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| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><br><i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket No.    | 14-EP-CON3                                                                                           |
|                                                                                                                                     | First Inventor         | Shkedi, Roy                                                                                          |
|                                                                                                                                     | Title                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
|                                                                                                                                     | Express Mail Label No. | FILED VIA EFS - 06/07/2012                                                                           |

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| <b>APPLICATION ELEMENTS</b><br>See MPEP chapter 600 concerning utility patent application contents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           | <b>ADDRESS TO:</b> Commissioner for Patents<br>P.O. Box 1450<br>Alexandria VA 22313-1450                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |      |  |  |  |         |  |  |  |      |       |          |  |         |           |       |  |
| 1. <input type="checkbox"/> <b>Fee Transmittal Form</b> (e.g., PTO/SB/17)<br>2. <input checked="" type="checkbox"/> <b>Applicant claims small entity status.</b><br>See 37 CFR 1.27.<br>3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <u>26</u> ]<br>Both the claims and abstract must start on a new page<br>(For information on the preferred arrangement, see MPEP 608.01(a))<br>4. <input checked="" type="checkbox"/> <b>Drawing(s)</b> (35 U.S.C. 113) [Total Sheets <u>3</u> ]<br>5. <b>Oath or Declaration</b> [Total Sheets <u>2</u> ]<br>a. <input type="checkbox"/> Newly executed (original or copy)<br>b. <input checked="" type="checkbox"/> A copy from a prior application (37 CFR 1.63(d))<br>(for continuation/divisional with Box 18 completed)<br>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br>Signed statement attached deleting inventor(s)<br>name in the prior application, see 37 CFR<br>1.63(d)(2) and 1.33(b).<br>6. <input type="checkbox"/> <b>Application Data Sheet.</b> See 37 CFR 1.76<br>7. <input type="checkbox"/> <b>CD-ROM or CD-R</b> in duplicate, large table or<br>Computer Program (Appendix)<br><input type="checkbox"/> Landscape Table on CD<br>8. <b>Nucleotide and/or Amino Acid Sequence Submission</b><br>(if applicable, items a. – c. are required)<br>a. <input type="checkbox"/> Computer Readable Form (CRF)<br>b. <input type="checkbox"/> Specification Sequence Listing on:<br>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or<br>ii. <input type="checkbox"/> Paper<br>c. <input type="checkbox"/> Statements verifying identity of above copies |           | <b>ACCOMPANYING APPLICATION PARTS</b><br>9. <input checked="" type="checkbox"/> <b>Assignment Papers</b> (cover sheet & document(s))<br>Name of Assignee <u>AlmondNet, Inc.</u><br>10. <input checked="" type="checkbox"/> <b>37 CFR 3.73(b) Statement</b> <input checked="" type="checkbox"/> <b>Power of Attorney</b><br>(when there is an assignee)<br>11. <input type="checkbox"/> <b>English Translation Document</b> (if applicable)<br>12. <input checked="" type="checkbox"/> <b>Information Disclosure Statement</b> (PTO/SB/08 or PTO-1449)<br><input checked="" type="checkbox"/> Copies of citations attached<br>13. <input checked="" type="checkbox"/> <b>Preliminary Amendment</b><br>14. <input type="checkbox"/> <b>Return Receipt Postcard</b> (MPEP 503)<br>(Should be specifically itemized)<br>15. <input type="checkbox"/> <b>Certified Copy of Priority Document(s)</b><br>(if foreign priority is claimed)<br>16. <input type="checkbox"/> <b>Nonpublication Request</b> under 35 U.S.C. 122(b)(2)(B)(i).<br>Applicant must attach form PTO/SB/35 or equivalent.<br>17. <input type="checkbox"/> 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:<br><input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)    of prior application No.: <u>12/823,709</u><br>Prior application information:    Examiner <u>Katsikis, Kostas J.</u> Art Unit: <u>2441</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |      |  |  |  |         |  |  |  |      |       |          |  |         |           |       |  |
| <b>19. CORRESPONDENCE ADDRESS</b><br><input checked="" type="checkbox"/> The address associated with Customer Number: <u>26362</u> OR <input type="checkbox"/> Correspondence address below<br><table border="1"> <tr> <td>Name</td> <td colspan="3"></td> </tr> <tr> <td>Address</td> <td colspan="3"></td> </tr> <tr> <td>City</td> <td>State</td> <td>Zip Code</td> <td></td> </tr> <tr> <td>Country</td> <td>Telephone</td> <td>Email</td> <td></td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  | Name |  |  |  | Address |  |  |  | City | State | Zip Code |  | Country | Telephone | Email |  |
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| /Louis J. Hoffman/                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |           | 06/07/2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |      |  |  |  |         |  |  |  |      |       |          |  |         |           |       |  |
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| Louis J. Hoffman                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |           | 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.**

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# **MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY**

## **CROSS REFERENCE TO RELATED APPLICATIONS**

5           This application claims the benefit of provisional application Serial No. 60/804,937, filed June 16, 2006, and provisional application Serial No. 60/805,119, filed June 19, 2006, which are herein incorporated by reference.

## **FIELD OF THE INVENTION**

10           The present invention generally relates to profile-based behavioral targeting advertisement placement methods. More specifically, the present invention relates to electronic advertisement placement based on expected profit from the placement.

## **BACKGROUND OF THE INVENTION**

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

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

DoubleClick to later find those visitors within other sites, i.e., where the DoubleClick ad server is used to serve ads.

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

AlmondNet, Tacoda, RevenueScience, and other companies (herein “BT companies”; “BT” stands for behavioral targeting) specialize in targeting ads based on observed behavior of sites’ visitors. BT companies place a cookie (or cookies) on the computers of visitors to specific sections of a publisher’s website or on the computers of visitors of the publisher who conducted a specific action such as search, click content, click an ad, request information, acquire a product, etc.

