.

A further use of the capabilities of this system is to manage a user's investment portfolio. Instead of recommending articles to the user, the system recommends target objects that are investments. As illustrated above by the example of stock market investments, many different attributes can be used together to profile each investment. The user's past investment behavior is characterized in the user's search profile set or target profile interest summary, and this information is used to match the user with stock opportunities (target objects) similar in nature to past investments. The rapid profiling method described above may be used to determine a rough set of preferences for new users. Quality attributes used in this system can include negatively weighted attributes, such as a measurement of fluctuations in dividends historically paid by the investment, a quality attribute that would have a strongly negative weight for a conservative investor dependent on a regular flow of investment income. Furthermore, the user can set filter parameters so that the system can monitor stock prices and automatically take certain actions, such as placing buy or sell orders, or e-mailing or paging the user with a notification, when certain stock performance characteristics are met. Thus, the system can immediately notify the user

when a selected stock reaches a predetermined price, without the user having to monitor the stock market activity. The user's investments can be profiled in part by a "type of investment" attribute (to be used in conjunction with other attributes), which distinguishes among bonds, mutual funds, growth stocks, income stocks, etc., to thereby segment the user's portfolio according to investment type. Each investment type can then be managed to identify investment opportunities and the user can identify the desired ratio of investment capital for each type.

E-mail Filter

In addition to the news clipping service described above, the system for customized electronic identification of desirable objects functions in an e_mail environment in a similar but slightly different manner. The news clipping service selects and retrieves news information that would not otherwise reach its subscribers. But at the same time, large numbers of e-mail messages do reach users, having been generated and sent by humans or automatic programs. These users need an e-mail filter, which automatically processes the messages received. The necessary processing includes a determination of the action to be taken with each message, including, but not limited to: filing the message, notifying the user of receipt of a high priority message, automatically responding to a message. The e-mail filter system must not require too great an investment on the part of the user to learn and use, and the user must have confidence in the appropriateness of the actions automatically taken by the system. The same filter may be applied to voice mail messages or facsimile messages that have been converted into electronically stored text, whether automatically or at the user's request, via the use of w ell-known techniques for speech recognition or optical character recognition.

The filtering problem can be defined as follows: a message processing function MPF(*) maps from a received message (document) to one or more of a set of actions. The actions, which may be quite specific, may be either predefined or customized by the use r. Each action A has an appropriateness function F_A (*,*) such that F_A (U,D) returns a real number, representing the appropriateness of selecting action A on behalf of user U when us er U is in receipt of message D. For example, if D comes from a credible source and is marked urgent, then discarding the message has a high cost to the user and has low appropriateness, so that $F_{discard}$ (U,D) is small, whereas alerting the user of receipt of the message is highly appropriate, so that F_{alert} (U,D) is large. Given the determined

appropriateness function, the function MPF(D) is used to automatically select the appropriate action or actions. As an example, the following set of actions might be useful:

1. Urgently notify user of receipt of message
2. Insert message into queue for user to read later
3. Insert message into queue for user to read later, and suggest that user reply
4. Insert message into queue for user to read later, and suggest that user forward it to individual R
5. Summarize message and insert summary into queue
6. Forward message to user's secretary
7. File message in directory X
8. File message in directory Y
9. Delete message (i.e., ignore message and do not save)
10. Notify sender that further messages on this subject are unwanted

Notice that actions 8 and 9 in the sample list above are designed to filter out messages that are undesirable to the user or that are received from undesirable sources, such as pesky salespersons, by deleting the unwanted message and/or sending a reply that indicates that messages of this type will not be read. The appropriateness functions must be tailored to describe the appropriateness of carrying out each action given the target profile for a particular document, and then a message processing function MPF can be found which is in some sense optimal with respect to the appropriateness function. One reasonable choice of MPF always picks the action with highest appropriateness, an d in cases where multiple actions are highly appropriate and are also compatible with each other, selects more than one action: for example, it may automatically reply to a message and also file the same message in directory X, so that the value of MPF(D) is the set \{reply, file in directory X\}. In cases where the appropriateness of even the most appropriate action falls below a user-specified threshold, as should happen for messages of an unfamiliar type, the system asks the user for confirmation of the action(s) selected by MPF. In addition, in cases where MPF selects one action over another action that is nearly as appropriate, the system also asks the user for confirmation: for example, mail should not be deleted if it is nearly as appropriate to let the user see it.

It is possible to write appropriateness functions manually, but the time necessary and lack of user expertise render this solution impractical. The automatic training of this system is preferable, using the automatic user profiling system described above. Each received

document is viewed as a target object whose profile includes such attributes as the entire text of the document (represented as TF/IDF scores), document sender, date sent, document length, date of last document received from this sender, key words, list of other addressees, etc. It was disclosed above how to estimate an interest function on profiled target objects, using relevance feedback together with measured similarities among target objects and among users. In the con text of the e-mail filter, the task is to estimate several appropriateness functions F_A (*,*), one per action. This is handled with exactly the same method as was used earlier to estimate the topical interest function f(*,*). Relevance feedback in this case is provided by the user's observed actions over time: whenever user U chooses action A on document D, either freely or by choosing or confirming an action recommended by the system, this is taken to mean that the appropriateness of action A on document D is high, particularly if the user takes this action A immediately after seeing document D. A presumption of no appropriateness (corresponding to the earlier presumption of no interest) is used so that action A is considered inappropriate on a document unless the user or similar users have taken action A on this document or similar documents. In particular, if no similar document has been seen, no action is considered especially appropriate, and the e-mail filter asks the user to specify the appropriate action or confirm that the action chosen by the e-mail filter is the appropriate one.

Thus, the e-mail filter learns to take particular actions on e-mail messages that have certain attributes or combinations of attributes. For example, messages from John Doe that originate in the (212) area code may prompt the system to forward a copy by fax transmission to a given fax number, or to file the message in directory X on the user's client processor. A variation allows active requests of this form from the us er, such as a request that any message from John Doe be forwarded to a desired fax number until further notice. This active user input requires the use of a natural language or form-based interface for which specific commands are associated with particular attributes and combinations of attributes.

Update Notification

A very important and novel characteristic of the architecture is the ability to identify new or updated target objects that are relevant to the user, as determined by the user's search profile set or target profile interest summary. ("Updated target objects" include revised versions of documents and new models of purchasable goods.) The system may notify the user of these relevant target objects by an electronic notification such as an e-mail message

or facsimile transmission. In the variation where the system sends an e-mail message, the user's e-mail filter can then respond appropriately to the notification, for instance, by bringing the notification immediately to the user's personal attention, or by automatically submitting an electronic request to purchase the target object named in the notification. A simple example of the latter response is for the e-mail filter to retrieve an on-line document at a nominal or zero charge, or request to buy a purchasable of limited quantity such as a used product or an auctionable.

ACTIVE NAVIGATION (BROWSING)

Browsing by Navigating Through a Cluster Tree

A hierarchical cluster tree imposes a useful organization on a collection of target objects. The tree is of direct use to a user who wishes to browse through all the target objects in the tree. Such a user may be exploring the collection with or without a well-specified goal. The tree's division of target objects into coherent clusters provides an efficient method whereby the user can locate a target object of interest. The user first chooses one of the highest level (largest) clusters from a menu, and is presented with a menu listing the subclusters of said cluster, whereupon the user may select one of these subclusters. The system locates the subcluster, via the appropriate pointer that was stored with the larger cluster, and allows the user to select one of its subclusters from another menu. This process is repeated until the user comes t o a leaf of the tree, which yields the details of an actual target object. Hierarchical trees allow rapid selection of one target object from a large set. In ten menu selections from menus of ten items (subclusters) each, one can reach 10^{10} =10,000,000,000 (ten billion) items. In the preferred embodiment, the user views the menus on a computer screen or terminal screen and selects from them with a keyboard or mouse. However, the user may also make selections over the telephone, with a voice synthesizer reading the menus and the user selecting subclusters via the telephone's touch-tone keypad. In another variation, the user simultaneously maintains two connections to the server, a telephone voice connection and a fax connection; the server sends successive menus to the user by fax, while the user selects choices via the telephone's touch-tone keypad.

Just as user profiles commonly include an associative attribute indicating the user's degree of interest in each target object, it is useful to augment user profiles with an additional associative attribute indicating the user's degree of interest in each cluster in the hierarchical cluster tree. This degree of interest may be estimated numerically as the

number of subclusters or target objects the user has selected from menus associated with the given cluster or its subclusters, expressed as a proportion of the total number of subclusters or target objects the user has selected. This associative attribute is particularly valuable if the hierarchical tree was built using "soft" or "fuzzy" clustering, which allows a subcluster or target object to appear in multiple clusters: if a target document appears in both the "sports" and the "humor" clusters, and the user selects it from a menu associated with the "humor" cluster, then the system increases its association between the user and the "humor" cluster but not its association between the user and the "sports" cluster.

Labeling Clusters

Since a user who is navigating the cluster tree is repeatedly expected to select one of several subclusters from a menu, these subclusters must be usefully labeled (at step 503), in such a way as to suggest their content to the human user. It is straightforward to include some basic information about each subcluster in its label, such as the number of target objects the subcluster contains (possibly just 1) and the number of these that have been added or updated recently. However, it is also necessary to display additional information that indicates the cluster's content. This content-descriptive information may be provided by a human, particularly for large or frequently accessed clusters, but it may also be generated automatically. The basic automatic technique is simply to display the cluster's "characteristic value" for each of a few highly weighted attributes. With numeric attributes, this may be taken to mean the cluster's average value for that attribute: thus, if the "year of release" attribute is highly weighted in predicting which movies a user will like, then it is useful to display average year of release as part of each cluster's label. Thus the user sees that one cluster consists of movies that were released around 1962, while another consists of movies from around 1982. For short textual attributes, such as "title of movie" or "title of document," the system can display the attribute's value for the cluster member (target object) whose profile is most similar to the cluster's profile (the mean profile for all members of the cluster), for example, the title of the most typical movie in the cluster. For longer textual attributes, a useful technique is to select those terms for which the amount by which the term's average TF/IDF score across members of the cluster exceeds the term's average TF/IDF score across all tar get objects is greatest, either in absolute terms or else as a fraction of the standard deviation of the term's TF/IDF score across all target objects. The selected terms are replaced with their morphological stems, eliminating duplicates (so that if bot h "slept" and "sleeping" were selected, they would be replaced by the single term

"sleep") and optionally eliminating close synonyms or collocates (so that if both "nurse" and "medical" were selected, they might both be replaced by a single term such as "nurse," "medical," "medicine," or "hospital"). The resulting set of terms is displayed as part of the label. Finally, if freely redistributable thumbnail photographs or other graphical images are associated with some of the target objects in the cluster f or labeling purposes, then the system can display as part of the label the image or images whose associated target objects have target profiles most similar to the cluster profile.

Users' navigational patterns may provide some useful feedback as to the quality of the labels. In particular, if users often select a particular cluster to explore, but then quickly backtrack and try a different cluster, this may signal that the first cluster's label is misleading. Insofar as other terms and attributes can pro vide "next-best" alternative labels for the first cluster, such "next-best" labels can be automatically substituted for the misleading label. In addition, any user can locally relabel a cluster for his or her own convenience. Although a cluster label provided by a user is in general visible only to that user, it is possible to make global use of these labels via a "user labels" textual attribute for target objects, which attribute is defined for a given target object to be the concatenation of all label s provided by any user for any cluster containing that target object. This attribute influences similarity judgments: for example, it may induce the system to regard target articles in a cluster often labeled "Sports News" by users as being mildly similar to articles in an otherwise dissimilar cluster often labeled "International News" by users, precisely because the "user labels" attribute in each cluster profile is strongly associated with the term "News." The "user label" attribute is also used in the automatic generation of labels, just as other textual attributes are, so that if the user-generated labels for a cluster often include "Sports," the term "Sports" may be included in the automatically generated label as well.

It is not necessary for menus to be displayed as simple lists of labeled options; it is possible to display or print a menu in a form that shows in more detail the relation of the different menu options to each other. Thus, in a variation, the menu options are visually laid out in two dimensions or in a perspective drawing of three dimensions. Each option is displayed or printed as a textual or graphical label. The physical coordinates at which the options are displayed or printed are generated by the following sequence of steps: (1) construct for each option the cluster profile of the cluster it represents, (2) construct from each cluster profile its decomposition into a numeric vector, as described above, (3) apply singular value decomposition (SVD) to determine the set of two or three orthogonal linear

axes along which these numeric vectors are most greatly differentiated, and (4) take the coordinates of each option to be the projected coordinates of that option's numeric vector along said axes. Step (3) may be varied to determine a set of, say, 6 axes, so that step (4) lays out the options in a 6-dimensional space; in this case the user may view the geometric projection of the 6-dimensional layout onto any plane passing through the origin, and may rotate this viewing plane in order to see differing configurations of the options, which emphasize similarity with respect to differing attributes in the profiles of the associated clusters. In the visual representation, the sizes of the cluster labels can be varied according to the number of objects contained in the corresponding clusters. In a further variation, all options from the parent menu are displayed in some number of dimensions, as just described, but with the option corresponding to the current menu replaced by a more prominent subdisplay of the options on the current menu; optionally, the scale of this composite display may be gradually increased over time, thereby increasing the area of the screen devoted to showing the options on the current menu, and giving the visual impression that the user is regarding the parent cluster and "zooming in" on the current cluster and its subclusters.

Further Navigational

It should be appreciated that a hierarchical cluster-tree may be configured with multiple cluster selections branching from each node or the same labeled clusters presented in the form of single branches for multiple nodes ordered in a hierarchy. In one variation, the user is able to perform lateral navigation between neighboring clusters as well, by requesting that the system search for a cluster whose cluster profile resembles the cluster profile of the currently selected cluster. If this type of navigation is performed at the level of individual objects (leaf ends), then automatic hyperlinks may be then created as navigation occurs. This is one way that nearest neighbor clustering navigation may be performed. For example, in a domain where target objects are home pages on the World Wide Web, a collection of such pages could be laterally linked to create a " virtual mall."

The simplest way to use the automatic menuing system described above is for the user to begin browsing at the top of the tree and moving to more specific subclusters. However, in a variation, the user optionally provides a query consisting of textual and/or other attributes, from which query the system constructs a profile in the manner described herein, optionally altering textual attributes as described herein before decomposing them into numeric attributes. Query profiles are similar to the search profiles in a user's search

profile set, except that their attributes are explicitly specified by a user, most often for one-time usage, and unlike search profiles, they are not automatically updated to reflect changing interests. A typical query in the domain of text articles might have "Tell me about the relation between Galileo and the Medici family" as the value of its "text of article" attribute, and 8 as the value of its "reading difficulty" attribute (that is, 8th-grade level). The system uses the method of section "Searching for Target Objects" above to automatically locate a small set of one or more clusters with profiles similar to the query profile, for example, the articles they contain are written at roughly an 8th-grade level and tend to mention Galileo and the Medicis. The user may start browsing at any of these clusters, and can move from it to subclusters, superclusters, and other nearby clusters. For a user who is looking for something in particular, it is generally less efficient to start at the largest cluster and repeatedly select smaller subclusters than it is to write a brief description of what one is looking for and then to move to nearby clusters if the objects initially recommended are not precisely those desired.

Although it is customary in information retrieval systems to match a query to a document, an interesting variation is possible where a query is matched to an already answered question. The relevant domain is a customer service center, electronic newsgroup , or Better Business Bureau where questions are frequently answered. Each new question-answer pair is recorded for future reference as a target object, with a textual attribute that specifies the question together with the answer provided. As explained earlier with reference to document titles, the question should be weighted more heavily than the answer when this textual attribute is decomposed into TF/IDF scores. A query specifying "Tell me about the relation between Galileo and the Medici family" as t he value of this attribute therefore locates a cluster of similar questions together with their answers. In a variation, each question-answer pair may be profiled with two separate textual attributes, one for the question and one for the answer. A query might then locate a cluster by specifying only the question attribute, or for completeness, both the question attribute and the (lower-weighted) answer attribute, to be the text "Tell me about the relation between Galileo and the Medici family."

The filtering technology described earlier can also aid the user in navigating among the target objects. When the system presents the user with a menu of subclusters of a cluster C of target objects, it can simultaneously present an additional menu of the most interesting target objects in cluster C, so that the user has the choice of accessing a subcluster or

directly accessing one of the target objects. If this additional menu lists n target objects, then for each I between 1 and n inclusive, in increasing ord er, the I^{th} most prominent choice on this additional menu, which choice is denoted Top(C,i), is found by considering all target objects in cluster C that are further than a threshold distance t from all of Top(C,1), Top(C,2), ... Top(C, I-1), and selecting the one in which the user's interest is estimated to be highest. If the threshold distance t is 0, then the menu resulting from this procedure simply displays the n most interesting objects in cluster C, but the threshold distance may be increased to achieve more variety in the target objects displayed. Generally the threshold distance t is chosen to be an affine function or other function of the cluster variance or cluster diameter of the cluster C.

As a novelty feature, the user U can "masquerade" as another user V, such as a prominent intellectual or a celebrity supermodel; as long as user U is masquerading as user V, the filtering technology will recommend articles not according to user U's preferences, but rather according to user V's preferences. Provided that user U has access to the user-specific data of user V, for example because user V has leased these data to user U for a financial consideration, then user U can masquerade as user V by instructing user U's proxy server S to temporarily substitute user V's user profile and target profile interest summary for user U's. In a variation, user U has access to an average user profile and an composite target profile interest summary for a group G of users; by instructing proxy server S to substitute these for user U's user-specific data, user U can masquerade as a typical member of group G, as is useful in exploring group preferences for sociological, political, or market research. More generally, user U may "partially masquerade" as another user V or group G, by instructing proxy server S to temporarily replace user U's user-specific data with a weighted average of user U's user-specific data and the user-specific data for user V and group G.

Menu Organization

Although the topology of a hierarchical cluster tree is fixed by the techniques that build the tree, the hierarchical menu presented to the user for the user's navigation need not be exactly isomorphic to the cluster tree. The menu is typically a somewhat modified version of the cluster tree, reorganized manually or automatically so that the clusters most interesting to a user are easily accessible by the user. In order to automatically reorganize the menu in a user-specific way, the system first attempts automatically to identify existing clusters that are of interest to the user. The system may identify a cluster as interesting

because the user often accesses target objects in that cluster -- or, in a more sophisticated variation, because the user is predicted to have high interest in the cluster's profile, using the methods disclosed herein for estimating interest from relevance feedback.

Several techniques can then be used to make interesting clusters more easily accessible. The system can at the user's request or at all times display a special list of the most interesting clusters, or the most interesting subclusters of the current cluster, so that the user can select one of these clusters based on its label and jump directly to it. In general, when the system constructs a list of interesting clusters in this way, the I^{th} most prominent choice on the list, which choice is denoted Top(I), is found by considering all appropriate clusters C that are further than a threshold distance t from all of Top(1), Top(2), ... Top(I-1), and selecting the one in which the user's interest is estimated to be highest. Here the threshold distance t is optionally dependent on the computed cluster variance or cluster diameter of the profiles in the latter cluster. Several techniques that reorganize the hierarchical menu tree are also useful. First, menus can be reorganized so that the most interesting subcluster choices appear earliest on the menu, or are visually marked as interesting; for example, their labels are displayed in a special color or type face, or are displayed together with a number or graphical image indicating the likely level of interest. Second, interesting clusters can be moved to menus higher in the tree, i.e., closer to the root of the tree, so that they are easier to access if the user starts browsing at the root of the tree. Third, uninteresting clusters can be moved to menus lower in the tree, to make room for interesting clusters that are being moved higher. Fourth, clusters with an especially low interest score (representing active dislike) can simply be suppressed from the menus; thus, a user with children may assign an extremely negative weight to the "vulgarity" attribute in the determination of q, so that vulgar clusters and documents will not be available at all. As the interesting clusters and the documents in them migrate toward the top of the tree, a customized tree develops that can be more efficiently navigated by the particular user. If menus are chosen so that each menu item is chosen with approximately equal probability, then the expected number of choices the user has to make is minimized. If, for example, a user frequently accessed target objects whose profiles resembled the cluster profile of cluster (a, b, d) in Figure 8 then the menu in Figure 9 could be modified to show the structure illustrated in Figure 10.

In the variation where the general techniques disclosed herein for estimating a user's interest from relevance feedback are used to identify interesting clusters, it is possible for

a user U to supply "temporary relevance feedback" to indicate a temporary interest that is added to his or her usual interests. This is done by entering a query as described above, i.e., a set of textual and other attributes that closely match the user's interests of the moment . This query becomes "active," and affects the system's determination of interest in either of two ways. In one approach, an active query is treated as if it were any other target object, and by virtue of being a query, it is taken to have received relevance feedback that indicates especially high interest. In an alternative approach, target objects X whose target profiles are similar to an active query's profile are simply considered to have higher quality q(U, X), in that q(U, X) is incremented by a term that increases with target object X's similarity to the query profile. Either strategy affects the usual interest estimates: clusters that match user U's usual interests (and have high quality q(*)) are still considered to be of interest, and clusters w hose profiles are similar to an active query are adjudged to have especially high interest. Clusters that are similar to both the query and the user's usual interests are most interesting of all. The user may modify or deactivate an active query at any ti me while browsing. In addition, if the user discovers a target object or cluster X of particular interest while browsing, he or she may replace or augment the original (perhaps vague) query profile with the target profile of target object or cluster X, t hereby amplifying or refining the original query to indicate an particular interest in objects similar to X. For example, suppose the user is browsing through documents, and specifies an initial query containing the word "Lloyd's," so that the system predicts documents containing the word "Lloyd's" to be more interesting and makes them more easily accessible, even to the point of listing such documents or clusters of such documents, as described above. In particular, certain articles about insurance containing the phrase "Lloyd's of London" are made more easily accessible, as are certain pieces of Welsh fiction containing phrases like "Lloyd's father." The user browses while this query is active, and hits upon a useful article describing the relation of Lloyd's of London to other British insurance houses; by replacing or augmenting the query with the full text of this article, the user can turn the attention of the system to other documents that resemble this article, such as documents about British insurance houses, rather than Welsh folk tales.