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

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

A publisher may also be referred to as a “profile supplier” when it transfers profile information, such as behavioral information, demographic information, etc., to a

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

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

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

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



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

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

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

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

Because the purpose of the tag is to enable the delivery of additional ads on other media properties visited by the visitor, and because the delivery of an ad requires only control of the ad space and not necessarily control of the entire media property visited  
30 by the visitor, a media property (in the present context) can also be defined as any

equipment that controls an ad space viewed by a visitor, including a web site, an ad network's site (where the ad network represents the ad space of different sites), a TV program, some of the ad space within TV programs or TV channels (represented by a cable company), a TV network, or any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space can be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio, etc. An ad space can be a fixed position on a page, or the ad space can be made available by a web site to an ad network (for example) only when the web site did not sell all of the site's ad inventory and therefore wishes to make some of the inventory available to the ad network.

In the case of a media property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled only temporarily. For example, in the case of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill, the ad network will have temporary control of the ad space, i.e., when that ad space is given to it by the web site. Once the site redirects the ad space on the page to the ad network (so the ad network could fill the ad space with an ad sold by the ad network), the ad network controls the ad space and has access to the visitor viewing the ad space that was redirected to the ad network by the site, and therefore the ad network's equipment is considered a media property, as it controls an ad space viewed by a visitor.

The tag can be placed on the device used by the user to access the first media property where the user's profile was collected (in case of observed behavior, that behavior can be reading a specific content, searching, clicking an ad or content, making a phone call, asking for product information, acquiring a product, or taking any other kind of action). A tag placed on the device (1) could be read only by a server operating under the same domain as the server that placed the tag on the device to begin with as in the case of a cookie for example, (2) could be placed on the device when the user

visited the first media property, and then the tag can be read by any second media property visited by the visitor, or (3) could be encrypted and, while accessed by any second media property visited by the visitor, the tag could be deciphered only by second media property computers that received the deciphering code from the first media property. In case of a tag placed by software installed on a user's computer, the tag could be whatever the software wants it to be, including a cookie of any domain.

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

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

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

One of the major challenges in targeting a first site visitor on another site with an ad based on his observed behavior on sites visited by him previously (such as the first site) is actually finding the visitor on other sites.

Depending on the tag placed (or arranged to be placed) by the BT companies, the visitor could be recognized either by the entity that placed the tag to begin with (which requires access by that entity to the tag when the visitor visits a second media property) or by the second media property reading the tag (in which case the tag can be placed by the second media property if the BT company so arranges).

BT companies, acting as an agent, can find visitors tagged by them, when the tagged visitors are present on sites that use the BT companies' software (either to serve ads or in conjunction with those sites' ad servers). BT companies (whether it is acting as an agent, is the publisher itself, or is operating with any other BT company) can find visitors tagged by them, when the visitors are present on sites and ad networks where the BT companies buy media.

To make the process of finding people who visited a first media property on other media properties more efficient, BT companies enable sites and ad networks (from whom the BT companies buy media) to also place their cookies on the computers of people (visitors) on whose computers the BT company has placed its own cookie. That technique is similar to the way DoubleClick's Boomerang system places cookies on visitors to an advertiser site for the purpose of finding those visitors later on other sites where Doubleclick serves ads.

An ad network ad server (or any other server of the ad network) or a site's ad server (or any other server of the site) can place their own cookies on the computers of visitors that are redirected to them by the BT companies, for the purpose of later recognizing those visitors within their own ad space (i.e., the ad space of the ad networks or the sites).

This process – where sites and ad networks place cookies on visitors' computers redirected to them by BT companies (or other entities interested in additional ads presented to their audience elsewhere) – is sometimes referred to as "cookie matching."

For example, weather.com might place a weather.com cookie on a user's computer marking him or her as a visitor to BT company #1, following a redirect from BT company #1 server. Later, if and when the weather.com ad server recognizes that the same visitor (previously redirected to him by BT company #1) happened to visit

weather.com (weather.com will recognize the visitor by reading its own weather.com cookie, which marked the visitor as a BT company #1 visitor), the weather.com ad server can, if it wishes, redirect the visitor's computer to the BT company #1 server, to have an ad served to the visitor, either by BT company #1's ad server or another ad server to which BT company #1 ad server further redirects the visitor. The weather.com ad server's decision, whether or not to redirect the visitor's computer to BT company #1's server can be based on the price that BT company #1 promised to pay weather.com for the presentation of an ad within weather.com's ad space, to a visitor previously redirected to weather.com by BT company #1's server.

Although the above-described processes enable a second media property to recognize a first media property visitor, it is still a very inefficient process for the following reasons:

- (1) Media properties' ad space prices vary.
- (2) Profiles of media properties' visitors are worth different amounts to advertisers depending on the profiles. For example, a person who searched for a "mortgage" on a search engine might be presented with a mortgage-related ad, for which the advertiser is willing to pay \$3 if that person clicks on that ad. A person who searched for "socks" on a search engine might be presented with a socks-related ad, for which the advertiser is willing to pay \$0.50 if that person clicks on that ad. A person who visited the mutual fund section of a site might be presented with a mutual-fund related ad (wherever the person is found, i.e., either on the same site or on other sites), in which case the advertiser is willing to pay \$25 for every thousand ads (CPM) presented to people who visited that mutual fund section.

- (3) The same person might have several profile attributes in his or her profile (as a result, for example, of that person conducting several different searches and visiting different sites). Different advertisers might be willing to pay different amounts for delivering ads to the person based on the specific profile attribute or attributes that the respective advertisers are looking to target.

In summary, the cost of ad space at a second media property might not be covered by revenues generated for a BT company buying the space, i.e., from an ad

delivered within the second media property ad space based on a profile collected in a first media property or properties. Alternatively, the revenues might cover the media cost but not deliver satisfactory margins to the BT company, when taking into account other costs, such as ad sales people cost, ad serving cost etc.

5

## SUMMARY OF THE INVENTION

According to various aspects of the invention, therefore, an automatic system is described to facilitate selection of media properties on which to display an advertisement, responsive to a profile collected on a first media property, where a BT  
10 company calculates expected profit for an ad correlated with the profile and arranges for the visitor to be tagged with a tag readable by the selected media property.

The profit can be calculated by deducting, from the revenues that are expected to be generated from an ad delivered based on the collected profile, at least the price of ad space at a media property where the BT company might like to deliver ads to the  
15 profiled visitor. When the calculated profit is positive (i.e., not a loss), the BT company arranges for the visitor to be tagged with a tag readable by the selected media property through which the BT company expects to profit.

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

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## BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a flow diagram of an exemplary embodiment of a profit-based selection method.

Figure 2 is a flow diagram of an exemplary embodiment of a profit-based selection method.

Figure 3 is a schematic of an exemplary embodiment of entities and associated equipment used with a profit-based selection method.

#### DESCRIPTION OF PREFERRED EXEMPLARY EMBODIMENTS

5 Referring to the embodiment of Fig. 1, responsive to receiving (1000) profile information (e.g., actions) of an electronic visitor with respect to a first media property, the instant method includes (i) determining (2000) anticipated revenues and/or profit resulting from placing an advertisement targeted to the visitor based on the received profile, and (ii) automatically selecting (3000) at least one media property for which it is  
10 anticipated that there will be a positive profit in delivering an ad to the profiled visitor. The method includes, via an electronic communications media, for each of the selected media properties, arranging (4000) for electronic storage of a tag readable by said media property, wherein the tag is associated with the visitor.

Profit can be defined as:

15 (1) revenues expected to be generated, from an ad delivered based on the collected profile, minus the ad space cost at a specific media property (i.e.,  $Pr = Rev(\text{profile}) - P(\text{mp})$ , where "Pr" is profit, "Rev" is revenue generated from advertising to a visitor with a particular profile, and "P" is the price charged by media property "mp" for advertising in an ad space);

20 (2) revenues expected to be generated, from an ad delivered based on the collected profile, minus the sum of (a) the price for buying ad space on the specific media property, (b) ad serving cost, (c) ad sales associated cost, and (d) desired profit margin (i.e.,  $Pr = Rev(\text{profile}) - P(\text{mp}) - C - \text{Mar}$ , where "C" represents costs and "Mar" represents desired profit margin), or

25 (3) in other ways.

If the calculated profit indicates that the BT company will lose (negative profit) from delivering an ad, based on the received profile on any of the possible media properties where it is buying ad space, the BT company won't arrange for the visitor to be tagged by a tag readable by any of those media properties, and the BT company  
30 might even decide not to collect the profile (so the visitor's profile will not be stored).

Using the equation defining profit in item (2) just above, the question of whether the profit is positive or negative, as stated in this paragraph, equates to testing (4) whether  $\text{Rev}(\text{profile}) - P(\text{mp}) - C - \text{Mar} > 0$ , which is the same as (5) whether  $\text{Rev}(\text{profile}) - P(\text{mp}) - C > \text{Mar}$ , or (6) whether  $\text{Rev}(\text{profile}) > P(\text{mp}) + C + \text{Mar}$ , or (7) whether  $P(\text{mp}) < \text{Rev}(\text{profile}) - C - \text{Mar}$ . Grouping the terms on the right-hand side of the equation in item (7) reduces that equation to the same as testing whether the price charged by a media property is less than a price cap, with the price cap being defined as the difference determined by subtracting from the revenue generated from advertising to a visitor with a particular profile a selected amount, here defined by the costs and desired profit margin.

Likewise, using the equation defining profit in item (1) just above, the question of whether the profit is positive or negative equates to testing (8) whether  $\text{Rev}(\text{profile}) - P(\text{mp}) > 0$ , which equates to testing (9) whether  $P(\text{mp}) < \text{Rev}(\text{profile})$ , which again is the same as testing whether the price charged by a media property is less than a price cap, with the price cap being defined in this instance simply as the available revenue generated from advertising to a visitor with a particular profile.

The method includes the following basic steps, shown in Figs. 2 and 3:

1. A profile supplier 20 redirects (100) a visitor 10 to a BT company 30 along with the visitor's profile. In case the profile supplier 20 is also the BT company 30, this step either does not take place or takes place internally, for example via an internal redirect from one server to another server operating under the same domain that belongs to the publisher/BT Company. In case the BT company 30 has software on a user's computer 11 that enables it to monitor the user's visits to media properties (e.g., 20, 40, 50) without the cooperation of the media properties, this step either does not take place or takes place internally, e.g., by the software on the user's computer communicating the collected profile to the BT company's central server.

2. The BT company 30 recognizes (200) the content read by the user 10, the category to which the content read by the user 10 belongs, the keyword searched for by the user 10, an ad clicked by the user 10, or any other action conducted on the page/site 20 by the user 10 (such as click on an item of content or an ad, purchase of a product,



request for more information, etc) during the site visit (110). The recognizing might be as simple as pulling a keyword for which the visitor 10 searched from a URL used by the profile supplier 20 to redirect the visitor 10 to the BT company 30, for example.

3. The BT company 30 optionally can categorize (300) specific content read  
5 by the user 10, or an action conducted by a user 10. An example action might be a search for a keyword. To illustrate, suppose a person searched for an airline ticket to Florida on a travel site. When the BT company 30 receives that information, in addition to recording the search for the flight to Florida in the visitor's profile (whether the profile is stored in the cookie or tag, the BT company's central database 31, or both of  
10 those places), the BT company 30 may further categorize the person under the "Travel" category and in the "Search for Flights" subcategory of "Travel."

4. The BT company 30 calculates (400) expected revenues from delivering ads based on the collected profile (Rev(profile) in the equations above). The revenues are calculated based on the kind of collected profile: (a) Expected revenues from content  
15 read by the visitor 10 can be calculated by checking, for example, how much advertisers are willing to pay for delivering ads to visitors who read specific content. (b) Expected revenues from delivering ads based on a keyword searched by the visitor 10 can be calculated by checking, for example, how much advertisers are willing to pay for each click on an ad related to the keyword for which the visitor searched and multiplying  
20 that price per click by an assumed click-through rate on ads related to the searched-for keyword, up to 14 days after the visitor's search. In general, expected revenues can be calculated for the delivery of ads based on a category of content read by the visitor 10, for specific content read by the visitor 10, or for action taken by the visitor 10 (e.g., made a phone call, clicked an ad, clicked specific content, asked for information, acquired  
25 product, etc.).