In a system where queries are used, it is useful to include in the target profiles an associative attribute that records the associations between a target object and whatever terms are employed in queries used to find that target object. The association score of target object X with a particular query term T is defined to be the mean relevance feedback on

target object X, averaged over just those accesses of target object X that were made while a query containing term T was active, multiplied by the negated logarithm of term T's global frequency in all queries. The effect of this associative attribute is to increase the measured similarity of two documents if they are good responses to queries that contain the same terms. A further maneuver can be used to improve the accuracy of responses to a query: in the summation used to determine the quality q(U, X) of a target object X, a term is included that is proportional to the sum of association scores between target object X and each term in the active query, if any, so that target objects that are closely associated with terms in an active query are determined to have higher quality and therefore higher interest for the user. To complement the system's automatic reorganization of the hierarchical cluster tree, the user can be given the ability to reorganize the tree manually, as he or she sees fit. Any changes are optionally saved on the user's local storage device so that they will affect the presentation of the tree in future sessions. For example, the user can choose to move or copy menu options to other menus, so that useful clusters can thereafter be chosen directly from the root menu of the tree or from other easily accessed or topically appropriate menus. In an other example, the user can select clusters $C_1, C_2, \ldots C_k$ listed on a particular menu M and choose to remove these clusters from the menu, replacing them on the menu with a single aggregate cluster M' containing all the target objects from clusters $C_1, C_2, \ldots C_k$. In this case, the immediate subclusters of new cluster M' are either taken to be clusters $C_1, C_2, \ldots C_k$ themselves, or else, in a variation similar to the "scatter-gather" method, are automatically computed by clustering the set of all the subclusters of clusters $C_1, C_2, \ldots C_k$ according to the similarity of the cluster profiles of these subclusters.

Electronic Mall

In one application, the browsing techniques described above may be applied to a domain where the target objects are purchasable goods. When shoppers look for goods to purchase over the Internet or other electronic media, it is typically necessary to display thousands or tens of thousands of products in a fashion that helps consumers find the items they are looking for. The current practice is to use hand-crafted menus and sub-menus in which similar items are grouped together. It is possible to use the automated clustering and browsing methods described above to more effectively group and present the items. Purchasable items can be hierarchically clustered using a plurality of different criteria. Useful attributes for a purchasable item include but are not limited to a textual description and predefined category labels (if available), the unit price of the item, and an associative

attribute listing the users who have bought this item in the past. Also useful is an associative attribute indicating which other items are often bought on the same shopping "trip" as this item; items that are often bought on the same trip will be judged similar with respect to this attribute, so tend to be grouped together. Retailers may be interested in utilizing a similar technique for purposes of predicting both the nature and relative quantity of items which are likely to be popular to their particular clientele. This prediction may be made by using aggregate purchasing records as the search profile set from which a collection of target objects is recommended. Estimated customer demand which is indicative of (relative) inventory quantity for each target object item is determined by measuring the cluster variance of that item compared to another target object item (which is in stock).

As described above, hierarchically clustering the purchasable target objects results in a hierarchical menu system, in which the target objects or clusters of target objects that appear on each menu can be labeled by names or icons and displayed in a two -dimensional or three-dimensional menu in which similar items are displayed physically near each other or on the same graphically represented "shelf." As described above, this grouping occurs both at the level of specific items (such as standard size Ivory soap or large Breck shampoo) and at the level of classes of items (such as soaps and shampoos). When the user selects a class of items (for instance, by clicking on it), then the more specific level of detail is displayed. It is neither necessary nor desirable to limit each item to appearing in one group; customers are more likely to find an object if it is in multiple categories. Non-purchasable objects such as artwork, advertisements, and free samples may also be added to a display of purchasable objects, if they are associated with (liked by) substantially the same users as are the purchasable objects in the display.

Network Context of the Browsing System

The files associated with target objects are typically distributed across a large number of different servers S1-So and clients C1-Cn. Each file has been entered into the data storage medium at some server or client in any one of a number of ways, including, but not limited to: scanning, keyboard input, e-mail, FTP transmission. automatic synthesis from another file under the control of another computer program. While a system to enable users to efficiently locate target objects may store its hierarchical cluster tree on a single centralized machine, greater efficiency can be achieved if the storage of the hierarchical cluster tree is distributed across many machines in the network. Each cluster C, including

single-member clusters (target objects), is digitally represented by a file F, which is multicast to a topical multicast tree MT(C1); here cluster C1 is either cluster C itself or some supercluster of cluster C. In this way, file F is stored at multiple servers, for redundancy. The file F that represents cluster C contains at least the following data:

1. The cluster profile for cluster C, or data sufficient to reconstruct this cluster profile. 2. The number of target objects contained in cluster C. 3. A human-readable label for cluster C, as described in section "Labeling Clusters" above. 4. If the cluster is divided into subclusters, a list of pointers to files representing the subclusters. Each pointer is an ordered pair containing naming, first, a file, and second, a multicast tree or a specific server where that file is stored. 5. If the cluster consists of a single target object, a pointer to the file corresponding to that target object.

The process by which a client machine can retrieve the file F from the multicast tree MT(C1) is described above in section "Retrieving Files from a Multicast Tree." Once it has retrieved file F, the client can perform further tasks pertaining to this cluster, such as displaying a labeled menu of subclusters, from which the user may select subclusters for the client to retrieve next.

The advantage of this distributed implementation is threefold. First, the system can be scaled to larger cluster sizes and numbers of target objects, since much more searching and data retrieval can be carried out concurrently. Second, the system is fault-tolerant in that partial matching can be achieved even if portions of the system are temporarily unavailable. It is important to note here the robustness due to redundancy inherent in our design - data is replicated at tree sites so that even if a server is down, the data can be located elsewhere.

The distributed hierarchical cluster tree can be created in a distributed fashion, that is, with the participation of many processors. Indeed, in most applications it should be recreated from time to time, because as users interact with target objects, the associative attributes in the target profiles of the target objects change to reflect these interactions; the system's similarity measurements can therefore take these interactions into account when judging similarity, which allows a more perspicuous cluster tree to be built The key technique is the following procedure for merging n disjoint cluster trees, represented respectively by files F1...Fn in distributed fashion as described above, into a combined cluster tree that contains all the target objects from all these trees. The files F1...Fn are described above, except that the cluster labels are not included in the representation. The following steps are executed by a server S1, in response to a request message from another

server S0, which request message includes pointers to the files F1...Fn. 1. Retrieve files F1...Fn. 2. Let L and M be empty lists. 3. For each file Fi from among F1...Fn: 4. If file Fi contains pointers to subcluster files, add these pointers to list L. 5. If file Fi represents a single target object, add a pointer to file Fi to list L. 6. For each pointer X on list L, retrieve the file that pointer P points to and extract the cluster profile P(X) that this file stores. 7. Apply a clustering algorithm to group the pointers X on list L according to the distances between their respective cluster profiles P(X). 8. For each (nonempty) resulting group C of pointers: 9. If C contains only one pointer, add this pointer to list M; 10. otherwise, if C contains exactly the same subcluster pointers as does one of the files Fi from among F1...Fn, then add a pointer to file Fi to list M; 11. otherwise: 12. Select an arbitrary server S2 on the network, for example by randomly selecting one of the pointers in group C and choosing the server it points to. 13. Send a request message to server S2 that includes the subcluster pointers in group C and requests server S2 to merge the corresponding subcluster trees. 14. Receive a response from server S2, containing a pointer to a file G that represents the merged tree. Add this pointer to list M. 15. For each file Fi from among F1...Fn: 16. If list M does not include a pointer to file Fi, send a message to the server or servers storing Fi instructing them to delete file Fi. 17. Create and store a file F that represents a new cluster, whose subcluster pointers are exactly the subcluster pointers on list M. 18. Send a reply message to server S0, which reply message contains a pointer to file F and indicates that file F represents the merged cluster tree.

With the help of the above procedure, and the multicast tree MT full that includes all proxy servers in the network, the distributed hierarchical cluster tree for a particular domain of target objects is constructed by merging many local hierarchical cluster trees, as follows. 1. One server S (preferably one with good connectivity) is elected from the tree. 2. Server S sends itself a global request message that causes each proxy server in MT_{full} (that is., each proxy server in the network) to ask its clients for files for the cluster tree. 3. The clients of each proxy server transmit to the proxy server any files that they maintain, which files represent target objects from the appropriate domain that should be added to the cluster tree. 4. Server S forms a request R1 that, upon receipt, will cause the recipient server S1 to take the following actions: (a) Build a hierarchical cluster tree of all the files stored on server S1 that are maintained by users in the user base of S1. These files correspond to target objects from the appropriate domain. This cluster tree is typically stored entirely on S1, but may in principle be stored in a distributed fashion.

(b) Wait until all servers to which the server S1 has propagated request R have sent the recipient reply messages containing pointers to cluster trees. (c) Merge together the cluster tree created in step 5(a) and the cluster trees supplied in step 5(b), by sending any server (such as S1 itself) a message requesting such a merge, as described above. (d) Upon receiving a reply to the message sent in (c), which reply includes a pointer to a file representing the merged cluster tree, forward this reply to the sender of request R1, unless this is S1 itself. 5. Server S sends itself a global request message that causes all servers in MT_{full} to act on embedded request R1. 6. Server S receives a reply to the message it sent in 5(c). This reply includes a pointer to a file F that represents the completed hierarchical cluster tree. Server S multicasts file F to all proxy servers in MT_{full}. Once the hierarchical cluster tree has been created as above, server S can send additional messages through the cluster tree, to arrange that multicast trees MT(C) are created for sufficiently large clusters C, and that each file F is multicast to the tree MT(C), where C is the smallest cluster containing file F.

MATCHING USERS FOR VIRTUAL COMMUNITIES

Virtual Communities

Computer users frequently join other users for discussions on computer bulletin boards, newsgroups, mailing lists, and real-time chat sessions over the computer network, which may be typed (as with Internet Relay Chat (IRC)), spoken (as with Internet phone), or videoconferenced. These forums are herein termed "virtual communities." In current practice, each virtual community has a specified topic, and users discover communities of interest by word of mouth or by examining a long list of communities (typically hundreds or thousands). The users then must decide for themselves which of thousands of messages they find interesting from among those posted to the selected virtual communities, that is, made publicly available to members of those communities. If they desire, they may also write additional messages and post them to the virtual communities of their choice. The existence of thousands of Internet bulletin boards (also termed newsgroups) and countless more Internet mailing lists and private bulletin board services (BBS's) demonstrates the very strong interest among members of the electronic community in forums for the discussion of ideas about almost any subject imaginable. Presently, virtual community creation proceeds in a haphazard form, usually instigated by a single individual who decides that a topic is worthy of discussion. There are protocols on the Internet for voting to determine whether

a newsgroup should be created, but there is a large hierarchy of newsgroups (which begin with the prefix "alt.") that do not follow this protocol.

The system for customized electronic identification of desirable objects described herein can of course function as a browser for bulletin boards, where target objects are taken to be bulletin boards, or subtopics of bulletin boards, and each target profile is the cluster profile for a cluster of documents posted on some bulletin board. Thus, a user can locate bulletin boards of interest by all the navigational techniques described above, including browsing and querying. However, this method only serves to locate existing virtual communities. Because people have varied and varying complex interests, it is desirable to automatically locate groups of people with common interests in order to form virtual communities. The Virtual Community Service (VCS) described below is a network-based agent that seeks out users of a network with common interests, dynamically creates bulletin boards or electronic mailing lists for those users, and introduces them to each other electronically via e-mail. It is useful to note that once virtual communities have been created by VCS, the other browsing and filtering technologies described above can subsequently be used to help a user locate particular virtual communities (whether pre-existing or automatically generated by VCS); similarly, since the messages sent to a given virtual community may vary in interest and urgency for a user who has joined that community, these browsing and filtering technologies (such as the e-mail filter) can also be used to alert the user to urgent messages and to screen out uninteresting ones.

The functions of the Virtual Community Service are general functions that could be implemented on any network ranging from an office network in a small company to the World Wide Web or the Internet. The four main steps in the procedure are: 1. Scan postings to existing virtual communities. 2. Identify groups of users with common interests. 3. Match users with virtual communities, creating new virtual communities when necessary. 4. Continue to enroll additional users in the existing virtual communities.

More generally, users may post messages to virtual communities pseudonymously, even employing different pseudonyms for different virtual communities. (Posts not employing a pseudonymous mix path may, as usual, be considered to be posts employing a non-secure pseudonym, namely the user's true network address.) Therefore, the above steps may be expressed more generally as follows 1. Scan pseudonymous postings to existing virtual communities. 2. Identify groups of pseudonyms whose associated users have common interests. 3. Match pseudonymous users with virtual communities,

creating new virtual communities when necessary. 4. Continue to enroll additional pseudonymous users in the existing virtual communities.

Each of these steps can be carried out as described below.

Scanning

Using the technology described above, Virtual Community Service constantly scans all the messages posted to all the newsgroups and electronic mailing lists on a given network, and constructs a target profile for each message found. The network can be the Internet, or a set of bulletin boards maintained by America Online, Prodigy, or CompuServe, or a smaller set of bulletin boards that might be local to a single organization, for example a large company, a law firm, or a university. The scanning activity need not be confined to bulletin boards and mailing lists that were created by Virtual Community Service, but may also be used to scan the activity of communities that predate Virtual Community Service or are otherwise created by means outside the Virtual Community Service system, provided that these communities are public or otherwise grant their permission.

The target profile of each message includes textual attributes specifying the title and body text of the message. In the case of a spoken rather than written message, the latter attribute may b e computed from the acoustic speech data by using a speech recognition system. The target profile also includes an associative attribute listing the author(s) and designated recipient(s) of the message, where the recipients may be individuals and/or entire virtual communities; if this attribute is highly weighted, then the system tends to regard messages among the same set of people as being similar or related, even if the topical similarity of the messages is not clear from their content, as may happen when some of the messages are very short. Other important attributes include the fraction of the message that consists of quoted material from previous messages, as well as attributes that are generally useful in characterizing documents, such as the message's date, length, and reading level.

Virtual Community Identification

Next, Virtual Community Service attempts to identify groups of pseudonymous users with common interests. These groups, herein termed "pre-communities," are represented as sets of pseudonyms. Whenever Virtual Community Service identifies a pre-community, it will subsequently attempt to put the users in said pre-community in contact with each other, as described below. Each pre-community is said to be "determined" by a cluster of messages, pseudonymous users, search profiles, or target objects.

In the usual method for determining pre-communities, Virtual Community Service clusters the messages that were scanned and profiled in the above step, based on the similarity of those messages ' computed target profiles, thus automatically finding threads of discussion that show common interests among the users. Naturally, discussions in a single virtual community tend to show common interests; however, this method uses all the texts from every available virtual community, including bulletin boards and electronic mailing lists. Indeed, a user who wishes to initiate or join a discussion on some topic may send a "feeler message" on that topic to a special mailing list designated for feeler mess ages; as a consequence of the scanning procedure described above, the feeler message is automatically grouped with any similarly profiled messages that have been sent to this special mailing list, to topical mailing lists, or to topical bulletin boards. The clustering step employs "soft clustering," in which a message may belong to multiple clusters and hence to multiple virtual communities. Each cluster of messages that is found by Virtual Community Service and that is of sufficient size (for example, 10 -20 different messages) determines a pre-community whose members are the pseudonymous authors and recipients of the messages in the cluster. More precisely, the pre-community consists of the various pseudonyms under which the messages in the cluster were sent and received.

Alternative methods for determining a pre-community, which do not require the scanning step above, include the following: 1. Pre-communities can be generated by grouping together users who have similar interests of any sort, not merely Individuals who have already written or received messages about similar topics. If the user profile associated with each pseudonym indicates the user's interests, for example through an associative attribute that indicates the documents or Web sites a user likes, then pseudonyms can be clustered based on the similarity of their associated user profiles, and each of the resulting clusters of pseudonyms determines a pre-community comprising the pseudonyms in the cluster. 2. If each pseudonym has an associated search profile set formed through participation in the news clipping service described above, then all search profiles of all pseudonymous users can be clustered based on their similarity, and each cluster of search profiles determines a pre-community whose members are the pseudonyms from whose search profile sets the search profiles in the cluster are drawn. Such groups of people have been reading about the same topic (or, more generally, accessing similar target objects) and so presumably share an interest. 3. If users participate in a news clipping service or any other filtering or browsing system for target objects, then an individual user can

pseudonymously request the formation of a virtual community to discuss a particular cluster of one or more target objects known to that system. This cluster of target objects determines a pre-community consisting of the pseudonyms of users determined to be most interested in that cluster (for example, users who have search profiles similar to the cluster pro file), together with the pseudonym of the user who requested formation of the virtual community.

Matching Users with Communities

Once Virtual Community Service identifies a cluster C of messages, users, search profiles, or target objects that determines a pre-community M, it attempts to arrange for the members of this pre-community to have the chance to participate in a common virtual community V. In many cases, an existing virtual community V may suit the needs of the pre-community M. Virtual Community Service first attempts to find such an existing community V. In the case where cluster C is a cluster of messages, V may be chosen to be any existing virtual community such that the cluster profile of cluster C is within a threshold distance of the mean profile of the set of messages recently posted to virtual community V; in the case where cluster C is a cluster of users, V may be chosen to be any existing virtual community such that the cluster profile of cluster C is within a threshold distance of the mean user profile of the active members of virtual community V; in the case where the cluster C is a cluster of search profiles, V may be chosen to be any existing virtual community such that the cluster profile of cluster C is within a threshold distance of the cluster profile of the largest cluster resulting from clustering all the search profiles of active members of virtual community V; and in the case where the cluster C is a cluster of one or more target objects chosen from a separate browsing or filtering system, V may be chosen to be any existing virtual community initiated in the same way from a cluster whose cluster profile in that other system is within a threshold distance of the cluster profile of cluster C. The threshold distance used in each case is optionally dependent on the cluster variance or cluster diameter of the profile sets whose means are being compared.

If no existing virtual community V meets these conditions and is also willing to accept all the users in pre-community M as new members, then Virtual Community Service attempts to create a new virtual community V. Regardless of whether virtual community V is an existing community or a newly created community, Virtual Community Service sends an e-mail message to each pseudonym P in pre-community M whose associated user U does not already belong to virtual community V (under pseudonym P) and has not

previously turned down a request to join virtual community V. The e-mail message informs user U of the existence of virtual community V , and provides instructions which user U may follow in order to join virtual community V if desired; these instructions vary depending on whether virtual community V is an existing community or a new community. The message includes a credential, granted to pseudonym P, which credential must be presented by user U upon joining the virtual community V, as proof that user U was actually invited to join. If user U wishes to join virtual community V under a different pseudonym Q, user U may first transfer the credential from pseudonym P to pseudonym Q, as described above. The e-mail message further provides an indication of the common interests of the community, for example by including a list of titles of messages recently sent to the community, or a charter or introductory message provided by the community (if available), or a label generated by the methods described above that identifies the content of the cluster of messages, user profiles, search profiles, or target objects that was used to identify the pre-community M.

If Virtual Community Service must create a new community V, several methods are available for enabling the members of the new community to communicate with each other. If the pre-community M is large, for example containing more than 50 users, then Virtual Community Service typically establishes either a multicast tree, as described below, or a widely-distributed bulletin board, assigning a name to the new bulletin board. If the pre-community M has fewer members, for example 2-50, Virtual Community Service typically establishes either a multicast tree, as described below, or an e-mail mailing list. If the new virtual community V was determined by a cluster of messages, then Virtual Community Service kicks off the discussion by distributing these messages to all members of virtual community V. In addition to bulletin boards and mailing lists, alternative fora that can be created and in which virtual communities can gather include real-time typed or spoken conversations (or engagement or distributed multi-user applications including video games) over the computer network and physical meetings, any of which can be scheduled by a partly automated process wherein Virtual Community Service requests meeting time preferences from all members of the pre-community M and then notifies these individuals of an appropriate meeting time.

Continued Enrollment

Even after creation of a new virtual community, Virtual Community Service continues to scan other virtual communities for new messages whose target profiles are

similar to the community's cluster profile (average message profile). Copies of any such messages are sent to the new virtual community, and the pseudonymous authors of these messages, as well as users who show high interest in reading such messages, are informed by Virtual Community Service (as for pre-community members, above) that they may want to join the community. Each such user can then decide whether or not to join the community. In the case of Internet Relay Chat (IRC), if the target profile of messages in a real time dialog are (or become) similar to that of a user, VCS may also send an urgent e-mail message to such user whereby the user may be automatically notified as soon as the dialog appears, if desired.

With these facilities, Virtual Community Service provides automatic creation of new virtual communities in any local or wide- area network, as well as maintenance of all virtual communities on the network, including those not created by Virtual Community Service. The core technology underlying Virtual Community Service is creating a search and clustering mechanism that can find articles that are "similar" in that the users share interests. This is precisely what was described above. One must be sure that Virtual Community Service does not bombard users with notices about communities in which they have no real interest. On a very small network a human could be "in the loop", scanning proposed virtual communities and perhaps even giving them names. But on larger networks Virtual Community Service has to run in fully automatic mode, since it is likely to find a large number of virtual communities.

Delivering Messages to a Virtual Community

Once a virtual community has been identified, it is straightforward for Virtual Community Service to establish a mailing list so that any member of the virtual community may distribute e-mail to all other members. Another method of distribution is to use a conventional network bulletin board or newsgroup to distribute the messages to all servers in the network, where they can be accessed by any member of the virtual community. However, these simple methods do not take into account cost and performance advantages which accrue from optimizing the construction of a multicast tree to carry messages to the virtual community. Unlike a newsgroup, a multicast tree distributes messages to only a selected set of servers, and unlike an e-mail mailing list, it does so efficiently.

A separate multicast tree MT(V) is maintained for each virtual community V, by use of the following four procedures. 1. To construct or reconstruct this multicast tree, the core servers for virtual community V are taken to be those proxy servers that serve at least one

pseudonymous member of virtual community V. Then the multicast tree MT(V) is established via steps 4 -6 in the section "Multicast Tree Construction Procedure" above. 2. When a new user joins virtual community V, which is an existing virtual community, the user sends a message to the user's proxy server S. If user's proxy server S is not already a core server for V, then it is designated as a core server and is added to the multicast tree MT(V), as follows. If more than k servers have been added since the last time the multicast tree MT(V) was rebuilt, where k is a function of the number of core servers already in the tree, then the entire tree is simply rebuilt via steps 4-6 in the section "Multicast Tree Construction Procedure" above. Otherwise, server S retrieves its locally stored list of nearby core servers for V, and chooses a server S1. Server S sends a control message to S1, indicating that it would like to be added to the multicast tree MT(V). Upon receipt of this message, server S1 retrieves its locally stored subtree G1 of MT(V), and forms a new graph G from G1 by removing all degree-1 vertices other than S1 itself. Server S1 transmits graph G t o server S, which stores it as its locally stored subtree of MT(V). Finally, server S sends a message to itself and to all servers that are vertices of graph G, instructing these servers to modify their locally stored subtrees of MT(V) by adding S as a vertex and adding an edge between S1 and S. 3. When a user at a client q wishes to send a message F to virtual community V, client q embeds message F in a request R instructing the recipient to store message F locally, for a limited time, for access by member s of virtual community V. Request R includes a credential proving that the user is a member of virtual community V or is otherwise entitled to post messages to virtual community V (for example is not "black marked" by that or other virtual community members). Client q then broadcasts request R to all core servers in the multicast tree MT(V), by means of a global request message transmitted to the user's proxy server as described above. The core servers satisfy request R, provided that they can verify the included credential. 4. In order to retrieve a particular message sent to virtual community V, a user U at client q initiates the steps described in section "Retrieving Files from a Multicast Tree," above. If user U does not want to retrieve a particular message, but rather wants to retrieve all new messages sent to virtual community V, then user U pseudonymously instructs its proxy server (which is a core server for V) to send it all messages that were multicast to MT(V) after a certain date. In either case, user U must provide a credential proving user U to be a member of virtual community V, or otherwise entitled to access messages on virtual community V.

SUMMARY

A method has been presented for automatically selecting articles of interest to a user. The method generates sets of search profiles for the users based on such attributes as the relative frequency of occurrence of words in the articles read by the users, and uses these search profiles to efficiently identify future articles of interest. The methods is characterized by passive monitoring (users do not need to explicitly rate the articles), multiple search profiles per user (reflecting interest in multiple topics) and use of elements of the search profiles which are automatically determined from the data (notably, the TF/IDF measure based on word frequencies and descriptions of purchasable items). A method has also been presented for automatically generating menus to allow users to locate and retrieve articles on topics of interest. This method clusters articles based on their similarity, as measured by the relative frequency of word occurrences. Clusters are labeled either with article titles or with key words extracted from the article. The method can be applied to large sets of articles distributed over many machines.

It has been further shown how to extend the above methods from articles to any class of target objects for which profiles can be generated, including news articles, reference or work articles, electronic mail, product or service descriptions, people (based on the articles they read, demographic data, or the products they buy), and electronic bulletin boards (based on the articles posted to them). A particular consequence of being able to group people by their interests is that one can form virtual communities of people of common interest, who can then correspond with one another via electronic mail.

WE CLAIM:

1. A method for providing a user with access to selected ones of a plurality of target objects and sets of target object characteristics that are accessible via an electronic storage media, where said users are connected via user terminals and data communication connections to a target server system which includes said electronic storage media, said method comprising the steps of:

automatically generating target profiles for target objects and sets of target object characteristics stored in said electronic storage media, each of said target profiles being generated from the contents of an associated one of said target objects and sets of target object characteristics;

automatically generating at least one user target profile interest summary for a user at a user terminal, each said user target profile interest summary being generated from ones of said target objects and sets of target object characteristics accessed by said user; and

enabling access to said plurality of target objects and sets of target object characteristics stored on said electronic storage media by users via said target profiles.

2. The method of claim 1 wherein said step of enabling access comprises:

correlating said user target profile interest summaries, generated for an identified user, with said generated target profiles to identify ones of said plurality of target objects and sets of target object characteristics stored on said electronic storage media that are likely to be of interest to said identified user.

3. The method of claim 2 wherein said step of enabling access further comprises: transmitting a list, that identifies at least one of said identified ones of said plurality of target objects and sets of target object characteristics, to said identified user; and

providing access to a selected one of said plurality of target objects and sets of target object characteristics stored on said electronic storage media in response to said identified user selecting an item from said list.

4. The method of claim 3 wherein said step of providing access comprises:

transmitting data, in response to said identified user activating a one of said user terminals to identify said selected item on said list, indicative of said identified user's selection of said selected item from said one user terminal to said target server via a one of said data communication connections.

5. The method of claim 4 wherein said step of providing access further comprises:

retrieving, in response to receipt of said data from said one user terminal, a target object identified by said selected item from said electronic storage media; and

transmitting said retrieved target object to said one user terminal for display thereon to said identified user.

6. The method of claim 2 wherein said step of enabling access further comprises: transmitting at least one of said identified ones of said plurality of target objects and sets of target object characteristics, to said identified user in advance of said user requesting said at least one of said identified ones of said plurality of target objects and sets of target object characteristics.

7. The method of claim 2 wherein said step of enabling access further comprises: transmitting a list, that identifies at least one of said identified ones of said plurality of target objects and sets of target object characteristics, to said identified user; and

transmitting said identified ones of said plurality of target objects and sets of target object characteristics stored on said electronic storage media from said target server system to a designated server located closer via said electronic communications connections to said user terminal than said target server system.

8. The method of claim 7 wherein said step of providing access comprises:

transmitting data, in response to said identified user activating a one of said user terminals to identify said selected item on said list, indicative of said identified

user's selection of said selected item from said one user terminal to said designated server via a one of said data communication connections.

9. The method of claim 8 wherein said step of providing access further comprises:

retrieving, in response to receipt of said data from said one user terminal, a target object identified by said selected item from said designated server; and

transmitting said retrieved target object to said one user terminal for display thereon to said identified user.

10. The method of claim 1 wherein said target object is a document having at least one page, said step of enabling access comprises:

automatically generating a user target profile interest summary for an identified user that is indicative of target objects and sets of target object characteristics retrieved by said identified user as well as the number of pages of said retrieved documents accessed by said identified user.

11. The method of claim 10 wherein said automatically generated user target profile interest summaries are also indicative of a length of time said identified user accessed said retrieved target objects and sets of target object characteristics.

12. The method of claim 1 wherein said step of automatically generating target profiles comprises:

automatically generating a hierarchical menu that directs said users to at least a subset of said plurality of target objects and sets of target object characteristics stored on said electronic media, comprising:

sorting all target objects and sets of target object characteristics in said subset into a plurality of clusters of target objects and sets of target object characteristics based on an empirical measure of similarity of content of said target objects and sets of target object characteristics, and

generating a hierarchical menu that identifies a content in common of target objects and sets of target object characteristics sorted into each of said

plurality of clusters, to enable said identified user to identify ones of said plurality of target objects and sets of target object characteristics stored on said electronic storage media that are likely to be of interest to said identified user.

13. The method of claim 12 wherein said step of automatically generating a hierarchical menu further comprises:

ascribing a cluster profile to each of said plurality of clusters.

14. The method of claim 12 wherein said step of sorting comprises:

dividing said plurality of target objects and sets of target object characteristics into at least two clusters based upon said empirical measure of similarity of content of said target objects and sets of target object characteristics,

subdividing each of said at least two clusters into at least two subclusters based upon said empirical measure of similarity of content of said target objects and sets of target object characteristics, and

repeating said step of subdividing to produce a multi-level hierarchy of identified clusters.

15. The method of claim 14 wherein said step of generating a hierarchical menu comprises:

ascribing a cluster profile to each cluster produced by all steps of dividing and subdividing in said step of sorting.

16. The method of claim 15 wherein said step of ascribing comprises:

identifying at least one term in said generated target profiles produced for ones of said plurality of target objects and sets of target object characteristics sorted into a cluster that is indicative of the target content of said ones of said plurality of target objects and sets of target object characteristics sorted into said cluster.

17. The method of claim 15 wherein said step of ascribing comprises:

selecting at least one target object of said ones of said plurality of target objects and sets of target object characteristics sorted into said cluster that are closest to the center of the cluster, and

ascribing a cluster profile that is indicative of the target content of said ones of said plurality of target objects and sets of target object characteristics sorted into said cluster, said cluster profile comprising elements of at least one of: a title of said selected at least one target object and sets of target object characteristics, and a set of words contained in the target profile of said selected at least one target object cluster which have the highest relative frequency.

18. Apparatus for providing a user with access to selected ones of a plurality of target objects and sets of target object characteristics that are accessible via an electronic storage media, where said users are connected via user terminals and data communication connections to a target server system which includes said electronic storage media, comprising:

means for automatically generating target profiles for target objects and sets of target object characteristics stored in said electronic storage media, each of said target profiles being generated from the contents of an associated one of said target objects and sets of target object characteristics;

means for automatically generating at least one user target profile interest summary for a user at a user terminal, each said user target profile interest summary being generated from ones of said target objects and sets of target object characteristics accessed by said user; and

means for enabling access to said plurality of target objects and sets of target object characteristics stored on said electronic storage media by users via said target profiles.

19. The apparatus of claim 18 wherein said means for enabling access comprises:

means for correlating a user target profile interest summary, generated for an identified user, with said generated target profiles to identify ones of said plurality of target objects and sets of target object characteristics stored on said electronic storage media that are likely to be of interest to said identified user.

20. The apparatus of claim 19 wherein said means for enabling access further comprises:

means for transmitting a list, that identifies at least one of said identified ones of said plurality of target objects and sets of target object characteristics, to said identified user; and

means for providing access to a selected one of said plurality of target objects and sets of target object characteristics stored on said electronic storage media in response to said identified user selecting an item from said list.

21. The apparatus of claim 20 wherein said means for providing access comprises:

means for transmitting data, in response to said identified user activating a one of said user terminals to identify said selected item on said list, indicative of said identified user's selection of said selected item from said one user terminal to said target server via a one of said data communication connections.

22. The apparatus of claim 21 wherein said means for providing access further comprises:

means for retrieving, in response to receipt of said data from said one user terminal, a target object identified by said selected item from said electronic storage media; and

means for transmitting said retrieved target object to said one user terminal for display thereon to said identified user.

23. The apparatus of claim 19 wherein said means for enabling access further comprises:

means for transmitting at least one of said identified ones of said plurality of target objects and sets of target object characteristics, to said identified user in advance of said user requesting said at least one of said identified ones of said plurality of target objects and sets of target object characteristics.

24. The apparatus of claim 19 wherein said means for enabling access further comprises:

means for transmitting a list, that identifies at least one of said identified ones of said plurality of target objects and sets of target object characteristics, to said identified user; and

means for transmitting said identified ones of said plurality of target objects and sets of target object characteristics stored on said electronic storage media from said target server system to a designated server located closer via said electronic communications connections to said user terminal than said target server system.

25. The apparatus of claim 24 wherein said means for providing access comprises:

means for transmitting data, in response to said identified user activating a one of said user terminals to identify said selected item on said list, indicative of said identified user's selection of said selected item from said one user terminal to said designated server via a one of said data communication connections.

26. The apparatus of claim 25 wherein said means for providing access further comprises:

means for retrieving, in response to receipt of said data from said one user terminal, a target object identified by said selected item from said designated server; and

means for transmitting said retrieved target object to said one user terminal for display thereon to said identified user.

27. The apparatus of claim 20 wherein said target object is a document having at least one page, said means for enabling access comprises:

means for automatically generating a user target profile interest summary for an identified user that is indicative of target objects and sets of target object characteristics retrieved by said identified user as well as the number of pages of said retrieved documents accessed by said identified user.

28. The apparatus of claim 27 wherein said automatically generated user target profile interest summary is also indicative of a length of time said identified user accessed said retrieved target objects and sets of target object characteristics.

29. The apparatus of claim 22 wherein said means for automatically generating target profiles comprises:

means for automatically generating a hierarchical menu that directs said users to at least a subset of said plurality of target objects and sets of target object characteristics stored on said electronic media, comprising:

means for sorting all target objects and sets of target object characteristics in said subset into a plurality of clusters of target objects and sets of target object characteristics based on an empirical measure of similarity of content of said target objects and sets of target object characteristics, and

means for generating a hierarchical menu that identifies the content in common of target objects and sets of target object characteristics sorted into each of said plurality of clusters, to enable said identified user to identify ones of said plurality of target objects and sets of target object characteristics stored on said electronic storage media that are likely to be of interest to said identified user.

30. The apparatus of claim 29 wherein said means for automatically generating a hierarchical menu further comprises:

means for ascribing a cluster profile to each of said plurality of clusters.

31. The apparatus of claim 29 wherein said means for sorting comprises:

means for dividing said plurality of target objects and sets of target object characteristics into at least two clusters based upon said empirical measure of similarity of content of said target objects and sets of target object characteristics,

means for subdividing each of said at least two clusters into at least two subclusters based upon said empirical measure of similarity of content of said target objects and sets of target object characteristics, and

means for repeating said step of subdividing to produce a multi-level hierarchy of identified clusters.

32. The apparatus of claim 31 wherein said means for generating a hierarchical menu comprises:

means for ascribing a cluster profile to each cluster produced by all said means for dividing and subdividing.

33. The apparatus of claim 32 wherein said means for ascribing comprises:

means for identifying at least one term in said generated target profiles produced for ones of said plurality of target objects and sets of target object characteristics sorted into a cluster that is indicative of the target content of said ones of said plurality of target objects and sets of target object characteristics sorted into said cluster.

34. The apparatus of claim 32 wherein said means for ascribing comprises:

means for selecting at least one target object of said ones of said plurality of target objects and sets of target object characteristics sorted into said cluster that are closest to the center of the cluster; and

means for ascribing a cluster profile that is indicative of the target content of said ones of said plurality of target objects and sets of target object characteristics sorted into said cluster, said cluster profile comprising elements of at least one of: a title of said selected at least one target object, and a set of words contained in the target profile of said selected at least one target object cluster which have the highest relative frequency.