5. The BT company 30 selects (500) media properties (e.g., 40) for the delivery of an advertisement based on a profile collected on a first media property 20. The BT company 30 makes the selection based on a calculated expected profit and then arranges for the visitor 10 to be tagged (610 or 620) with a tag readable by the selected

media property 40. The profit is calculated in any of the alternative manners stated above.

The BT company's arranging placement of the tag can be achieved in different ways:

5           A.     The BT company 30 can redirect (630) a visitor to the selected media property 40, 50 with a request to have the selected media property 40, 50 tag (620) the visitor with the media property's own tag, which obviously is readable by the selected media property 40, 50 (such a tag could be a cookie on the visitor's storage device 12).

10           B.     The BT company 30 can itself place (610) a tag that will be readable by the selected media property 40.

          C.     The BT company 30 can place an encoded tag that, although accessible by any media property (e.g., 40, 50), can be read only by a selected media property 40 to which the BT company gave a deciphering code.

15           D.     In cases when the BT company 30 has software installed on a user's computer 10, the BT company 30 can arrange for the software to place (not shown) a tag readable by the selected media property 40 (such a tag could be a cookie operating under the selected media property domain).

20           E.     The BT company 30 can arrange for the selected media property 40 to place a tag in the selected media property's central database 41, in which case the tag can uniquely identify (1) the device 11 that the visitor 10 will use to access the selected media (IP address, set-top box ID, mobile phone number, manufacturer serial number, cookie readable by the selected media property, etc.), or (2) the user as a person (personal identifiable information).

25           When a selected media property 40 recognizes a tagged visitor 10 (tagged previously, at time t1) later (at time t2) visiting (710) its ad space, the media property 40 will arrange for the BT company 30 to serve an ad (720) to the visitor 10 (which will appear with the media content (730) requested by the visitor), by redirecting (700) a visitor to the BT company 30, for example.

30           The media properties can be of the same kind of media (e.g., two web sites 40, 60 on the Internet 80) or of different media (e.g., first media property can be a web site 40

on the Internet 80, and the second media property can be a TV channel on TV or a text message system on a mobile phone, etc.). In the case (not shown) where the second media property operates within a different media than the first media, the tagging of the visitor with a tag readable by the second media property (which is arranged by the  
5 BT company 30) might include finding the device used by the visitor 10 to access the second media by using personal identifiable information about the visitor 10. As there may be no connection between the device used by the visitor to access the first media property (computer 11, for example) and the device used by the visitor to access the second media property (TV, for example) besides the commonality of the user (visitor)  
10 10, personal identifiable information about the visitor 10 could be used to allow the second media property to learn which device the visitor 10 uses to access the second media property and tag the visitor 10. The second media property could tag the device used by the visitor 10 to access the second media property by placing a tag on the device itself or in a central database of the second media property, for example).

15 Although the BT company 30 stores the visitor's collected profile, in the above-described implementation it does not transfer the collected profile to the second media property 40, 50 but simply asks the second media property 40, 50 to tag the visitor as a BT company visitor or arrange for a tag to be placed (620) that is readable by the second media property 40 and that marks the visitor as a BT company visitor. As the BT  
20 company 30 buys ad space from the proprietor of the second media property 40 and delivers therein an ad based on the collected profile, the BT company 30 has no economic incentive to transfer the profile information itself (such as the fact that the visitor searched for "car insurance") to the second media property 40. The second media company's proprietor is being paid for the ad space and therefore just needs to  
25 know that the visitor 10 has been profiled by the BT company 30, which will pay the second media property's proprietor for an opportunity to deliver an ad to this visitor 10 within the ad space of the second media property 40.

Suppose, for example, a person searches for "mortgage" on Google (Google is a BT company 30 in this example). Using the method above, Google calculates that  
30 advertisers are willing to pay \$3 per click on a mortgage-related ad, that the expected

click-through on a mortgage-related ad is 0.3%, and therefore Google will earn \$9 for every thousand mortgage-related ads delivered to people that searched for “mortgage” on Google when those people are found later, anywhere on the web (i.e., this is “Rev(profile)”). Google further knows that it costs Google \$3 CPM to deliver a thousand ads on weather.com (i.e., “P(mp)”) to computers that were tagged by weather.com as Google visitors. Google therefore can calculate a profit of \$6 CPM (without taking into account other costs, i.e., “C”) for delivering a thousand mortgage-related ads to Google visitors who searched for “mortgage” on Google when found later within the ad space of weather.com. Google will therefore arrange for weather.com to tag the person who searched for “mortgage” on Google as a Google visitor (by redirecting the visitor to weather.com with the request to tag the person as a Google visitor, for example).

In the case where a second media property controls ad space with prices that fall within a range, the BT company 30 – in addition to arranging for the second media property (e.g., 50) to tag (620) its visitor – may also provide the second media property 50 with the price the BT company 30 is willing to pay the second media property 50 for delivering an ad within the second media property’s ad space. In Fig. 3, second media property 50 is shown as an ad network’s site (where the ad network represents the ad space of different sites, 60, 61), as described above. The price delivered from the BT company 30 enables the second media property 50 to determine which ad space it should allocate to the BT company 30 when the tagged visitor 10 visits the second media property 50. Although some of the ad space (e.g., on site 60) might be too expensive, i.e., above the cap defined by the price the BT company 30 is willing to pay, other ad space (e.g., on site 61) might have a cost that would be covered by the price the BT company 30 is willing to pay. However, obviously, the BT company 30 will not arrange for tag placement if the price it is willing to pay for delivering an ad to the profiled visitor 10 is less than the lowest price demanded by a second media property 50 for delivering an ad within that ad space, i.e.,  $\text{price cap} < \min[P(\text{mp})]$ .