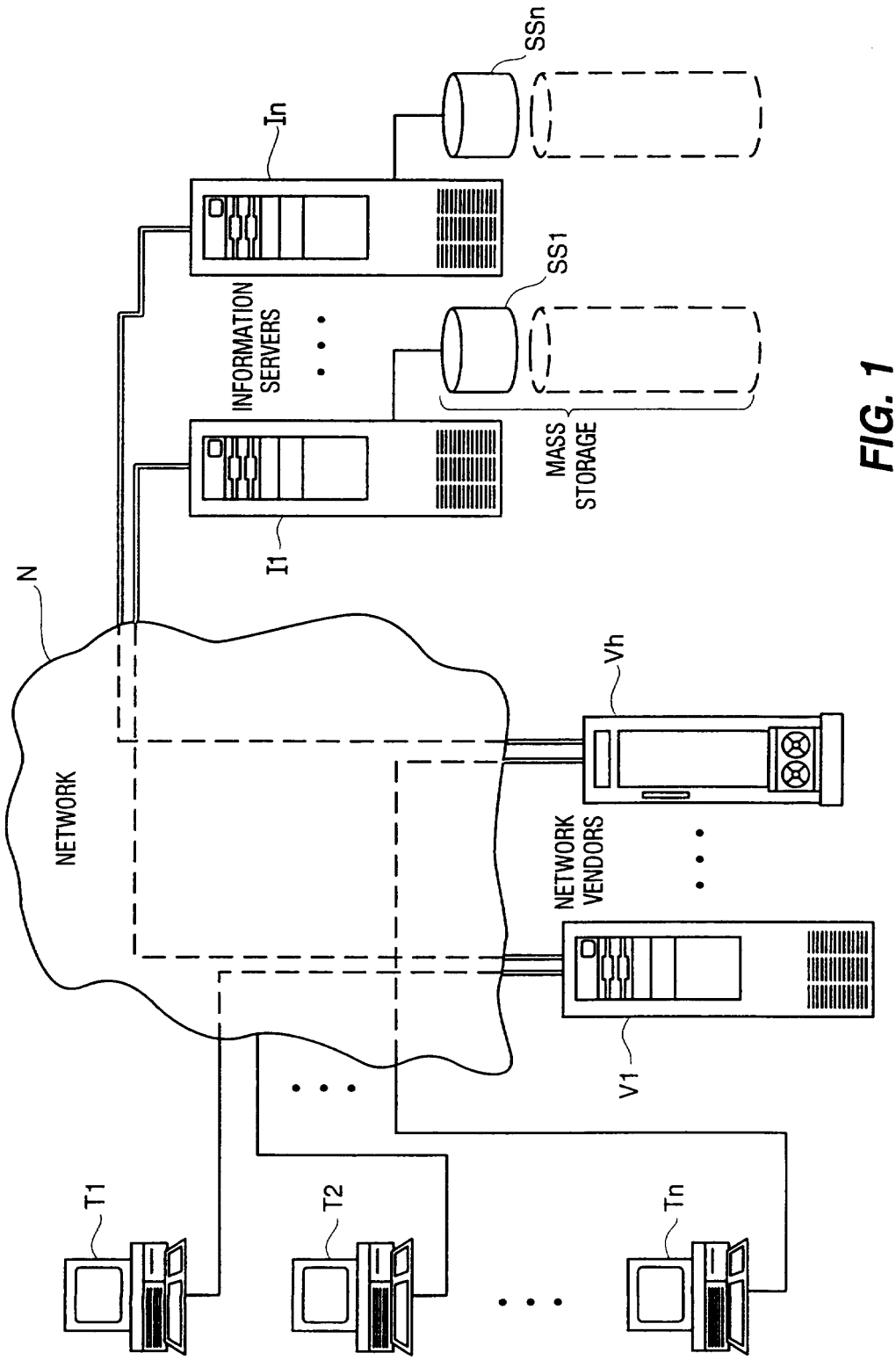


FIG. 1
PRIOR ART

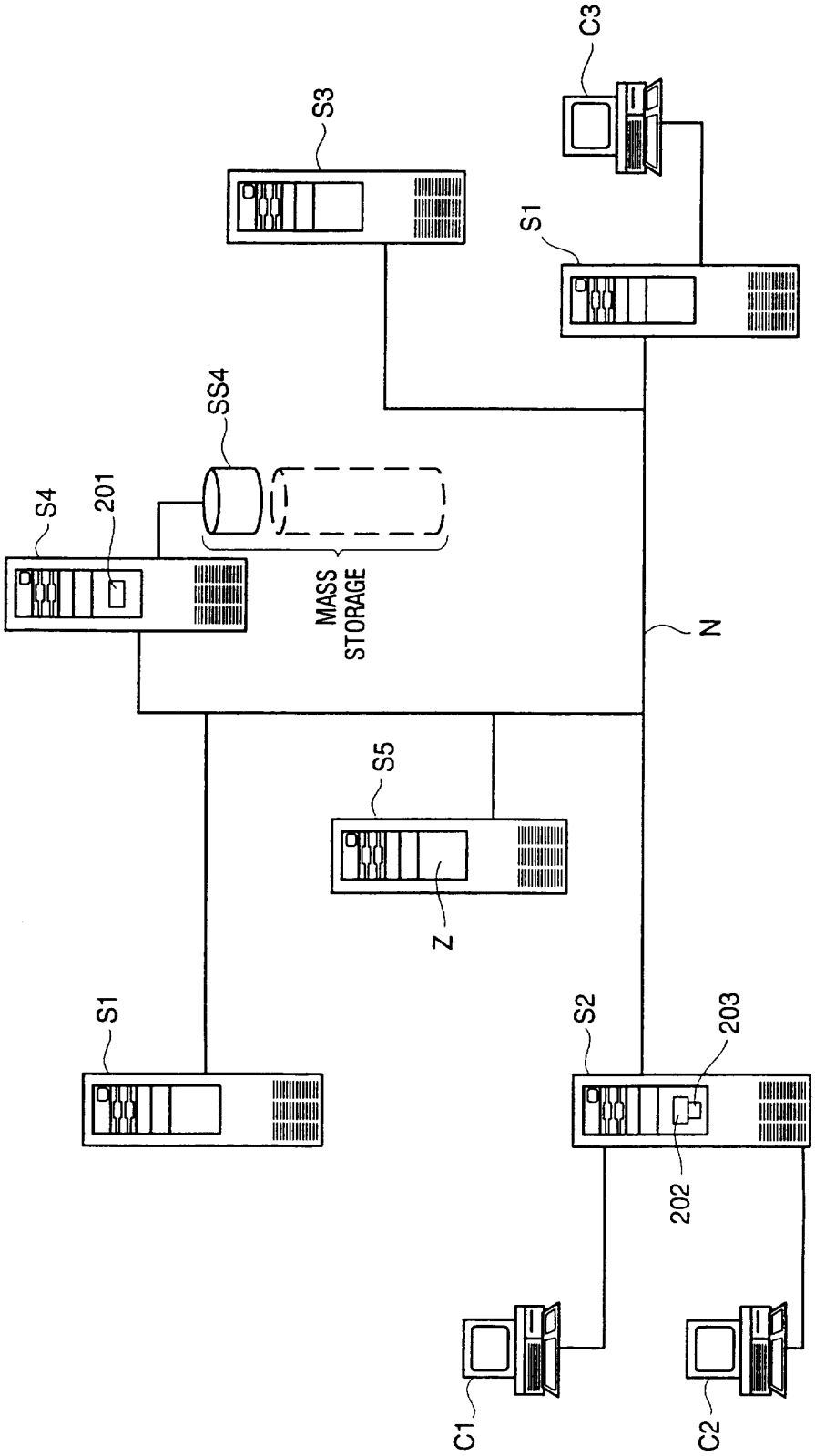


FIG. 2

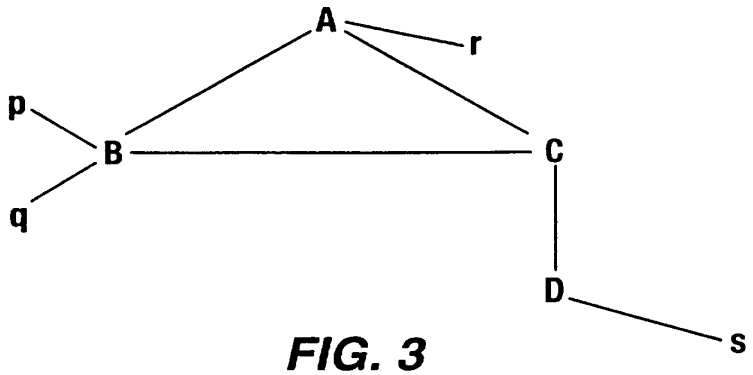


FIG. 3

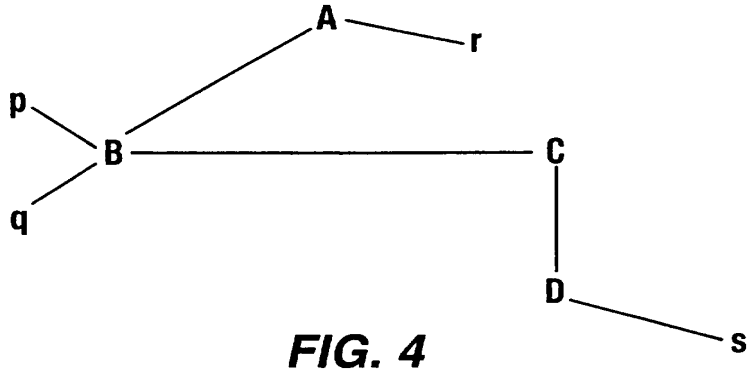


FIG. 4

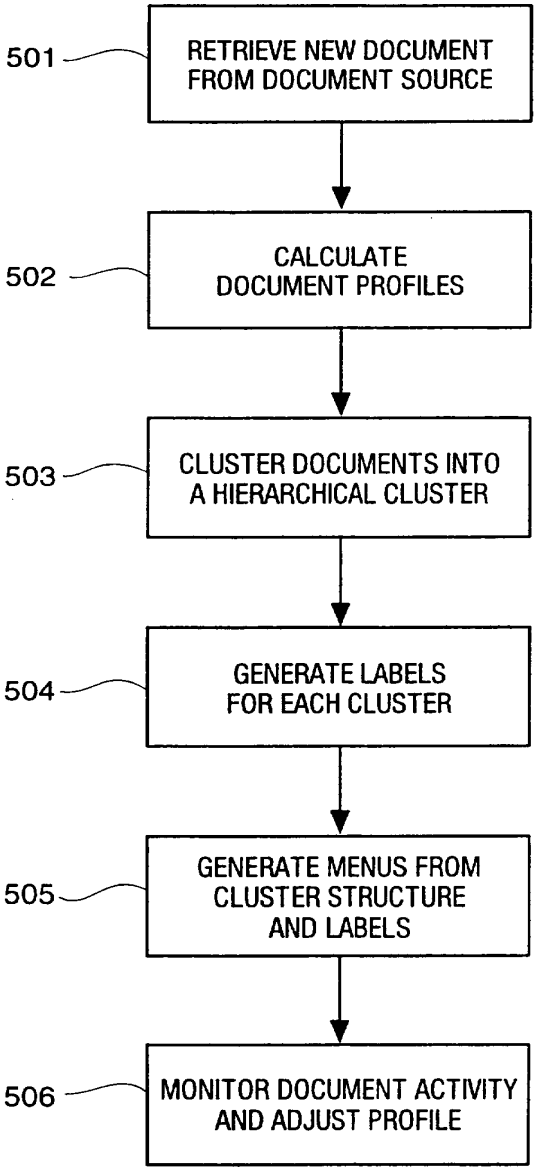
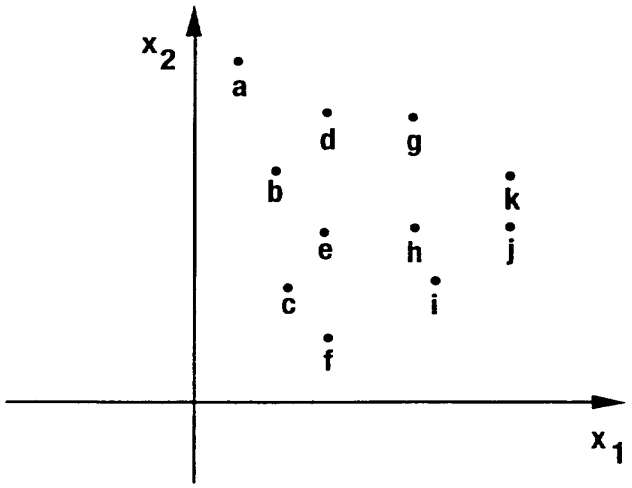

501
RETRIEVE NEW DOCUMENT FROM DOCUMENT SOURCE
502
CALCULATE DOCUMENT PROFILES
503
CLUSTER DOCUMENTS INTO A HIERARCHICAL CLUSTER
504
GENERATE LABELS FOR EACH CLUSTER
505
GENERATE MENUS FROM CLUSTER STRUCTURE AND LABELS
506
MONITOR DOCUMENT ACTIVITY AND ADJUST PROFILE

FIG. 5

FIG. 6


x2
a
d
g
b
k
e
h
j
c
i
f
x1

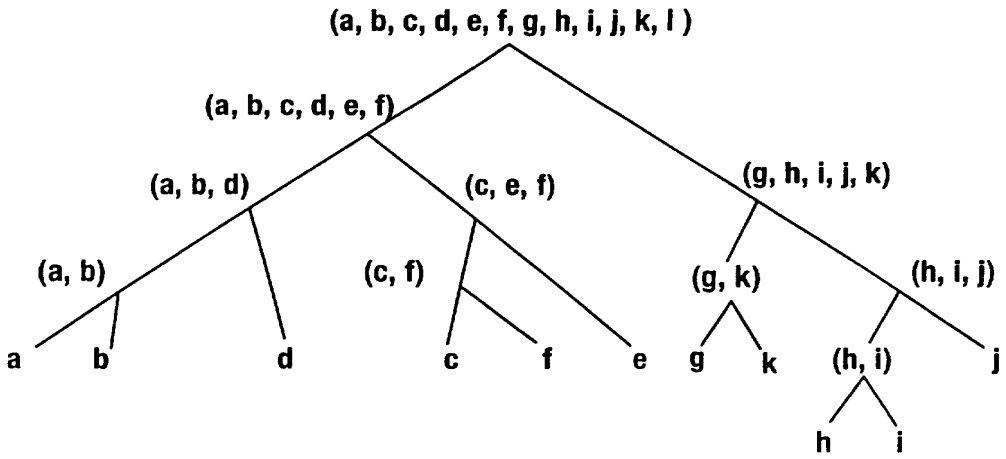

(a, b, c, d, e, f, g, h, i, j, k, l)
(a, b, c, d, e, f)
(a, b, d)
(c, e, f)
(g, h, i, j, k)
(a, b)
(c, f)
(g, k)
(h, i, j)
a
b
d
c
f
e
g
k
(h, i)
j
h
i

FIG. 7

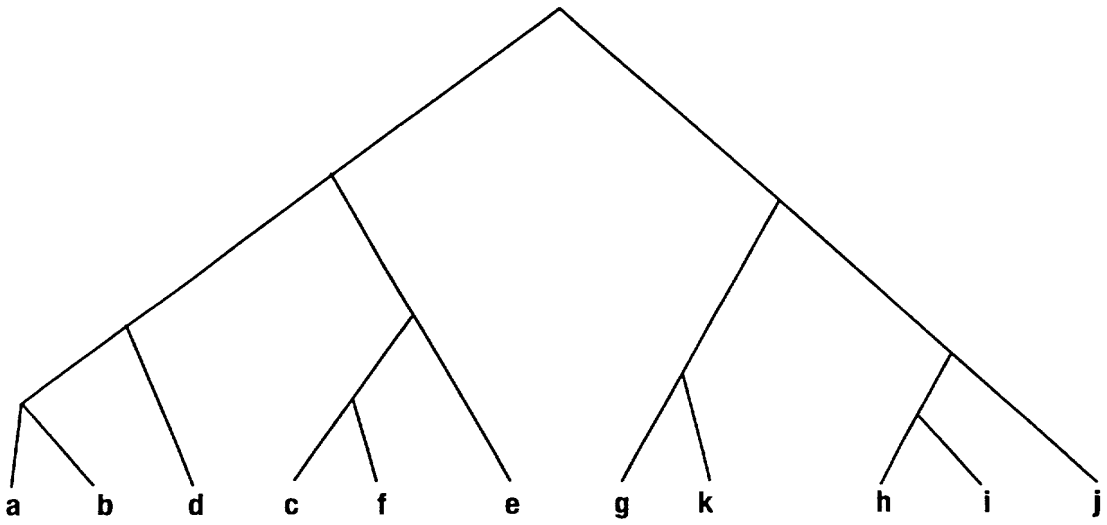


FIG. 8

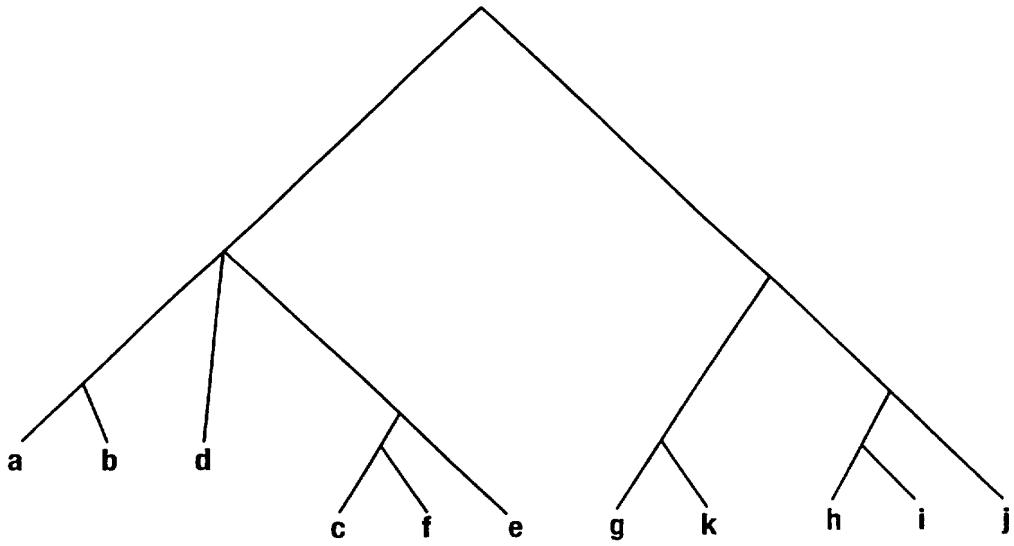


FIG. 9

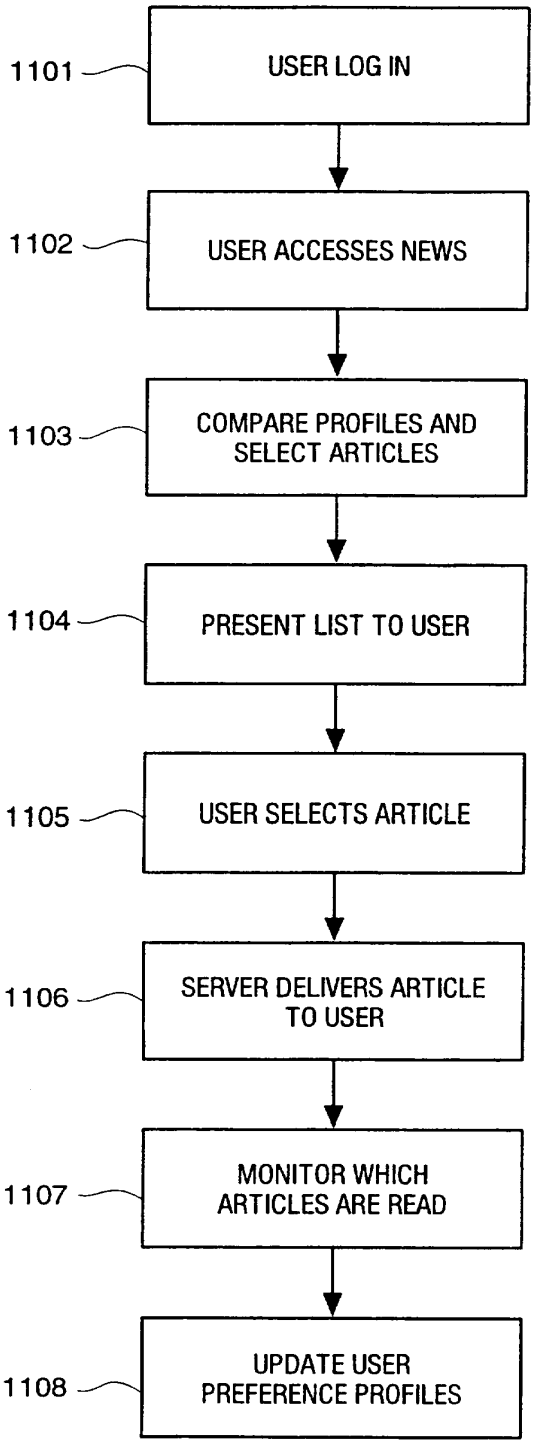

1101
USER LOG IN
1102
USER ACCESSES NEWS
1103
COMPARE PROFILES AND SELECT ARTICLES
1104
PRESENT LIST TO USER
1105
USER SELECTS ARTICLE
1106
SERVER DELIVERS ARTICLE TO USER
1107
MONITOR WHICH ARTICLES ARE READ
1108
UPDATE USER PREFERENCE PROFILES

FIG. 10

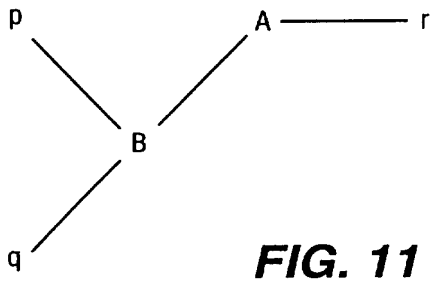

p
A
r
B
q

FIG. 11

FIG. 12

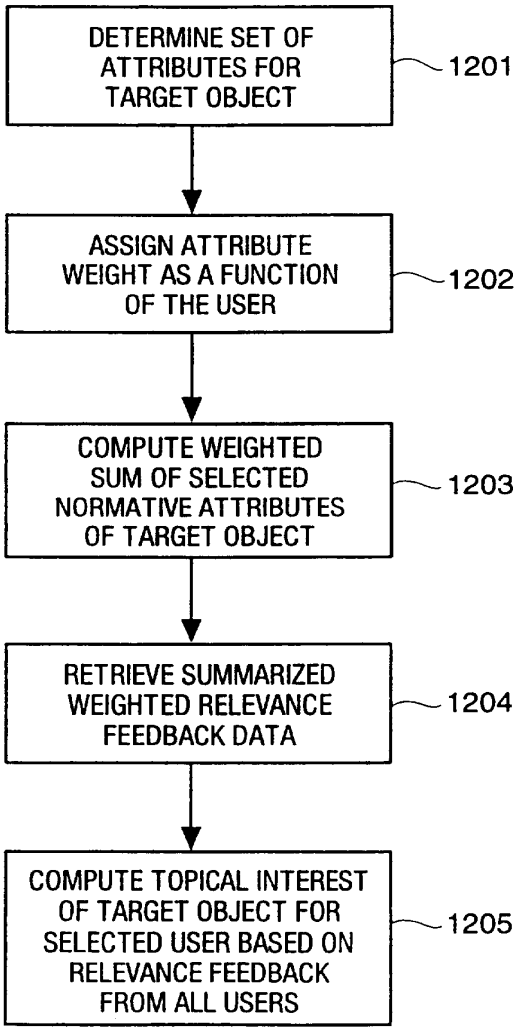

DETERMINE SET OF ATTRIBUTES FOR TARGET OBJECT
1201
ASSIGN ATTRIBUTE WEIGHT AS A FUNCTION OF THE USER
1202
COMPUTE WEIGHTED SUM OF SELECTED NORMATIVE ATTRIBUTES OF TARGET OBJECT
1203
RETRIEVE SUMMARIZED WEIGHTED RELEVANCE FEEDBACK DATA
1204
COMPUTE TOPICAL INTEREST OF TARGET OBJECT FOR SELECTED USER BASED ON RELEVANCE FEEDBACK FROM ALL USERS
1205

FIG. 13A

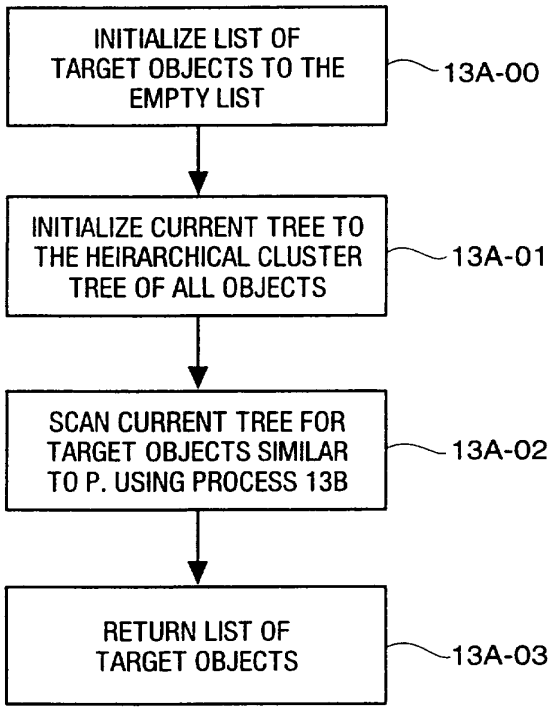

INITIALIZE LIST OF TARGET OBJECTS TO THE EMPTY LIST
13A-00
INITIALIZE CURRENT TREE TO THE HEIRARCHICAL CLUSTER TREE OF ALL OBJECTS
13A-01
SCAN CURRENT TREE FOR TARGET OBJECTS SIMILAR TO P. USING PROCESS 13B
13A-02
RETURN LIST OF TARGET OBJECTS
13A-03

FIG. 13B

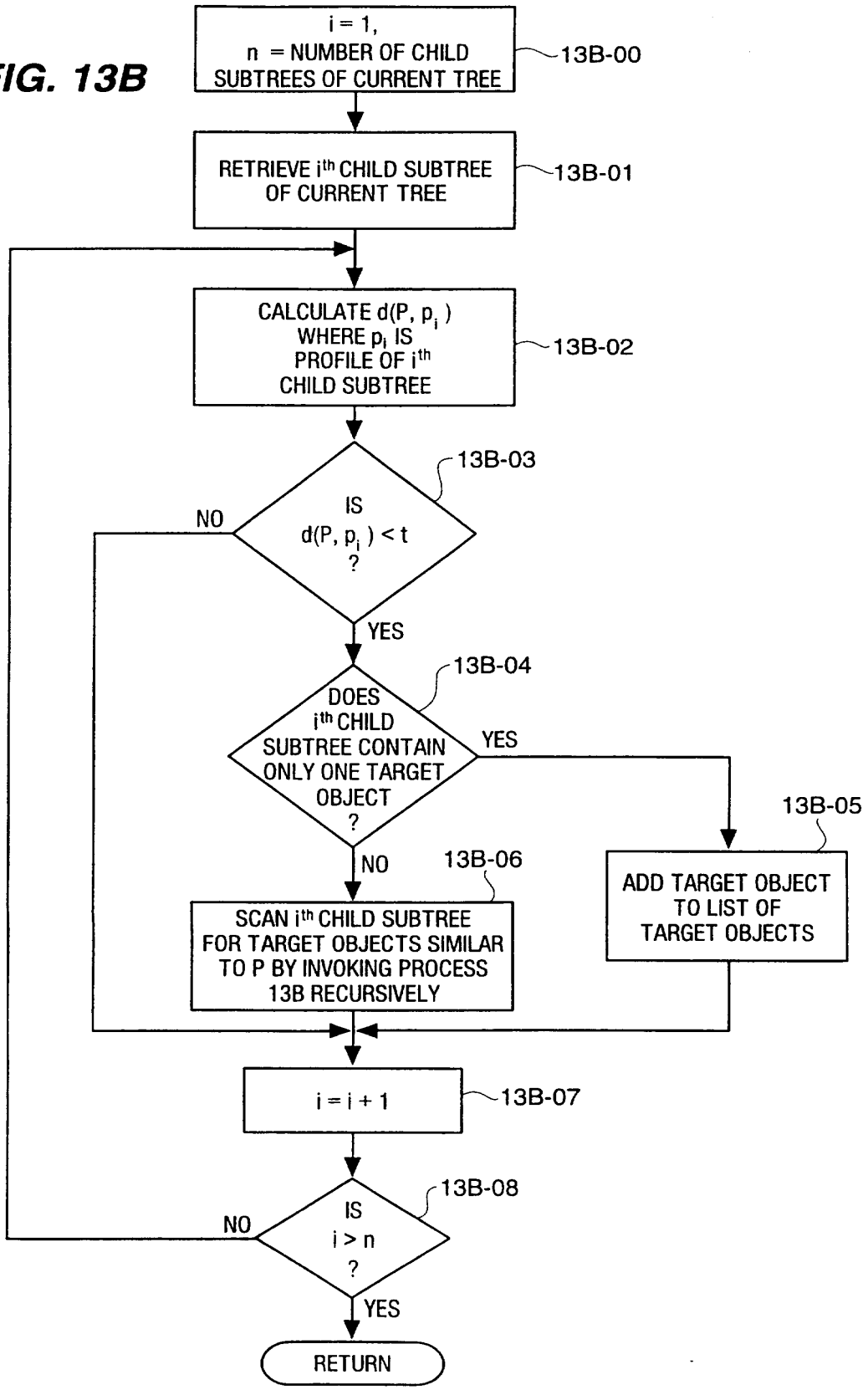

i = 1,
n = NUMBER OF CHILD SUBTREES OF CURRENT TREE
13B-00
RETRIEVE i^th CHILD SUBTREE OF CURRENT TREE
13B-01
CALCULATE d(P, p_i) WHERE p_i IS PROFILE OF i^th CHILD SUBTREE
13B-02
13B-03
IS d(P, p_i) < t ?
NO
YES
13B-04
DOES i^th CHILD SUBTREE CONTAIN ONLY ONE TARGET OBJECT ?
YES
NO
13B-05
ADD TARGET OBJECT TO LIST OF TARGET OBJECTS
13B-06
SCAN i^th CHILD SUBTREE FOR TARGET OBJECTS SIMILAR TO P BY INVOKING PROCESS 13B RECURSIVELY
i = i + 1
13B-07
13B-08
IS i > n ?
NO
YES
RETURN

FIG. 14

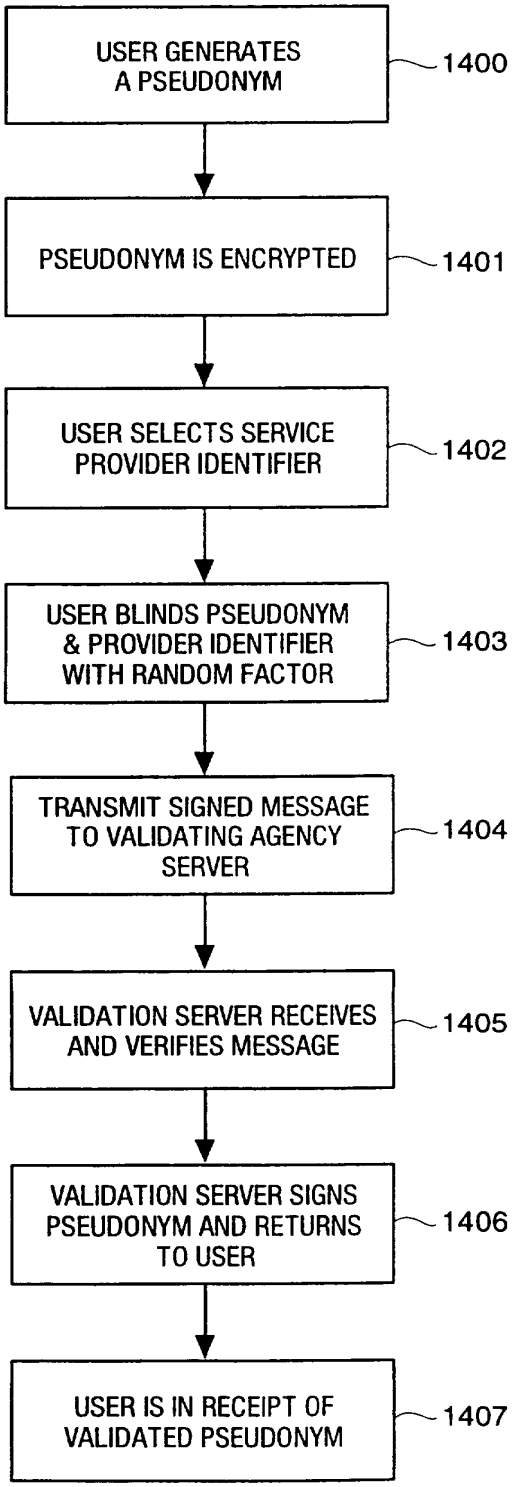

USER GENERATES A PSEUDONYM
1400
PSEUDONYM IS ENCRYPTED
1401
USER SELECTS SERVICE PROVIDER IDENTIFIER
1402
USER BLINDS PSEUDONYM & PROVIDER IDENTIFIER WITH RANDOM FACTOR
1403
TRANSMIT SIGNED MESSAGE TO VALIDATING AGENCY SERVER
1404
VALIDATION SERVER RECEIVES AND VERIFIES MESSAGE
1405
VALIDATION SERVER SIGNS PSEUDONYM AND RETURNS TO USER
1406
USER IS IN RECEIPT OF VALIDATED PSEUDONYM
1407

FIG. 15

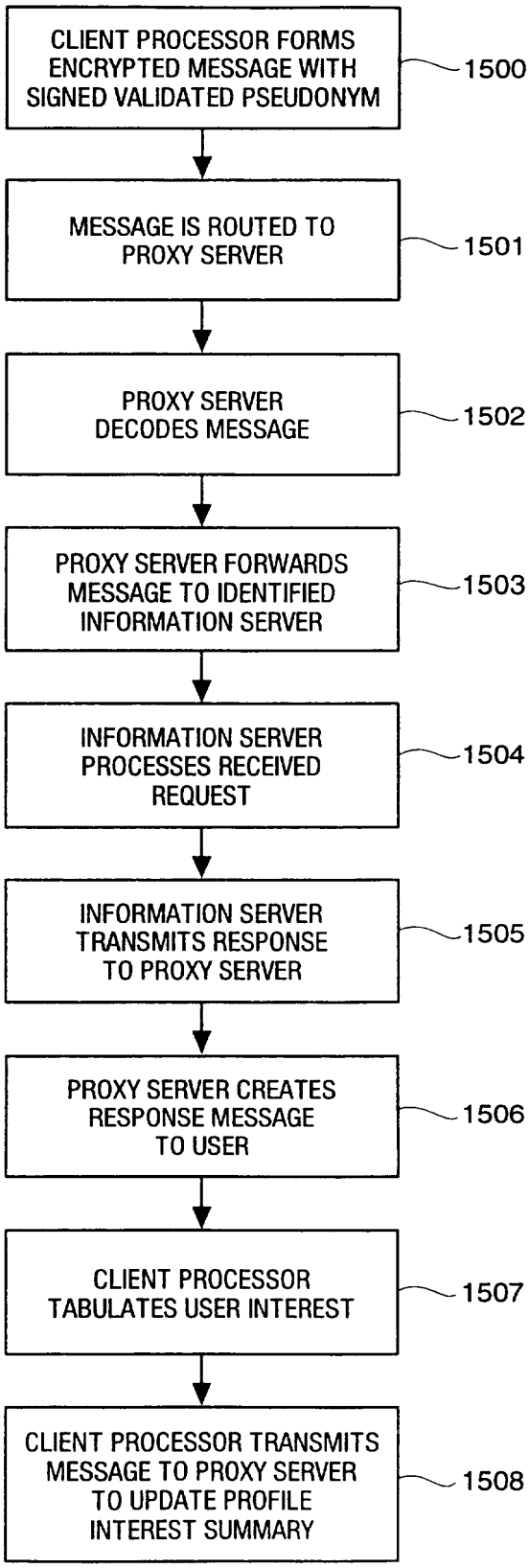
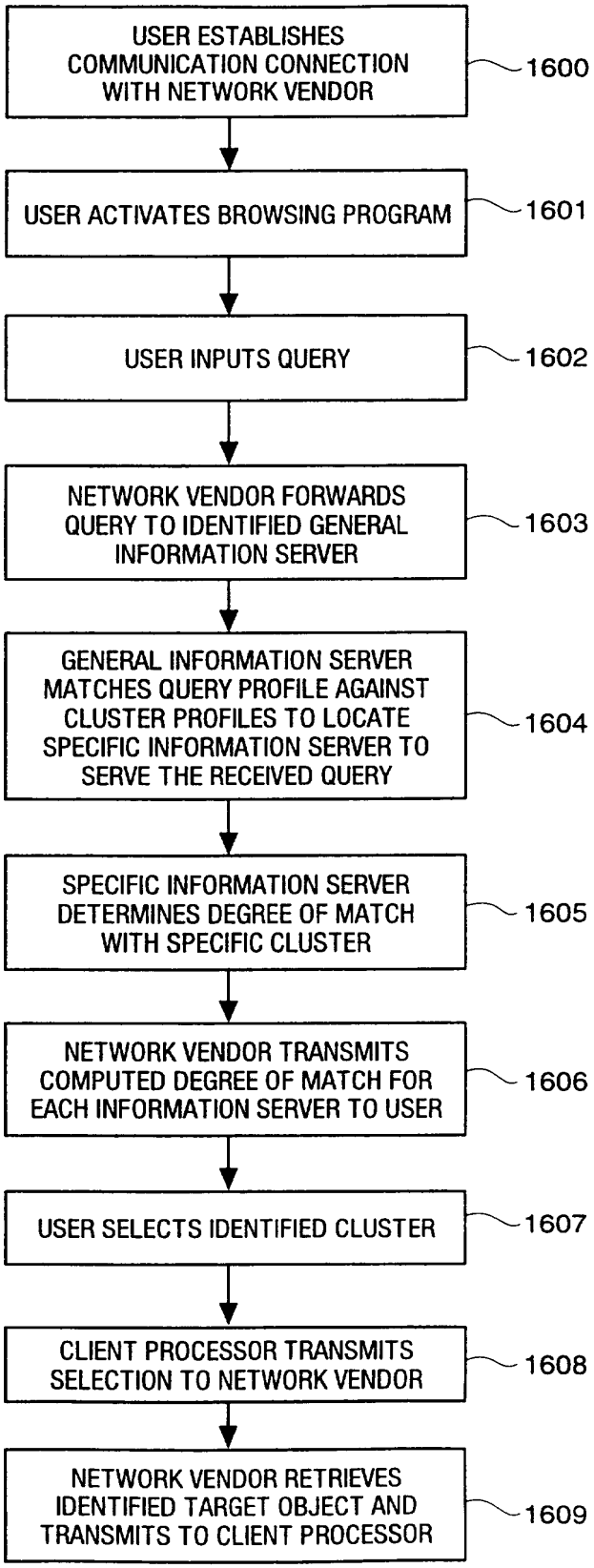

CLIENT PROCESSOR FORMS ENCRYPTED MESSAGE WITH SIGNED VALIDATED PSEUDONYM
1500
MESSAGE IS ROUTED TO PROXY SERVER
1501
PROXY SERVER DECODES MESSAGE
1502
PROXY SERVER FORWARDS MESSAGE TO IDENTIFIED INFORMATION SERVER
1503
INFORMATION SERVER PROCESSES RECEIVED REQUEST
1504
INFORMATION SERVER TRANSMITS RESPONSE TO PROXY SERVER
1505
PROXY SERVER CREATES RESPONSE MESSAGE TO USER
1506
CLIENT PROCESSOR TABULATES USER INTEREST
1507
CLIENT PROCESSOR TRANSMITS MESSAGE TO PROXY SERVER TO UPDATE PROFILE INTEREST SUMMARY
1508

FIG. 16


USER ESTABLISHES COMMUNICATION CONNECTION WITH NETWORK VENDOR
1600
USER ACTIVATES BROWSING PROGRAM
1601
USER INPUTS QUERY
1602
NETWORK VENDOR FORWARDS QUERY TO IDENTIFIED GENERAL INFORMATION SERVER
1603
GENERAL INFORMATION SERVER MATCHES QUERY PROFILE AGAINST CLUSTER PROFILES TO LOCATE SPECIFIC INFORMATION SERVER TO SERVE THE RECEIVED QUERY
1604
SPECIFIC INFORMATION SERVER DETERMINES DEGREE OF MATCH WITH SPECIFIC CLUSTER
1605
NETWORK VENDOR TRANSMITS COMPUTED DEGREE OF MATCH FOR EACH INFORMATION SERVER TO USER
1606
USER SELECTS IDENTIFIED CLUSTER
1607
CLIENT PROCESSOR TRANSMITS SELECTION TO NETWORK VENDOR
1608
NETWORK VENDOR RETRIEVES IDENTIFIED TARGET OBJECT AND TRANSMITS TO CLIENT PROCESSOR
1609

INTERNATIONAL SEARCH REPORT

Inter nal Application No
PCT/US 96/17981

A. CLASSIFICATION OF SUBJECT MATTER
IPC 6 G06F17/30

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 6 G06F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	SIGIR '94, DUBLIN, JULY 3 - 6, 1994, no. CONF. 17, 3 July 1994, CROFT W B;VAN RIJSBERGEN C J (EDITORS), pages 272-281, XP000475327 MORITA M ET AL: "INFORMATION FILTERING BASED ON USER BEHAVIOR ANALYSIS AND BEST MATCH TEXT RETRIEVAL" see abstract see page 272, line 1 - page 275, line 1 --- -/--	1,2,12, 18,19

[X] Further documents are listed in the continuation of box C.

[ ] Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

1

Date of the actual completion of the international search	Date of mailing of the international search report
5 February 1997	14. 02. 97

Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+ 31-70) 340-2040, Tx. 31 651 epo nl, Fax (+ 31-70) 340-3016	Katerbau, R

Form PCT/ISA/210 (second sheet) (July 1992)

INTERNATIONAL SEARCH REPORT

Inter ial Application No
PCT/US 96/17981

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	PROCEEDINGS OF THE 1995 USENIX TECHNICAL CONFERENCE, PROCEEDINGS USENIX WINTER 1995 TECHNICAL CONFERENCE, NEW ORLEANS, LA, USA, 16-20 JAN. 1995, 1995, BERKELEY, CA, USA, USENIX ASSOC, USA, pages 177-186, XP000617276 YAN T W ET AL: "SIFT-a tool for wide-area information dissemination" see abstract see page 177, column 1, line 1 - page 179, column 2, line 1 ---	1,2,12, 18,19
A	JOURNAL OF INTELLIGENT INFORMATION SYSTEMS: INTEGRATING ARTIFICIAL INTELLIGENCE AND DATABASE TECHNOLOGIES, SEPT. 1995, NETHERLANDS, vol. 5, no. 2, ISSN 0925-9902, pages 81-99, XP000617268 BINKLEY J ET AL: "Rama: an architecture for Internet information filtering" see abstract -----	1,2,12, 18,19

Form PCT/ISA/210 (continuation of second sheet) (July 1992)

Electronic Acknowledgement Receipt

EFS ID:	5415432
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
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-DIV
Receipt Date:	28-MAY-2009
Filing Date:	06-AUG-2008
Time Stamp:	17:07:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Filed (SB/08)	09-05-28-DP-DIV-IDS.pdf	82020 2a4ae817a9f5c816dab80e087bd799dbd69c727d	no	1

Warnings:	
Information:	

This is not an USPTO supplied IDS fillable form					
2	Foreign Reference	WO1997016796A1.pdf	4513369 4cd2b160ef5a8945373322 3b99c0f205c085cb19	no	133
Warnings:					
Information:					
			Total Files Size (in bytes):	4595389	

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
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV

CONFIRMATION NO. 2033

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

PUBLICATION NOTICE

OC000000033685991

Title: Descriptive-profile mercantile method

Publication No.US-2008-0313194-A1
Publication Date:12/18/2008

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, 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	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
12/186,918	08/06/2008	2161	435	14-DP-DIV	8	2

CONFIRMATION NO. 2033

UPDATED FILING RECEIPT

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

OC000000032002226

Date Mailed: 09/12/2008

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

Applicant(s)

Roy Shkedi, New York, NY;

Assignment For Published Patent Application

AlmondNet, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 26362

Domestic Priority data as claimed by applicant

This application is a DIV of 11/099,861 04/06/2005 PAT 7,428,493
which is a CON of 09/593,993 06/14/2000 PAT 6,925,440

Foreign Applications

ISRAEL 133489 12/13/1999

If Required, Foreign Filing License Granted: 08/18/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/186,918**

Projected Publication Date: 12/18/2008

Non-Publication Request: No

Early Publication Request: No
** **SMALL ENTITY** **

Title

Descriptive-profile mercantile method

Preliminary Class

707

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Roy Shkedi	Art Unit	:	3629*
Serial No.	:	12/186,918	Examiner	:	Ouellette, J.P.*
Filed	:	08/06/2008	** In parent application S.N. 11/099,861*		
Title	:	Descriptive-Profile Mercantile Method			

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE

Dear Sir:

In response to the Notice to File Corrected Application Papers, assignee submits the attached replacement drawings in compliance with 37 CFR 1.84. No amendments were made to the drawings, assignee has merely removed the copy marks.

Please feel free to telephone the undersigned if it would in any way advance prosecution of this application.