Given that some kind of profiles such as behavioral profiles are time-sensitive (in other words, their value diminishes with time), the BT company 30 – in addition to arranging the placement of a tag readable by the second media property 40, 50 – may

also provide the second media property 40, 50 (via the tag, for example) with a time period within which the BT company 30 will agree to deliver ads to the profiled visitor 10 within the ad space of the second media property 40, 50. Suppose, for example, a BT company 30 collected a profile of a visitor 10 who searched for “flowers.” The BT company 30 might arrange for the visitor 10 to be tagged with a tag, readable by a second media property 40, marking the visitor 10 as the BT company’s visitor and setting a time limit of two days, which means that the second media property 40 can call upon the BT company 30 to serve an ad to the tagged visitor 10 only when the visitor 10 is found within the second media property’s ad space up to two days after the visitor 10 was tagged (the tag may have a time stamp identifying the date and time the tag was placed to help the second media property 40 calculate the date before which the second media property 40 can call upon the BT company 30 to serve an ad).

The calculation that takes place in steps 4 and 5 of the above-described method may take place not at the time of profile collection as described above but beforehand. Conducting the calculation before the profile is collected can shorten the time it takes the server 30 to select the media properties. The calculation might be done beforehand for other reasons.

Specifically, step 4 (which states that the BT company 30 calculates the expected revenues from delivering ads based on the collected profile, where the revenues are calculated based on the kind of collected profile, i.e., “Rev(profile)”) may take place in advance. If for example, a collected profile describes the content read by a visitor, then, if other profiles were previously collected of the same kind of profile, there is no need to check how much advertisers are willing to pay for delivering ads, as it was already checked for profiles of the same kind.

The word “calculating” expected revenues can encompass a scenario in which there are no arithmetic calculations, but rather simply an act of locating the correct information. In this example, the information concerning how much advertisers are willing to pay for delivering their ads to visitors 10 that read a specific content is located, and no arithmetic calculation is needed.

For another example, if the expected revenues for delivering an ad for someone who searched for “mortgage” has recently been calculated, then there is no need to calculate it again, and the information can simply be located.

Although the examples describe calculation of revenues from delivering an ad at a media property 40, 50, depending on the method of payment for the media property, different calculations of expected revenues can take place.

If the media property only gets paid for when a visitor visiting it takes action, then the revenues per profile-based ad delivery should also be based on an action. Such a visitor action can be a click on an ad, a request for information from the advertiser (following a click on the ad), a registration with the advertiser, an act of buying a product or service from the advertiser, etc.

For example, if the media property 40 is paid at the rate of \$0.40 per click on an ad presented to the media property’s visitor, the BT company 30 will check how much the advertiser will pay the BT company 30 per visitor click when viewing an ad based on the collected profile. If the price per click paid by the advertiser at least exceeds the price per click paid for the media property, then the BT company 30 can arrange for the tagging of the visitor 10 with a tag readable by the selected media property (the one that will cost \$0.40 per click).

In some scenarios, the BT company 30 might be paid for every ad delivered to a visitor, but the media property might trigger payment for every visitor click on an ad. Conversely, the BT company 30 might be paid for a visitor click on an ad, but the media property might trigger payment for every delivered ad regardless of whether a click took place or not. In those scenarios, so as not to expose itself to the risk of loss, the BT company 30 preferably translates the payment it receives (whether per ad delivery or ad click or per action) to the payment method applied to the media property. For example, if the BT company 30 is paid \$0.25 per click on an ad by a visitor who searched for a “DVD” but a media property triggers payment for every ad delivery at \$0.50 CPM (regardless of whether a click took place), the BT company 30 can translate the payment per click it receives to payment for ad delivery. In this example, the BT company 30 can calculate that, with an expected click-through of 0.4% on DVD-related ads by people

who searched for “DVD” up to seven days before they are presented with an ad, the BT company 30 will generate \$1 CPM ( $0.4\% \text{ CTR} * 1,000 \text{ ads} * \$0.25 \text{ per click} = \$1$ ), i.e.,  $\text{Rev}(\text{profile}) \approx \$1 \text{ CPM}$ . Because \$1 CPM is more than the \$0.50 cost of the media property (i.e.,  $\text{Rev}(\text{profile}) > P(\text{mp})$ ), the BT company 30 will make a gross profit of \$0.50 CPM and therefore (assuming costs are low or ignored) arrange for tag placement.

Likewise with respect to step 5 (which states that the BT company 30 selects media properties for delivery of an advertisement based on a profile collected on a first media property where the selection is made by the BT company 30 based on a calculated expected profit), the calculation on which the media property selection is based could be a calculation done beforehand. If the collected profile is of the same kind as another profile that was collected recently (for example, both profiles describe “searching for flights”) then the information concerning how much revenues would be generated from such a profile is already available, and there is no need to recalculate. Also, the profit has also been calculated, because the cost of ad space at the different media properties probably does not change in a short period of time. A look-up table can be used that lists, based on the kind of profile, the media properties that should be selected. In such a scenario, the steps of the method will be:

1. The BT company 30 calculates expected revenues from delivering ads based on different collected profiles.

2. The BT company 30 calculates expected profits (or losses) for the delivery of ads based on different collected profiles within the ad space of different available media properties 40, 50.

3. The BT company 30 builds a table wherein each kind of profile is assigned media properties where ads will be delivered based on the profile, and wherein the selection of media properties is made based on the previously calculated profit. The table is updated on a regular basis to make sure it is up to date.

4. The BT company 30 collects a profile.

5. The BT company 30 arranges for placement of a tag readable by a selected media property, where the selected media properties are taken from the table described in step 3 above.

The above is just one possible implementation. Instead of a table, a database or any other data structure can be used. The calculation could be done entirely in advance, entirely when the profile is collected, or a combination wherein some of the calculation is done in advance and some when the profile is collected.

- 5           Accordingly, the method can be described in the following more general steps:
1.       The BT company 30 collects a profile.
  2.       The BT company 30 arranges (610, 620) for a tag (readable by a selected media property 40, 50, or both) to be placed, where the media property is selected based on the expected profit from the delivery of an ad (720) based on the collected profile
- 10       within the ad space of the media property.