Respectfully submitted,

ALMONDNET INC.
by its attorney

Dated: September 3, 2008

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

LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard
Suite 2100
Phoenix, Arizona 85028
(480) 948-3295

Fig. 1

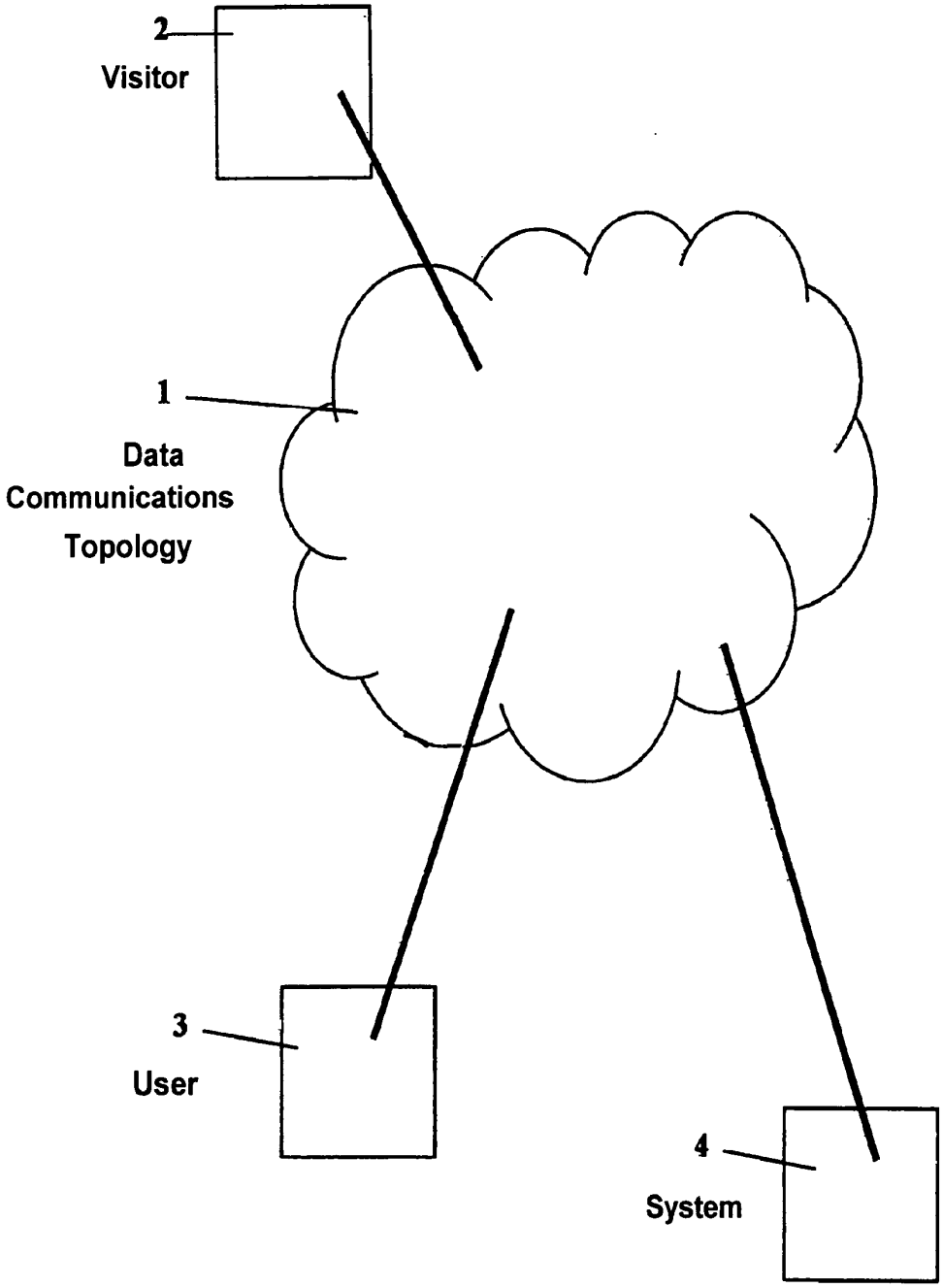


Fig. 2

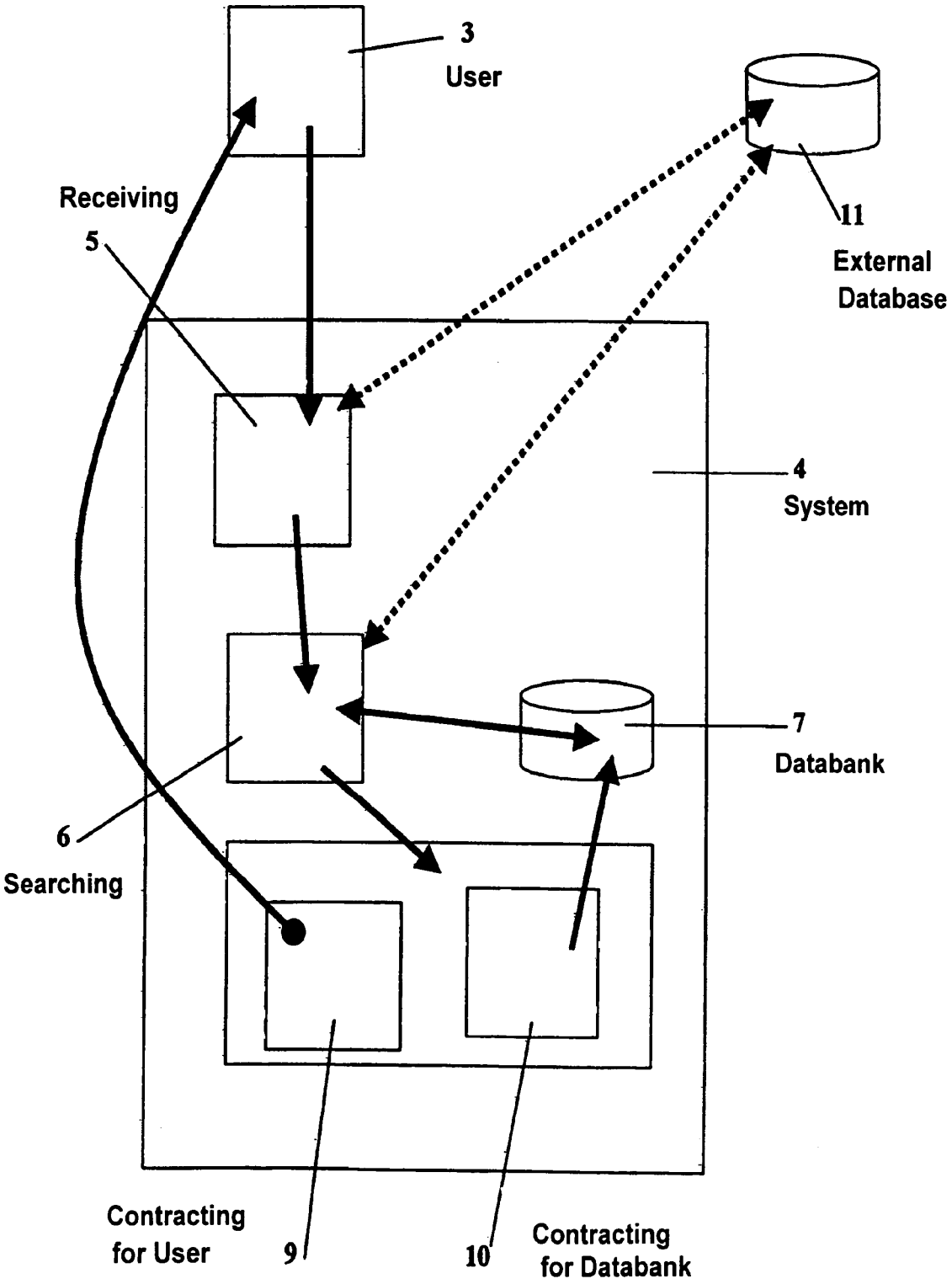

3
User
Receiving
5
11
External
Database
4
System
7
Databank
6
Searching
Contracting
for User
9
10
Contracting
for Databank

Fig. 3

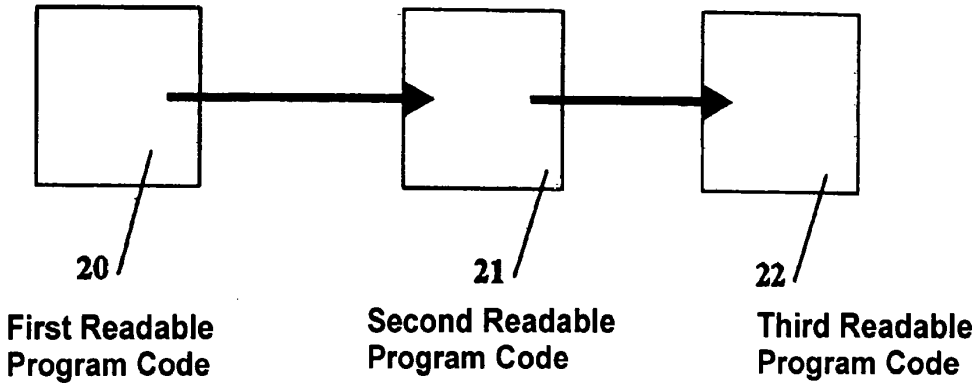


Fig. 4

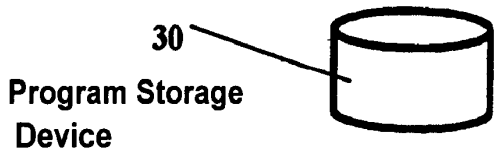
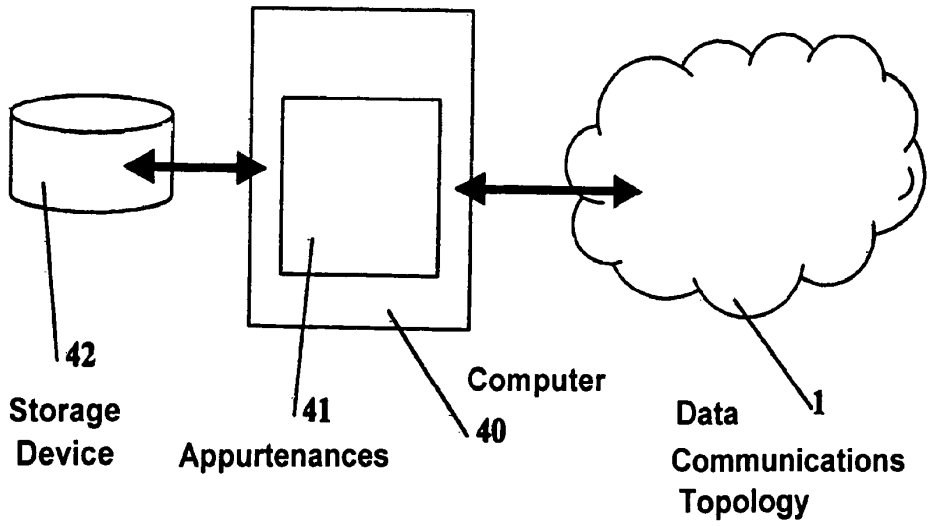


Fig. 5



Electronic Acknowledgement Receipt

EFS ID:	3879279
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
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-DIV
Receipt Date:	03-SEP-2008
Filing Date:	06-AUG-2008
Time Stamp:	13:08:24
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	Applicant Response to Pre-Exam Formalities Notice	08-09-03-Almondnet-DescProfile-DIV-Resp_to_Ntc_re_drawings.pdf	22980 b045754d91e76a1d9fb67d310f6b4be4e21853dc	no	1

Warnings:	
Information:	

2	Drawings-only black and white line drawings	08-09-03-DescriptiveProfile-DIV-CLEAN_FIGS.pdf	46394 3135a7fdc3273c85d6a1e6543337baf175e9fc6e	no	3
Warnings:					
Information:					
			Total Files Size (in bytes):	69374	

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
COMMISSIONER FOR PATENTS
P.O.BOX 1450
ALEXANDRIA VA 22313-1451

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

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

Courtesy Reminder for
Application Serial No: 12/186,918

Attorney Docket No: 14-DP-DIV
Customer Number: 26362
Date of Electronic Notification: 08/22/2008

This is a courtesy reminder that new correspondence is available for this application. The official date of notification of the outgoing correspondence will be indicated on the form PTOL-90 accompanying the correspondence.

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

LJH@patentit.com
duff@patentit.com
shaelyn@patentit.com

Please verify that these email addresses are correct.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
12/186,918	08/06/2008	2161	435	14-DP-DIV	8	2

CONFIRMATION NO. 2033

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

FILING RECEIPT



Date Mailed: 08/22/2008

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

Applicant(s)

Roy Shkedi, New York, NY;

Assignment For Published Patent Application

AlmondNet, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 26362

Domestic Priority data as claimed by applicant

This application is a DIV of 11/099,861 04/06/2005
which is a CON of 09/593,993 06/14/2000 PAT 6,925,440

Foreign Applications

ISRAEL 133489 12/13/1999

If Required, Foreign Filing License Granted: 08/18/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/186,918**

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No
** **SMALL ENTITY** **

Title

Descriptive-profile mercantile method

Preliminary Class

707

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/186,918	08/06/2008	Roy Shkedi	14-DP-DIV

CONFIRMATION NO. 2033

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

FORMALITIES LETTER

OC000000031652279

Date Mailed: 08/22/2008

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121(d) are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) ALL.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at http://www.uspto.gov/ebc.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/eggolla/

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

PTO/SB/05 (07-07)
Approved for use through 06/30/2010. 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.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	14-DP-DIV
First Inventor	Shkedi, Roy
Title	Descriptive-profile mercantile method
Express Mail Label No.	FILED THROUGH EFS

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ **Fee Transmittal Form** (e.g., PTO/SB/17)
   (Submit an original and a duplicate for fee processing)
2. ☑ **Applicant claims small entity status.**
   See 37 CFR 1.27.
3. ☑ **Specification** [*Total Pages* 45]
   Both the claims and abstract must start on a new page
   (For information on the preferred arrangement, see MPEP 608.01(a))
4. ☑ **Drawing(s)** (*35 U.S.C. 113*) [*Total Sheets* 3]
5. **Oath or Declaration** [*Total Sheets* 2]
   a. ☑ Newly executed (original or copy)
   b. ☐ A copy from a prior application (37 CFR 1.63(d))
   (for continuation/divisional with Box 18 completed)
   i. ☐ DELETION OF INVENTOR(S)
   Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ **Application Data Sheet.** See 37 CFR 1.76
7. ☐ **CD-ROM or CD-R** in duplicate, large table or Computer Program *(Appendix)*
   ☐ Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission**
   (if applicable, items a. – c. are required)
   a. ☐ Computer Readable Form (CRF)
   b. Specification Sequence Listing on:
      i. ☐ CD-ROM or CD-R (2 copies); or
      ii. ☐ Paper
   c. ☐ Statements verifying identity of above copies

ADDRESS TO:
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

ACCOMPANYING APPLICATION PARTS

9. ☑ **Assignment Papers** (cover sheet & document(s))
   Name of Assignee AlmondNet, Inc.
10. ☑ **37 CFR 3.73(b) Statement** *(when there is an assignee)* ☑ **Power of Attorney**
11. ☐ **English Translation Document** *(if applicable)*
12. ☑ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
    ☐ Copies of citations attached
13. ☑ **Preliminary Amendment**
14. ☐ **Return Receipt Postcard** (MPEP 503)
    (*Should be specifically itemized)*
15. ☐ **Certified Copy of Priority Document(s)**
    (if foreign priority is claimed)
16. ☐ **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i).
    Applicant must attach form PTO/SB/35 or equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:*

☐ Continuation ☑ Divisional ☐ Continuation-in-part (CIP) of prior application No.: .....

Prior application information: *Examiner* Ouellette, J.P. *Art Unit:* 3629

19. CORRESPONDENCE ADDRESS

☑ The address associated with Customer Number: 26362 ***OR*** ☐ Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	

Signature	/Louis J. Hoffman/	Date	08/06/2008
Name (Print/Type)	Louis J. Hoffman	Registration No. (Attorney/Agent)	38,918

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

A Descriptive-Profile Mercantile Method

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of application Ser. No. 09/593,993, filed 06/14/2000 and entitled A Descriptive-Profile Mercantile Method, which itself claims priority from Israel Application No. 133,489 filed on 12/13/1999. The disclosures of said application and its entire file wrapper (included all prior art references cited therewith) are hereby specifically incorporated herein by reference in their entirety as if set forth fully herein. Furthermore, a portion of the disclosure of this patent document contains material, which is subject to copyright protection. The copyright owner has no objection to the facsimile reproduction by anyone of the patent document or the patent disclosure, as it appears in the Patent and Trademark Office patent file or records, but otherwise reserves all copyright rights whatsoever.

FIELD OF THE INVENTION

The present invention generally relates to a mercantile method.

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

BACKGROUND OF THE INVENTION

Advances in database technology have given rise to commerce in records, files and databases, per se. For example, paying for a database credit check for an

individual or buying a mailing list have become common practice. These well-known systems do not address the problems of how the database is to collect all of the attributes of information that are contained therein. Often, the contents of a database are the result of massive clerical efforts, which usually represent the product of many calendar years of transactional accumulations.

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

Unfortunately, the current state of information commerce is focused on the sales of whole databases, whole records, or evaluations based on single or clusters of records. In commercial applications where specific attributes of information strongly affect the value of evaluations, there is a need in the art for commerce in such attributes. For example, in targeted advertising, every attribute, which substantially affects the probability of that advertisement's success, innately has a discrete economic value. Likewise, in actuarial calculations, 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 were not heretofore known in the databank. According to a simple model of evaluating the value of these attributes, the database incorporates these new attributes and the computer assigns a user selected micro-payment royalty for each elected use of these attributes by any other user. Stated simply, if the user provides a date of birth for a known named person in the data bank, then the user is the owner of that date of birth attribute, and a user designated micro payment royalty (or credit) is assigned to the user for each purchase of that attribute by

another user. The owner of the databank may likewise collect for itself a brokerage commission for each use of the attribute.

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

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

BRIEF DESCRIPTION OF THE FIGURES AND APPENDICES

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

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 furthermore includes:

i) **searching** at least one external database (11) for a partial profile or portion thereof which complements a at least one second partial profile of the databank, and

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

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

a) first computer readable program code (20) for causing a computer to **receive** a transaction from a user, the transaction having therein a first partial profile;

b) tied to the first computer readable program code, second computer readable program code (21) for causing the computer to use the first partial profile to **search** a databank having a plurality of second partial profiles, wherein is included in said databank at least one null profile so that said searching will always yield at least one proximate second partial profile to the first partial profile; and

c) tied to the second computer readable program code, third computer readable program code (22) for causing the computer to **contract** between the user and the databank:

i) for the databank to own or represent a right to a first mutually agreed portion of the first partial profile, and substantially thereafter for said databank to **incorporate** the agreed portion of the first profile into at least one second partial profile; or

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

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

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

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

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

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

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

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

a) a computer (40) installed at a juncture in a data-communications topology (1);

b) associated with said computer, a storage device (42) for keeping a maintained databank of partial profiles; and

c) associated with the internal functionality components of the computer, appurtenances (41) for performing method steps including:

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

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

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

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

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

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

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

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

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

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

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

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

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

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

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

In the context of the preferred embodiment of the present invention, "user" relates to an individual, web site, search-robot and/or other type of software agent that interacts with the system by virtue of their contacting a juncture in the data-

communications topology where the method is installed in order to acquire, trade, dispose of and/or broker some attribute data for the purpose of acquiring some potential economic or other value in connection with that attribute data.

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

INTRODUCTION

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

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

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

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

can accrue to the web site is the gain of some economic remuneration for and as a function of the information itself that the web site possesses about the visitor.

In order for the web site to progress and to potentially achieve either or both of the above mentioned benefits (the improved targeted advertising (or improved product offering) to the visitor as well as the gain of some economic remuneration of the information itself about the visitor); the web site now becomes a user of the system of the present invention. The web site as a user of the present invention constructs a transaction that contain those portions of the information it possesses about the visitor that it is allowed to diverge to third parties.

The transaction includes:

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

Thus, the user sends a transaction in the data communication topology where the system is installed; as for example, via the Internet, Intranet, LAN, WAN, wireless packet communications system, etc. Thereupon, the system receives the transaction, identifies the user, interprets instructions sent concerning the transaction's contractual terms and type, i.e. the applicable contract and structure for using all or some of the attributes contained in the information (hereinafter, "First Visitor Profile Data") includes the profile of the visitor as known to the site,

visitor information included in the communication protocol such as the information in the http header, profile attributes that enable the identification of the entity described by the profile by the databank such as name, address, URL, cookie put by the server connected to the databank and so forth. It should be noted that the profile of the visitor known to the site mentioned above might not include certain attributes the user is not interested in exposing to the databank or attributes that are of no interest to the databank. For example, a databank that identifies web site visitors by the cookie its server puts on their computers, could decide not to take 'real world identifying attributes' such as name, address and e-mail in order to give web surfers a level of anonymity

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

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

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

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

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

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

A third category is the example where there are pieces of information relating to the user in the descriptive portion of the transaction that describes the

visitor which the search by the system failed to disclose. For example, the make and model of the car driven by the visitor, recently purchased from the user's web site might be the new information otherwise unknown to the system. In this instance, the system would go through an appropriate contractual arrangement in order to credit the user for the new attribute which the user has delivered to the system.

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

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

In addition to profiles of a visitor it may be of interest to allow an embodiment of the invention to create a type of secondary market for the information consisting of a predetermined class of profiles about all visitors. For example it may be of interest to know what type of individuals, including their profession, income, gender, and geographic location, buy a certain model of vehicle. The purchase, sale, trade, and/or brokerage of this class of data can 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, supplementation, or improvement of a descriptive profile. The partial profile will often itself contain certain predetermined identified commercial attributes, demographic attributes, or behavioral attributes or combinations thereof or the like. These attributes then allow construction of a descriptive profile that resides as existing information in a databank. However, inherent design characteristics of the descriptive profile result in the descriptive profile always being partial. This means that data within the profile relates to one or more attributes of the item, business, service, data characteristic, advertisement, or person that is being profiled. The descriptive profile is then methodically employed in an activity that verifies or contradicts, maintains, modifies, updates or downgrades, and/or enhances the databank of previously existing partial profiles. Thereafter, the system may retain, market, and/or exchange with the user new resultant (of the process described) data that contains further descriptive profile attributes for further usage.

Since the present invention is directed to the value of details of a profile, it is an object of the present invention to facilitate the transfer of rights to such particulars. For example, a visitor may arrive at a commercial Internet web-site. The visitor may disclose his cookie and may provide the web-site with other facts about him/herself on a non-confidential basis. The web site may then contact a juncture in a data-communications topology where the present method is installed. According to one scenario, the web-site is a familiar user of the present method, and has pre-arranged the terms and conditions of what information he may wish to

transfer rights to. For example, after considering the web-site transmission containing the non-confidential disclosed information, the system may find that all of the information already recorded in its databank with the single exception of the visitor's annual income. By prearranged contract details, the web-site is given a predetermined micro-payment credit for providing this detail. Alternatively, by prearranged contract the databank agrees to store this user attribute and to credit the providing web-site with a micro-payment royalty for each use of this attribute "purchased" from the databank by each interested party.

Likewise, according to the same prearranged contractual arrangement between the user and the databank, the databank may find that it represents a right to an attribute that has not been disclosed to it by the user. In this example, the system's databank may then transmit a query to the user in the form: "for the identified visitor (detail from original transaction inserted), are you interested in the following attributes according to the associated payment conditions: (education level, micro-payment price schedule 1), (gender, micro-payment price schedule 2), etc.?"

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

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

For once there is an initiation by contribution of an initial attribute list by the user, the system will search existing data in the databank.

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

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

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

thereafter the system will incorporate the agreed portion of the first profile into at least one second partial profile in the system's databank.

For example the name of an individual (an initial partial profile provided by the user) when coupled with age (a second partial profile provided by another use, inherent in the 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 and actuarial calculations of insurance agents residing in a geographical area proximate to the driver mentioned in the above paragraph, while a user (in this case the driver himself) might retain the name and address of the insurance agents willing to offer him insurance.

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

An "interest" expressed by a user and the system, as to what these parties define between them as relevant data, may be expressed by the user and the system in a pricing structure. The pricing structure will include a contract between the user and the system that will include an obligation by the party which utilizes the information flowing to the system's databank to pay the other for substantially each use or transfer of the agreed information transferred between them. Instant data may or may not be ephemeral, and the profiles themselves may have either a limited or an unlimited shelf live. This means that information becomes currency and is treated by the parties in a manner similar to currency. To own or utilize certain information, there is a price associated with it either as a sales price or a rental price. In the event that the information is re-useable, in part or in whole then a certain predetermined royalty may be associated with each use of the portion of the

information which is reused. Let an example be provided at this juncture to further illustrate the operation of the preferred embodiment.

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

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

In addition, since the upgrading or downgrading of the credibility of the respondent has qualitative value in and of itself for other market surveys; to the extent that the user's information contributed to the new evaluation of the respondent, a payment might flow to the user. Similarly, to the extent that the upgrading or downgrading of the credibility of the respondent is based on existing information in the system's databank, the system may provide a royalty payment to

the initiator of the existing information in the system's databank. Thus, to the extent that the information inherent in the initial partial profile and in existing partial profiles have value and to the extent that participants who utilize the system (including the system's databank itself) have agreed on the value rating of the information and the amount to be paid between them an exchange of predetermined economic value will flow between the participants. In addition, to the extent there is further information and further participants, the continuing re-evaluation by the participants of a market valuation of the information as a function of the expected utility value of the information may further drive over time the price evaluation of both the information and the payments to be made between users and the system.

Furthermore, the preferred embodiment may embrace a further possible variations, i.e. an assignment by the contracting participants and/or the databank, per se, of a credibility rating to the agreed portion of the first partial profile. Coupling of the first partial profile with a second partial profile result in verification/confirmation of the first partial profile and second partial profile or contradiction/down grading of the credibility of the first partial profile and/or the second partial profile. By example, the first partial profile contains the name of Joe Blue, the information that he is male, and the information that he lives in Mississippi. However, the corresponding second partial profile associated with Joe Blue contains the information that he is a she (real name Josephine) and that she lives in Mississippi. The verification - perhaps- of the name is of dubious value in and of itself. However, in the event that for a certainty it can be established that Joe Blue is really Josephine Blue and that the gender is female rather than male, then, to a user of the information, the validation or disqualification of the information has significant value. Assume that the user of the information is an advertiser of beauty care products. The fact that Joe is male or female can result in an advertisement of beauty care products specifically targeted to the profile - in this case, male or female. In this instant case, the user (the advertiser) will assign a value to the credibility of the information.

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

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

If, for example, Ms. Blue's credit rating were confirmed as bankrupt, the desire of an advertiser to send her advertisements for the purchase of a pleasure craft would be seriously impacted notwithstanding the fact that other information in the databank related to Ms Blue indicates that she is a water skiing enthusiast and

otherwise fits both demographic, behavioral, and/or psychological profiles (which might reside in the databank) associated with candidates for potential purchasers of pleasure craft.

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

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

Thus, both system and owners of other databases may themselves contract between themselves for the right to own, use, license, or rent the other's partial profile and for the right to sublicense others to further use the other's partial profile. Since the information may very well have a shelf life - even as its credibility and rating may change over time - the result is a corresponding velocity of the value of the information in that not only is the more the information used is the more

valuable it is and becomes; but the more the information can be used the greater the potential value it has to its owners of licensors (with a right to sublicense). If we return to our example of Ms. Blue, the fact that she is female (information from the system's databank), is interested in water skiing (a partial attribute contributed by the first partial profile user), and has a restored credit rating (provided by an external credit service database) means that another user looking at its own profiles of young, single, sports minded women, would desire to provide her with advertisements related to scuba diving in the Gulf of Mexico, for example. This other user would pay the system for the information it has stored or accessed. The system itself would pay the initial provider of the verification of the gender of Ms. Blue, to the user who contributed that Ms. Blue is interested in water skiing and might share a fee associated with the clarification of Ms. Blues' actual credit worthiness.

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

CLAIMS

I/We claim:

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 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;

c) i) between the entity and the databank, electronically contracting for a purchase-payment or a trade or a brokerage payment in exchange 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 purchase-payment or a trade or a brokerage-payment in exchange 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. 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 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 an 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 purchase-payment or a trade or a brokerage 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 purchase-payment or a trade or a brokerage 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. 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 an 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;

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 purchase-payment or a trade or a brokerage payment in exchange 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 purchase-payment or a trade or a brokerage payment in exchange 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. 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, software for performing method steps including:

i) from an 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 purchase-payment or a trade or a brokerage payment in exchange 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 purchase-payment or a trade or a brokerage payment in exchange 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.

14. 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) establishing a data rights contract agreement between an entity and a databank,

b) from the 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;

c) using the first partial profile, electronically searching the 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;

d) i) between the entity and the databank, electronically affirming the agreement for a royalty payment or a purchase-payment or a trade or a brokerage payment in exchange 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 affirming the agreement for a royalty payment or a purchase-payment or a trade or a brokerage-payment in exchange 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.

15. The method according to claim 14 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.

16. The method according to claim 15 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.

17. The method according to claim 14 wherein electronically contracting includes selecting a pricing structure according to a rating of the entity.

18. The method according to claim 14 wherein electronically contracting a right includes accepting an obligation to pay for substantially each use or transfer of the agreed portion.

19. The method according to claim 14 wherein incorporating the agreed portion includes assigning a credibility weighting to the agreed portion of the first profile.

20. The method according to claim 19 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.

21. The method according to claim 20 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.

22. The method according to claim 14 wherein electronically receiving a transaction includes consulting an external database.

23. The method according to claim 14 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.

24. 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 an 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: in accordance with an

i) for causing the computer to affirm an aspect of an established data rights contract agreement, between the entity and the databank, for a royalty-payment or a purchase-payment or a trade or a brokerage 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 affirm an aspect of an established data rights contract agreement, between the entity and the databank, for a royalty-payment or a purchase-payment or a trade or a brokerage 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.

25. 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 an 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;

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, affirming an aspect of an established data rights contract agreement, between the entity and the databank, for a royalty-payment or a purchase-payment or a trade or a brokerage payment in exchange 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, affirming an aspect of an established data rights contract agreement, between the entity and the databank, for a royalty-payment or a purchase-payment or a trade or a brokerage payment in exchange 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.

26. 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, software for performing method steps including:

i) from an 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, affirming an aspect of an established data rights contract agreement, between the entity and the databank, for a royalty-payment or a purchase-payment or a trade or a brokerage payment in exchange 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, affirming an aspect of an established data rights contract agreement, between the entity and the databank, for a royalty-payment or a purchase-payment or a trade or a brokerage payment in exchange 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.

27. Transaction of Profile Information Attributes; the attributes being derived from using of a descriptive-profile mercantile method substantially as hereinbefore described and illustrated and said method operating at a juncture in a data-

communications topology having associated therewith a maintained databank of profiles, the method including the steps of establishing a data rights contract agreement between a user-entity and a databank-entity, and in accordance with the agreement either (a) assigning to the databank-entity to own or represent a right to a mutually agreed portion of a profile, and substantially thereafter the databank-entity electronically incorporating the agreed portion; or (b) assigning to the user-entity to own or represent a right to a mutually agreed portion of a profile, and substantially thereafter the databank-entity electronically transmitting to the user-entity the agreed portion; the transaction comprising:

using an electronic procedure on a computer attached to a data-communications topology wherein the procedure is facilitating, between two disjoint parties, a data exchange of said attributes by an accompanying pricing structure selected from the list: purchase, sale, trade, brokerage, and payment of royalties.

28. The transaction according to claim 27 wherein the data-communications topology having the computer attached thereto is selected from the list: a network, Internet, Intranet, LAN, WAN, wireless packet communication system, and a hybrid composite of any of the aforesaid.

29. The transaction according to claim 27 wherein the computer has therein an organized ensemble of information attributes.

30. The transaction according to claim 27 wherein said attributes enable identification of an entity described by a profile and the attributes are selected from the list: name, address, URL, cookie, information learned from a communication protocol about a visitor to a web site from an http header, the visitor's credentials, a redirect to a portion of the visitor's page to a server located in cyberspace, name, address, income, gender, age, education, details of a person's or organization's product purchase transaction over the Internet, credit rating, web portal search

habits, a questionnaire response, a person's interests as reflected in his behavior or as reported by the person or as reflected from his membership in a specific club, an organization's number of employees, an organization's activities, an organization's revenues, an organization's gross profit, an organization's operating profit, an organization's net profit, an organization's equity, descriptive information as used by an advertiser for generating targeted advertising or used by an insurer for finding a more specific actuarial rate, and an average or typical aggregate based on a pre-structured analysis of an existing individual profiles.

31. The transaction according to claim 27 wherein the user-entity is selected from the list: an individual, web site, search-robot, and software agent.

32. The transactions according to claim 27 wherein the computer installs a method to acquire, trade, pay royalty for use of, dispose of, or broker attribute data.

33. The transaction according to claim 27 wherein the data exchange includes articles of information commerce selected from the list: information the user-entity is allowed to disclose to third parties about a visitor; contract terms about the visitor; instructions as to type of transaction; visitor demographic attributes; visitor behavioral attributes; and a predetermined class of profiles for a plurality of visitors.

34. The transaction according to claim 27 wherein the procedure includes a databank-entity activity selected from the list: verification, contradiction, maintenance, modification, update, downgrade, enhancement, and credibility rating.

35. A computer useable program protocol between two entities allowing an electronic transaction of Profile Information Attributes substantially as hereinbefore described and illustrated; and the transactions includes an activity selected from the list: assigning values to information attributes, managing value assignments to

information attributes, commerce in information attributes, client-specific advertisement profiling of information attributes, and client-specific actuarial targeting of information attributes; and the entities are selected from the list: users, databanks, and computers; and the attributes are characterized by their respective derivation from a descriptive-profile mercantile method substantially as hereinbefore described and illustrated.

36. A Transaction of Profile Information Attributes user-side software for use in a descriptive-profile mercantile method data-communications protocol operating at a juncture in a data-communications topology having associated therewith a maintained databank of profiles wherein the method includes the step of establishing a data rights contract agreement between a user-entity and a databank-entity for a royalty payment or a purchase-payment or a trade or a brokerage-payment, and in accordance with the agreement the software facilitates either (a) the user-entity assigning to the databank-entity to own or represent a right to a mutually agreed portion of a profile; or (b) the user-entity accepting an assignment from the databank-entity to own or represent a right to a mutually agreed portion of a profile.

37. A Transaction of Profile Information Attributes databank-side software for use in a descriptive-profile mercantile method data-communications protocol operating at a juncture in a data-communications topology having associated therewith a maintained databank of profiles wherein the method includes the step of establishing a data rights contract agreement between a user-entity and a databank-entity for a royalty payment or a purchase-payment or a trade or a brokerage-payment, and in accordance with the agreement the software facilitates either (a) the databank accepting from the user-entity to own or represent a right to a mutually

agreed portion of a profile, and substantially thereafter the databank electronically incorporating the agreed portion; or (b) the databank assigning to the user-entity to own or represent a right to a mutually agreed portion of a profile, and substantially thereafter the databank electronically transmitting the agreed portion to the user-entity.

38. A maintained databank of partial profiles including therein a data-article selected from the list: a transacted partial profile according to claim 1, and a transacted attribute derived from using of a descriptive-profile mercantile method substantially as hereinbefore described and illustrated and said method operating at a juncture in a data-communications topology having associated therewith a maintained databank of profiles, the method including the steps of establishing a data rights contract agreement between a user-entity and a databank-entity, and in accordance with the agreement either (a) assigning to the databank-entity to own or represent a right to a mutually agreed portion of a profile, and substantially thereafter the databank-entity electronically incorporating the agreed portion; or (b) assigning to the user-entity to own or represent a right to a mutually agreed portion of a profile, and substantially thereafter the databank-entity electronically transmitting to the user-entity the agreed portion; where in said transaction is comprising using an electronic procedure on a computer attached to a data-communications topology wherein the procedure is facilitating, between two disjoint parties, a data exchange of said attributes by an accompanying pricing structure selected from the list: purchase, sale, trade, brokerage, and payment of royalties.

39. A maintained databank of partial profiles including therein a data-article selected from the list: a transacted partial profile according to claim 14, and a transacted attribute derived from using of a descriptive-profile mercantile method substantially as hereinbefore described and illustrated and said method operating at a juncture in a data-communications topology having associated therewith a

maintained databank of profiles, the method including the steps of establishing a data rights contract agreement between a user-entity and a databank-entity, and in accordance with the agreement either (a) assigning to the databank-entity to own or represent a right to a mutually agreed portion of a profile, and substantially thereafter the databank-entity electronically incorporating the agreed portion; or (b) assigning to the user-entity to own or represent a right to a mutually agreed portion of a profile, and substantially thereafter the databank-entity electronically transmitting to the user-entity the agreed portion; where in said transaction is comprising using an electronic procedure on a computer attached to a data-communications topology wherein the procedure is facilitating, between two disjoint parties, a data exchange of said attributes by an accompanying pricing structure selected from the list: purchase, sale, trade, brokerage, and payment of royalties.

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

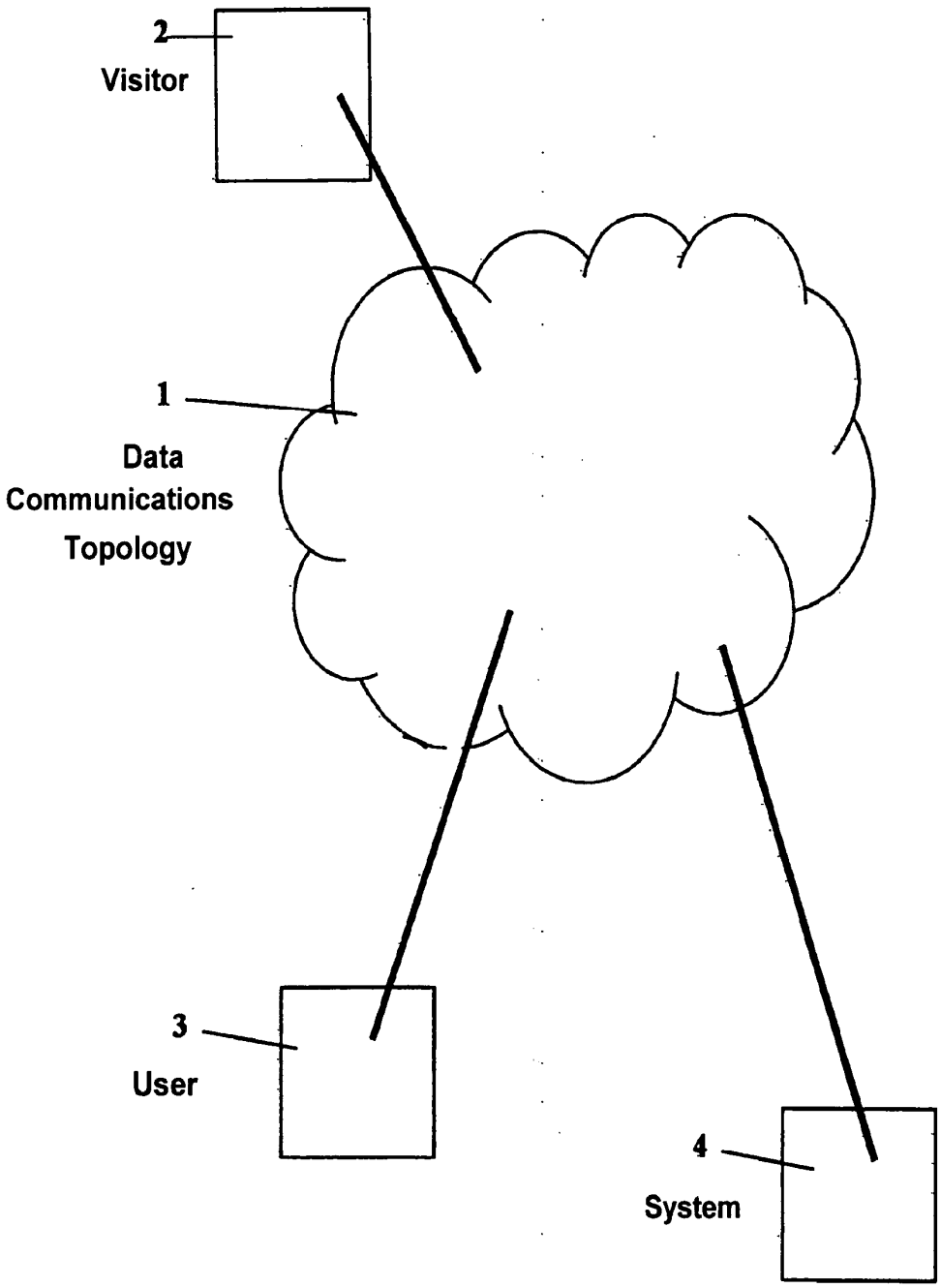


Fig. 2

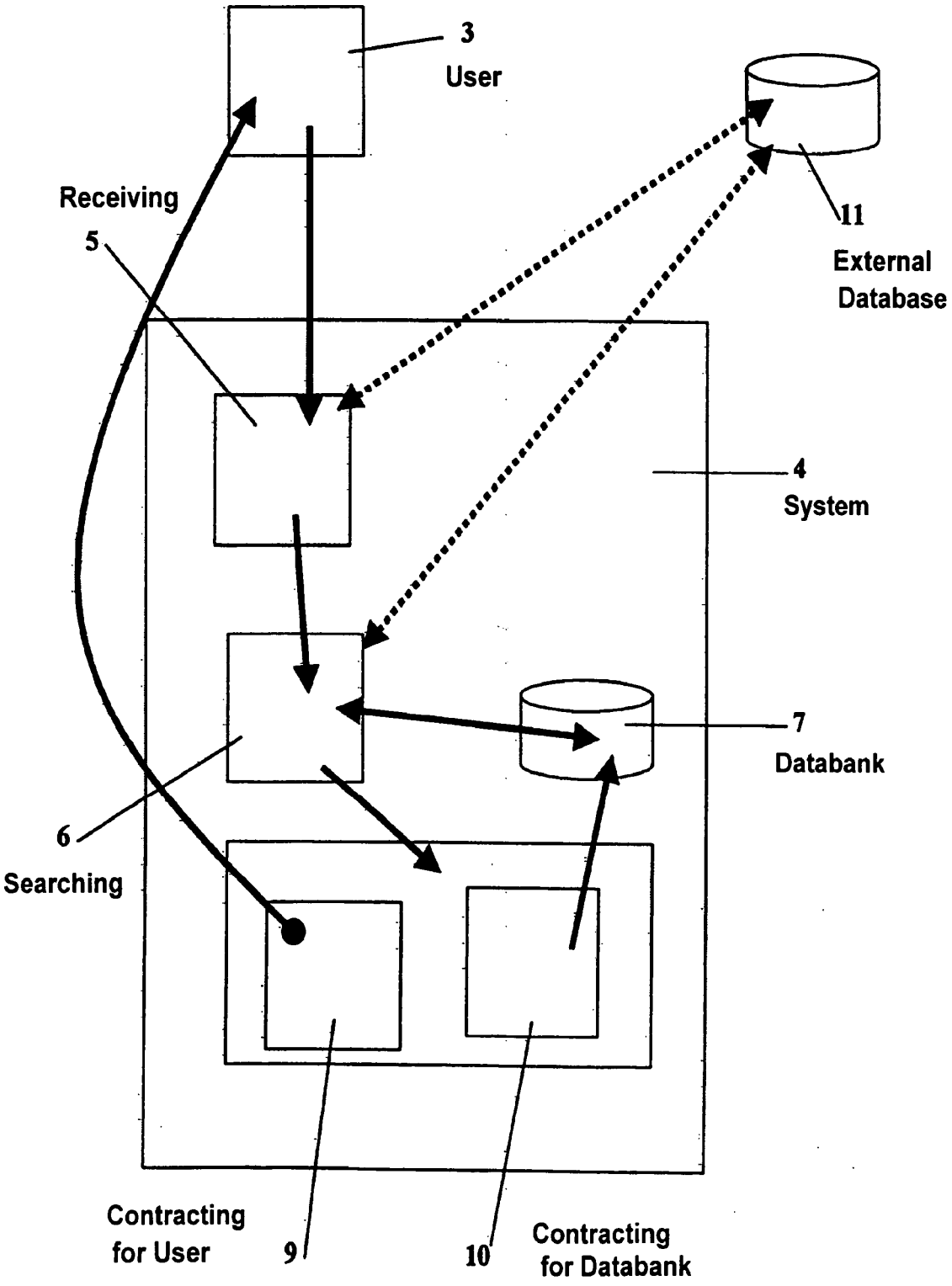

3
User
11
External
Database
Receiving
5
4
System
7
Databank
6
Searching
Contracting
for User
9
10
Contracting
for Databank