          Although the above method focuses on profit calculation that takes into account expected revenues from delivery of an ad based on a collected profile, media property ad space cost and other costs, other parameters beyond costs and revenues might be taken into account. For example, an advertiser might insist that its ads appear on media

15       properties that have certain content and not on other media properties, a media property might not agree to show ads from a certain category (for example, a sports media property might not agree to show sports-related ads, to avoid promoting competitors), etc.

## 20       PUBLIC NOTICE REGARDING THE SCOPE OF THE INVENTION AND CLAIMS

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

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



I claim:

1. A method of directing electronic advertisements, the method comprising:
  - (a) determining a profile-attribute-dependent revenue available for display of a profile-attribute-related advertisement; and
  - (b) for each of a multitude of different electronic visitors to a first media property, responsive to receiving information about at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing a second media property to allow display, to the electronic visitor when later visiting the second media property, of an advertisement correlated with the profile-attribute information received about the visitor, for a price that does not exceed a price cap that is a selected amount less than the revenue available for display of the advertisement.
2. The method of claim 1 further comprising selecting at least one of a plurality of second media properties for the authorizing step in part (b).
3. The method of claim 1 wherein authorizing for a price that does not exceed a price cap comprises ensuring that (i) the revenue available for display of the advertisement is not less than (ii) a sum of the price for allowing display of the advertisement to the electronic visitor when later visiting the second media property and an amount that depends on cost or desired profit.
4. The method of claim 3:
  - (i) wherein part (a) is done before part (b);
  - (ii) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and
  - (iii) wherein part (b) comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving

profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property.

5        5.        The method of claim 3 wherein authorizing for a price that does not exceed a price cap comprises calculating the selected amount and wherein calculating the selected amount is done responsive to receiving the profile-attribute information about the visitor.

6.        The method of claim 1 wherein part (a) is done before part (b).

10       7.        The method of claim 6 further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein part (b) comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the visitor.

15       8.        The method of claim 1 wherein authorizing responsive to receiving information comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor.

9.        The method of claim 1 wherein authorizing responsive to receiving information comprises recognizing an action conducted on the first media property by the visitor.

20       10.       The method of claim 1 wherein authorizing responsive to receiving profile-attribute information comprises authorizing responsive to receiving a search request by the visitor to the first media property.

11.       The method of claim 1 wherein authorizing responsive to receiving profile-attribute information comprises authorizing responsive to receiving information about a characteristic of the visitor.

25       12.       The method of claim 1 wherein authorizing responsive to receiving profile-attribute information comprises authorizing responsive to receiving information about a profile attribute of the visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

13. The method of claim 1 wherein authorizing comprises redirecting the visitor's computer to the second media property for the second media property to place a tag on the visitor's computer readable by the second media property.

14. The method of claim 1 wherein authorizing comprises placing a tag on the visitor's computer readable by the second media property.

15. The method of claim 1 wherein authorizing comprises delivering the price cap to a second media property that controls ad space on a plurality of different media properties, with understanding that second media property will allow placement of the advertisement only into ad space having a price that does not exceed the price cap.

16. The method of claim 15 wherein authorizing comprises locating previously determined information concerning the profile-attribute-dependent revenue available for display of the advertisement.

17. The method of claim 16 wherein: (i) part (a) is done before part (b), (ii) part (b) comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and (iii) authorizing comprises authorizing display of the advertisement only during a specified time period after receiving profile-attribute information about the visitor.

18. The method of claim 1 wherein authorizing comprises authorizing display of the advertisement only during a specified time period after receiving profile-attribute information about the visitor.

19. The method of claim 1 wherein the second media property comprises media-property equipment controlling ad space that is in a different media than the media of the first media property.

20. The method of claim 1 wherein the second media property comprises equipment controlling ad space only temporarily.

21. The method of claim 1 wherein the second media property comprises equipment controlling ad space at different Internet sites.

22. The method of claim 21 wherein the second media property comprises equipment controlling ad space on Internet sites not owned by the second media property.

5 23. The method of claim 1 further comprising, in the course of authorizing for a price that does not exceed a price cap, translating the revenue determined in part (a) in accordance with a first payment method to a second, different payment method utilized by the second media property.

24. A computer server programmed to implement a method of directing electronic advertisements comprising:

10 (a) determining a profile-attribute-dependent revenue available for display of a profile-attribute-related advertisement; and  
(b) for each of a multitude of different electronic visitors to a first media property, responsive to receiving information about at least one of a plurality of profile attributes possibly applicable to the visitor, automatically  
15 electronically authorizing a second media property to allow display, to the electronic visitor when visiting the second media property, of an advertisement correlated with the profile-attribute information received about the visitor, for a price that does not exceed a price cap that is a selected amount less than the revenue available for display of the advertisement.

20 25. The server of claim 24 wherein the server is programmed to implement a method wherein authorizing for a price that does not exceed a price cap comprises ensuring that (i) the revenue available for display of the advertisement is not less than (ii) a sum of the price for allowing display of the advertisement to the electronic visitor when later visiting the second media property and an amount that depends on cost or  
25 desired profit.

26. The server of claim 25 wherein the server is programmed to implement a method:

(i) wherein part (a) is done before part (b);

(ii) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(iii) wherein part (b) comprises, responsive to receiving an electronic  
5 redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a  
10 tag readable by said at least one selected second media property.

27. The server of claim 24 wherein the server is programmed to implement a method wherein part (a) is done before part (b).

28. The server of claim 27 wherein the server is programmed to implement a method further comprising building a look-up data structure associating at least one  
15 selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein part (b) comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the visitor.

29. The server of claim 24 wherein the server is programmed to implement a  
20 method wherein authorizing responsive to receiving information comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor.

30. The server of claim 24 wherein the server is programmed to implement a method wherein authorizing responsive to receiving profile-attribute information  
25 comprises authorizing responsive to receiving information about a profile attribute of the visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

31. The server of claim 24 wherein the server is programmed to implement a method wherein authorizing comprises delivering the price cap to a second media  
30 property that controls ad space on a plurality of different media properties, with

understanding that second media property will allow placement of the advertisement only into ad space having a price that does not exceed the price cap.

32. The server of claim 31 wherein the server is programmed to implement a method wherein authorizing comprises locating previously determined information  
5 concerning the profile-attribute-dependent revenue available for display of the advertisement.

33. The server of claim 32 wherein the server is programmed to implement a method wherein: (i) part (a) is done before part (b), (ii) part (b) comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute  
10 information about the visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and (iii) authorizing comprises authorizing display of the advertisement only during a specified time period after receiving profile-attribute information about the visitor.

34. The server of claim 24 wherein the server is programmed to implement a  
15 method wherein authorizing comprises authorizing display of the advertisement only during a specified time period after receiving profile-attribute information about the visitor.

35. The server of claim 24 wherein the server is programmed to implement a method wherein the second media property comprises media-property equipment  
20 controlling ad space that is in a different media than the media of the first media property.

36. The server of claim 24 wherein the server is programmed to implement a method further comprising, in the course of authorizing for a price that does not exceed a price cap, translating the revenue determined in part (a) in accordance with a first  
25 payment method to a second, different payment method utilized by the second media property.

1  
2 ABSTRACT  
3

4 An automatic system facilitates selection of media properties on which to display  
5 an advertisement, responsive to a profile collected on a first media property, where a  
6 behavioral-targeting company calculates expected profit for an ad correlated with the  
7 profile and arranges for the visitor to be tagged with a tag readable by the selected  
8 media property. The profit can be calculated by deducting, from the revenues that are  
9 expected to be generated from an ad delivered based on the collected profile, at least the  
10 price of ad space at a media property where the BT company might like to deliver ads  
11 to the profiled visitor. When the calculated profit is positive (i.e., not a loss), the BT  
12 company arranges for the visitor to be tagged with a tag readable by the selected media  
13 property through which the BT company expects to profit.  
14

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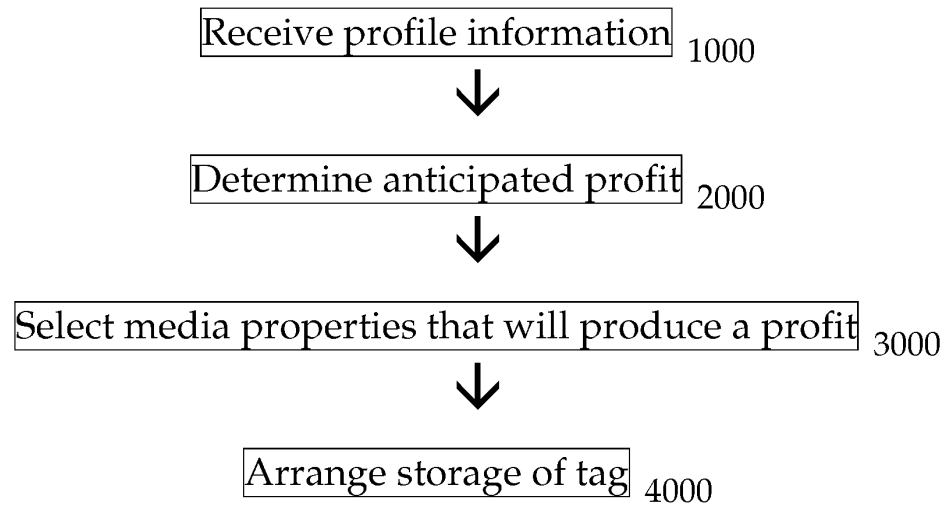


FIG. 1



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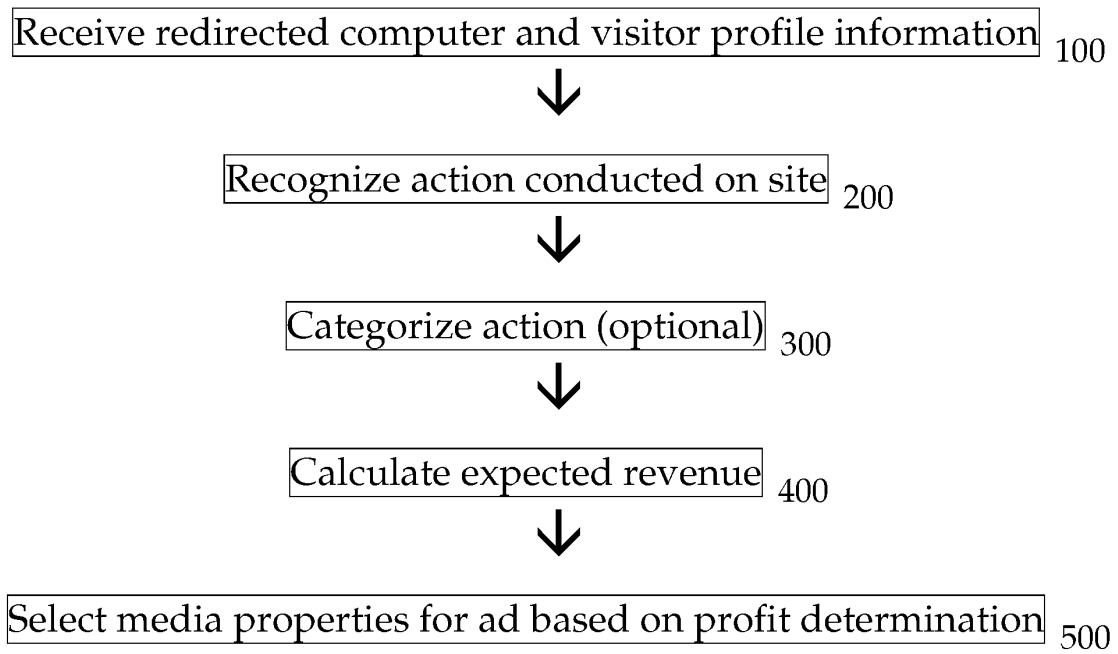