Fig. 3

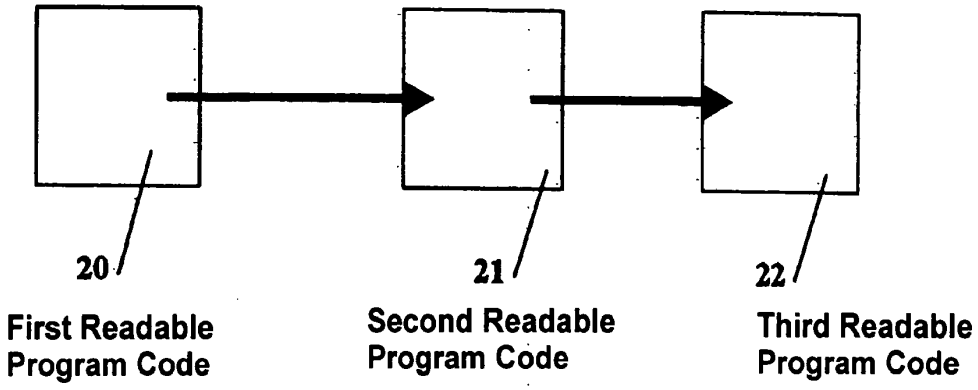


Fig. 4

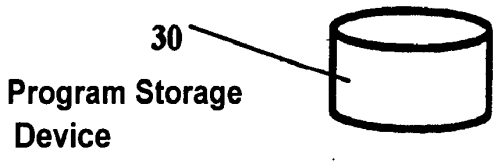
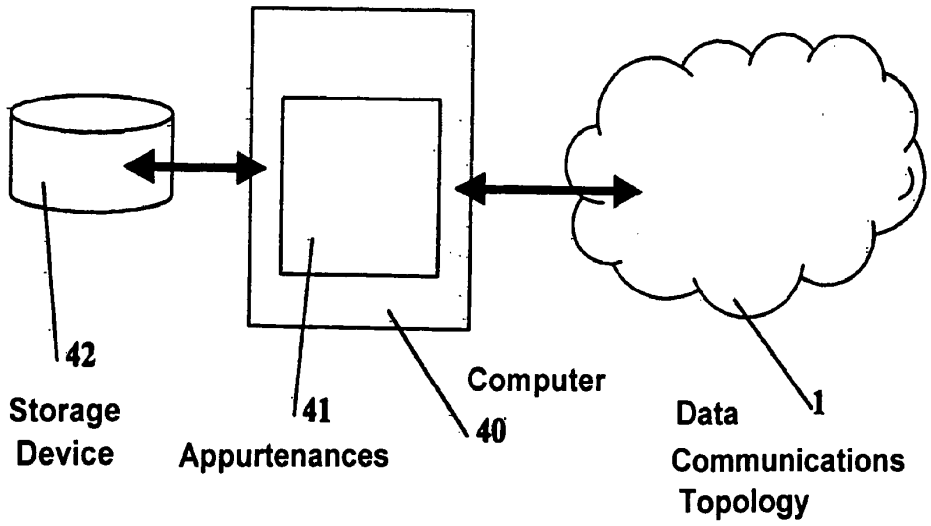


Fig. 5



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

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

Application Number	NEW APPLICATION
Filing Date	08/06/2008
First Named Inventor	Shkedi, Roy
Title	Descriptive-profile mercantile method
Art Unit	3629 (in parent app.)
Examiner Name	Ouellette, J.P. (in parent app.)
Attorney Docket Number	14-DP-DIV

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 _____.

SIGNATURE of Applicant or Assignee of Record

Signature	Roy Shkedi	Date	08/6/2008
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.**

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

PTO/SB/01 (02-07)
Approved for use through 02/28/2007. 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 contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☑ Declaration Submitted With Initial Filing **OR** ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	14-DP-DIV
First Named Inventor	Shkedi, Roy
COMPLETE IF KNOWN	
Application Number	NEW APPLICATION
Filing Date	08/06/ 2008
Art Unit	n/a
Examiner Name	n/a

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A Descriptive-profile Mercantile Method

(Title of the Invention)

the specification of which

☑ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) ☐ as United States Application Number or PCT International Application Number ☐ and was amended on (MM/DD/YYYY) ☐ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
IL133489	IL	12/13/1999	☐	☐	☑
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/SB/01 (02-07)
Approved for use through 02/28/2007. 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 contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to:	☑	The address associated with Customer Number:	26362	OR ☐	Correspondence address below

Name		
Address		
City	State	ZIP
Country	Telephone	Email

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

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 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname	
Roy		Shkedi	
Inventor's Signature	Roy Shkedi	Date	08/6/2008
Residence: City	State	Country	Citizenship
New York	New York	USA	IL

Mailing Address: c/o AlmondNet, Inc.; 134 Spring Street, Suite 302

City	State	Zip	Country
New York	New York	10012	USA

☐ Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

PTO/SB/96 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: AlmondNet, Inc.

Application No./Patent No.: New Application Filed/Issue Date: August 6, 2008

Entitled: A Descriptive-profile Mercantile Method

AlmondNet, Inc., a Delaware corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☑ the assignee of the entire right, title, and interest; 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. ☑ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

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

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

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

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

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

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

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

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

Roy Shkedi	08/6/2008
Signature	Date
Roy Shkedi	646-217-0930
Printed or Typed Name	Telephone Number
CEO - AlmondNet, Inc.	
Title	

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

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

ASSIGNMENT

FOR VALUE RECEIVED, I, the named inventor of the below-referenced patent application, sell, assign, and transfer to AlmondNet, Inc., a Delaware corporation, and any successor, assign, legal representative, or designated nominee ("Assignee"), the entire right, title, and interest, for all countries, in and to certain inventions relating to: "A Descriptive-profile Mercantile Method," described in a U.S. utility patent application filed August 6, 2008, and all the rights and privileges under all Letters Patent that may be granted for those inventions, including any regular applications and continuations, continuations-in-part, and divisions thereof, and reissue patents or applications thereof, and any foreign counterparts, international applications, or national applications related to those inventions.

I request that all patents for the inventions be issued to Assignee.

I agree that, when requested, I will, without charge to Assignee but at Assignee's expense, sign all papers, take all rightful oaths, and do all acts that may be necessary, desirable, or convenient for securing and maintaining patents for the inventions in all countries and for vesting title to such patents in Assignee.

I authorize and empower Assignee to invoke and claim, for any application for patent or other form of protection for the inventions filed by Assignee, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention that may be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

I consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file, or like document that may be required in any country for any purpose and more particularly in proof of the right of Assignee to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention that may be substituted for it.

I represent and covenant with Assignee that the rights and property conveyed by this Assignment are free and clear of any encumbrance, and that I have full right to convey those rights and property.

Agreed:

Roy Shkedi

_____ at New York, New York, August 6, 2008.

Roy Shkedi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Roy Shkedi	Art Unit	:	3629*
Serial No.	:	_____	Examiner	:	Ouellette, J.P.*
			** In parent application S.N. 11/099,861*		
Filed	:	08/06/2008			
Title	:	Descriptive-Profile Mercantile Method			

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

PRELIMINARY AMENDMENT

Dear Sir:

In consideration of this continuation application, applicant requests entry of the following amendments to the specification and claims and consideration of the following remarks.

Amendments to the specification begin on page 2.

Amendments to the claims are reflected in the claim listing that begins on page 3.

Remarks begin on page 5.

IN THE CROSS-REFERNCE TO RELATED APPLICATIONS SECTION:

Please amend the paragraph as follows:

~~This application is a continuation of application Ser. No. 09/593,993, filed 06/14/2000 and entitled A Descriptive-Profile Mercantile Method, which itself claims priority from Israel Application No. 133,489 filed on 12/13/1999. The disclosures of said application and its entire file wrapper (included all prior art references cited therewith) are hereby specifically incorporated herein by reference in their entirety as if set forth fully herein. Furthermore, a~~ This application is a division of application Serial No. 11/099,861, filed April 6, 2005, which is a continuation of application Serial No. 09/593,993, filed June 14, 2000, now U.S. Patent 6,925,440, which claims priority to Israel Application No. 133,489, filed December 13, 1999. A portion of the disclosure of this patent document contains material~~, which~~ that is subject to copyright protection. The copyright owner has no objection to the facsimile reproduction by anyone of the patent document or the patent disclosure, as it appears in the Patent and Trademark Office patent file or records, but otherwise reserves all copyright rights whatsoever.

IN THE CLAIMS

1-39. (Canceled)

40. (New) A method of collecting and utilizing profiles of Internet-using entities, the method comprising:

(a) electronically receiving, from at least one of a plurality of unaffiliated third parties operating a website, a partial profile of an entity that uses a computer coupled to a global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity;

(b) wherein receiving the partial profile is achieved by redirection of a portion of a page of the website accessed by the entity's computer;

(c) automatically electronically attempting to match the received partial profile to a maintained profile believed to be related to the same entity;

(d) automatically generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; and

(e) allowing use of the maintained profile in targeting advertisements to the entity's computer over the global computer network.

41. (New) The method of claim 40 further comprising automatically maintaining an electronic record of which unaffiliated third party contributed, to the maintained profile, the profile attributes that were used in targeting the advertisements.

42. (New) The method of claim 41 further comprising determining whether the received partial profile contains any profile attributes about the entity that were not previously contained in a matching maintained profile.

43. (New) The method of claim 40 further comprising allowing use of the maintained profile along with a credibility rating associated with at least one of the profile attributes of the maintained profile.

44. (New) The method of claim 43 wherein the credibility rating is reflected in a price for the at least one profile attribute.

45. (New) The method of claim 40 wherein allowing use of the maintained profile includes allowing selection of profile attributes from the maintained profile based on the source thereof.

46. (New) The method of claim 40 further comprising reading a cookie previously stored on the entity's computer, as a result of the redirection.

47. (New) A data storage medium comprising indicia of instructions for a processor to perform a method of updating profiles of Internet-using entities, the method comprising:

(a) electronically receiving, from at least one of a plurality of unaffiliated third parties operating a website, a partial profile of an entity that uses a computer coupled to a global computer network and accessing the website, which partial profile contains at least one profile attribute related to the entity;

(b) wherein receiving the partial profile is achieved by redirection of a portion of a page of the website accessed by the entity's computer;

(c) automatically electronically attempting to match the received partial profile to a maintained profile believed to be related to the same entity;

(d) automatically generating and storing an electronic record of which of the plurality of unaffiliated third parties contributed to the maintained profile particular profile attributes; and

(e) allowing use of the maintained profile in targeting advertisements to the entity's computer over the global computer network.

Remarks

The amendments to the specification are being made to update only the related applications section and hence do not contain any "new matter."

Claims 40-47 correspond to claims 93-100 of the parent application Serial No. 11/099,861. Those claims were restricted from that application and thus not examined. They are being re-submitted for prosecution here.

Please feel free to telephone the undersigned if it would in any way advance prosecution of this application.

Respectfully submitted,

ALMONDNET INC.
by its attorney

Dated: August 6, 2008

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

LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard
Suite 2100
Phoenix, Arizona 85028
(480) 948-3295

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Roy Shkedi	Art Unit	:	3629*
Serial No.	:	_____	Examiner	:	Ouellette, J.P.*
			** In patent application S.N. 11/099,861*		
Filed	:	08/06/2008			
Title	:	A Descriptive-profile Mercantile Method			

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

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant discloses the references listed on the forms PTO/SB/08 attached to this document. All of the references were cited in parent application Serial No. 11/099,861, therefore, pursuant to Office rules, copies of those references are not included here.

Assignee also wishes to advise the Examiner of the existence of the following nine (9) other pending applications that it owns, as well as the references or record therein:

Serial No.	Filing Date
10/996,491	11/24/2004
11/479,832	6/30/2006
11/736,544	4/17/2007
11/763,286	6/14/2007
11/765,433	6/19/2007
11/968,107	12/31/2007
11/986,117	12/31/2007
12/131,798	6/2/2008
12/131,824	6/2/2008

If the Examiner has any questions concerning these matters, please contact assignee's undersigned attorney.

Respectfully submitted,

ALMONDNET INC.
by its attorney

Dated: August 6, 2008

/Louis J. Hoffman/
Louis J. Hoffman
Reg. No. 38,918
LOUIS J. HOFFMAN, P.C.
11811 North Tatum Boulevard, Suite 2100
Phoenix, Arizona 85028
(480) 948-3295

PTO/SB/08A (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	~~CONTINUATION of 09/589,883~~
Filing Date	
First Named Inventor	Shkedi, Roy
Art Unit	
Examiner Name	
Attorney Docket Number	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number - Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-6855008	12/29/1998	Goldhaber et al.	
		US-6055513	04/25/2000	Katz et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3] -Number[4]- Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours 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.

BEST AVAILABLE COPY BEST AVAILABLE COPY

PTO/SB/08B (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet | | of | |

Complete if Known	
Application Number	
Filing Date	
First Named Inventor	
Group Art Unit	
Examiner Name	
Attorney Docket Number	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
		"Their Time Has Come", Direct, v11, n8, p1+, June 1999.	
		www.acxiom.com, www.archive.org, date range: 2/24/1999-11/14/1999.	
		Barrett, Jennifer, "Databasing in the 90s: data and what we're doing with it!" Direct Marketing, v58, n4, p40, August 1995.	
		Odell, Patricia, "Sweetening the pot." Direct, v10, n9, p91, July 1998.	
		Hatch, Denny, "Co-op databases", Target Marketing, v21n5, pp:38-42, May 1998.	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Applicant's unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours 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.

BEST AVAILABLE COPY

PTO/SB/08A (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4863384	09-05-1989	Slade	
		US- 5099422	03-24-1992	Foresman, et al.	
		US- 5446891	08-29-1995	Kaplan, et al.	
		US- 5710884	01-20-1998	Dedrick	
		US- 5717923	02-10-1998	Dedrick	
		US- 5724521	03-03-1998	Dedrick	
		US- 5752238	05-12-1998	Dedrick	
		US- 5848396	12-08-1998	Gerace	
		US- 5956693	09-21-1999	Geerlings	
		US- 6055573	04-25-2000	Gardenswartz, et al.	
		US- 6128624	10-03-2000	Papierniak, et al.	
		US- 6134532	10-17-2000	Lazarus, et al.	
		US- 6141010	10-31-2000	Hoyle	
		US- 6151601	11-21-2000	Papierniak, et al.	
		US- 6216129	04-10-2001	Eldering	
		US- 6269361	07-31-2001	Davis, et al.	
		US- 6393471	05-21-2002	Kobata	
		US- 6415322	07-02-2002	Jaye	
		US- 6832207	12-14-2004	Shkedi	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/SB/08A (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 3

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	[redacted]
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6868389	03-15-2005	Wilkins, et al.	
		US- 6925440	08-02-2005	Shkedi	
		US- 6973436	12-06-2005	Shkedi	
		US- 6993590	01-31-2006	Gauthier, et al.	
		US- 7065500	06-20-2006	Singh, et al.	
		US- 7072853	07-04-2006	Shkedi	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]
		WO 98/59481	12-30-1998	Buckland		
		WO 00/08583	02-17-2000	Keen		
		EP 1 024 437 A2	08-02-2000	Chen		

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/SB/08B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 3 of 3

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
		Brody, R.; "The Conditions and Consequences of Profiling in Commercial and Governmental Settings"; IEEE; 1998.	
		"IntelliQuest, 24/7 Media Pair to Deliver Tech Household Database"; from webpage http://www.clickz.com; October 6, 1998.	
		"Internet Access: Intelliquest and 24/7 Media Team Up to Deliver 100 Million Household Database to Internet Marketers"; from website http://findarticles.com; October 12, 1998.	
		24/7 Real Media Inc. - TFSM; Form S-1A, filed with the SEC April 14, 1999 (portions).	
		Engage Technologies, Inc.; Form S-1A; filed with the SEC July 19, 1999; pp. 36-50.	
		"The e-Marketing Report"; Morgan Stanley Dean Witter; May, 2000 (portions).	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/SB/08A (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 20030149938	08/07/03	McElfresh et al	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/SB/08A (04-07)
Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known	
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number Number-Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 6594691	07-15-2003	McCollum, et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Country Code[3]-Number[4]-Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T[6]

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/SB/08B (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

	Complete if Known
Application Number	[redacted]
Filing Date	[redacted]
First Named Inventor	Shkedi, Roy
Art Unit	[redacted]
Examiner Name	[redacted]
Attorney Docket Number	[redacted]

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
		"DoubleClick Launches New Marketing Solutions"; from website www.clickz.com; October 6, 1998.	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	Descriptive-profile mercantile method
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14-DP-DIV

Filed as Small Entity

Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	75	75
Utility Search Fee	2111	1	255	255
Utility Examination Fee	2311	1	105	105
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**435**

Electronic Acknowledgement Receipt

EFS ID:	3738652
Application Number:	12186918
International Application Number:	
Confirmation Number:	2033
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-DIV
Receipt Date:	06-AUG-2008
Filing Date:	
Time Stamp:	15:35:53
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$435
RAM confirmation Number	1110
Deposit Account	
Authorized User	

File Listing:

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

1	Transmittal of New Application	08-08-06-DescProfile-app_trans.pdf	70826 b926123c26c65c986152d9b715991645db7a56fc	no	1
Warnings:					
Information:					
2		DescriptiveProfile-DIV-SPEC.pdf	1978473 925f09fcdb6f16b0cbc8f5d60579a12d38876365	yes	45
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Specification		1	29	
	Claims		30	44	
	Abstract		45	45	
Warnings:					
Information:					
3	Drawings-only black and white line drawings	DescriptiveProfile-DIV-FIGS.pdf	37993 2ec3312cf2a2f7f82f520362be0ea2e5e7284a7a	no	3
Warnings:					
Information:					
4	Power of Attorney	08-08-06-DescProfile-DIV-POA.pdf	37621 6c3feba83212fe6ac932c18430fa5155ea29ac25	no	1
Warnings:					
Information:					
5	Oath or Declaration filed	08-08-06-DescProfile-DIV-Declaration.pdf	93656 4e2efe365aa56d56f67a007fd260c4cd27a4a26a	no	2
Warnings:					
Information:					
6	Assignee showing of ownership per 37 CFR 3.73(b).	08-08-06-DescProfile-DIV-ownership_statement.pdf	54979 d0b0175bc330697a042ce54a49c470e2bf91880e	no	1
Warnings:					
Information:					
7	Assignee showing of ownership per 37 CFR 3.73(b).	08-08-06-DescProfile-DIV-assignment.pdf	68327 1f04ca580807f743c3c71357e94c2cf17d020cf9	no	1
Warnings:					
Information:					

8	Preliminary Amendment	08-08-06-Almondnet-DescProfile-DIV-PrelimAmend.pdf	36767 aeeba66b4e9b49cc344fefc14c83366cabf75429	no	5
Warnings:					
Information:					
9	Information Disclosure Statement Letter	08-08-06-DescProfile-DIV-IDS_cover.pdf	81114 bd95b0dbef2bd9557f0f273d4da0a9b6c52ac8c4	no	2
Warnings:					
Information:					
10	Information Disclosure Statement (IDS) Filed (SB/08)	08-08-06-DescProfile-DIV-IDS.pdf	566752 e32700e3e8053132948c372a5b4bd683abaa255a	no	8
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
11	Fee Worksheet (PTO-06)	fee-info.pdf	8359 068474db2fedb5bc73a8e4504a7dd95dc32c5469	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	3034867		

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.

PTO/SB/06 (12-04)

Filing Date: 08/06/08

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/186,918

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	75		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	255		N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	105		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	8 3	0	X$ 25	0	OR	X$50	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 =	* 0	X$100	0		X$210	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			185			370	
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	435		TOTAL	0

APPLICATION AS AMENDED – PART II

AMENDMENT A	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
Application Size Fee (37 CFR 1.16(s))									
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A	
					TOTAL ADD'T FEE		OR	TOTAL ADD'T FEE	

AMENDMENT B	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)	OR	RATE ($)	ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
Application Size Fee (37 CFR 1.16(s))									
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					N/A		OR	N/A	
					TOTAL ADD'T FEE		OR	TOTAL ADD'T FEE	

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

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

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

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

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

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 12/186,918	Filing Date 08/06/2008	☐ To be Mailed

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)	SMALL ENTITY ☒		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE ($)	FEE ($)		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT		(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	08/06/2008	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 8	Minus	** 20	= 0	X $25 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $105 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

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

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

Legal Instrument Examiner:
/Fennell A. Pearlie/

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

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