FIG. 2

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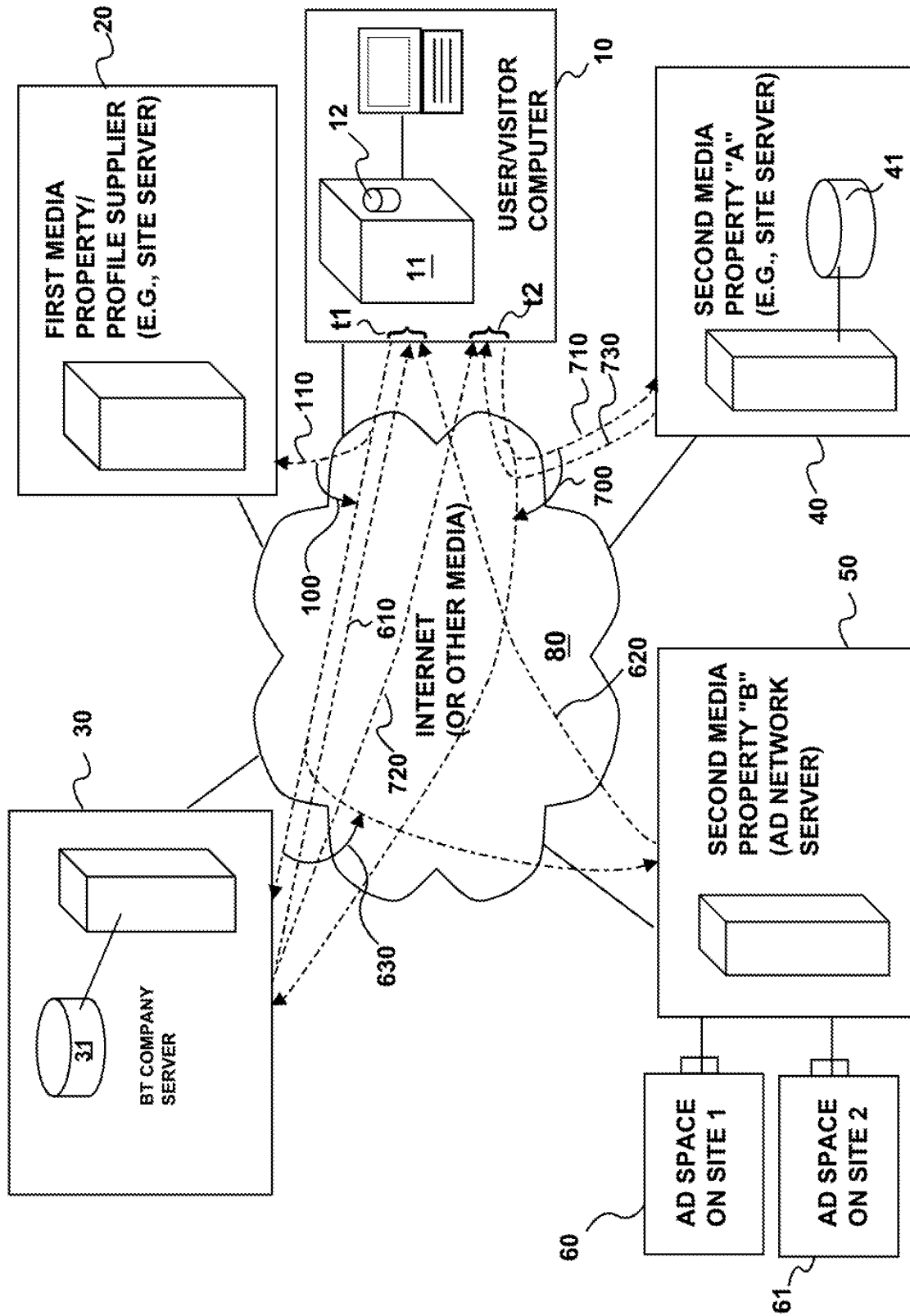


FIG. 3

|                                                                                                                                                                                                                                         |                          |                 |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------|-----|
| <b>DECLARATION FOR UTILITY OR<br/>DESIGN<br/>PATENT APPLICATION<br/>(37 CFR 1.63)</b>                                                                                                                                                   | Attorney Docket Number   | 14-EP           |     |
|                                                                                                                                                                                                                                         | First Named Inventor     | Shkedi, Roy     |     |
|                                                                                                                                                                                                                                         | <i>COMPLETE IF KNOWN</i> |                 |     |
|                                                                                                                                                                                                                                         | Application Number       | NEW APPLICATION |     |
|                                                                                                                                                                                                                                         | Filing Date              | June 14, 2007   |     |
|                                                                                                                                                                                                                                         | Art Unit                 | n/a             |     |
| <input checked="" type="checkbox"/> Declaration Submitted With Initial Filing <span style="margin: 0 20px;"><i>OR</i></span> <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) |                          | 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:

Media Properties Selection Method and System  
Based on Expected Profit from Profile-based Ad Delivery

*(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<br>Number(s) | Country | Foreign Filing Date<br>(MM/DD/YYYY) | Priority<br>Not Claimed  | Certified Copy Attached?        |                                |
|----------------------------------------|---------|-------------------------------------|--------------------------|---------------------------------|--------------------------------|
|                                        |         |                                     | <input type="checkbox"/> | YES<br><input type="checkbox"/> | NO<br><input type="checkbox"/> |
|                                        |         |                                     | <input type="checkbox"/> | <input type="checkbox"/>        | <input type="checkbox"/>       |
|                                        |         |                                     | <input type="checkbox"/> | <input type="checkbox"/>        | <input type="checkbox"/>       |
|                                        |         |                                     | <input type="checkbox"/> | <input type="checkbox"/>        | <input type="checkbox"/>       |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

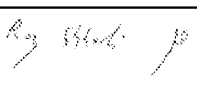
[Page 1 of 2]

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.**

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**DECLARATION — Utility or Design Patent Application**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                         |                                                                               |                       |                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------|
| Direct all correspondence to:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input checked="checked" type="checkbox"/> The address associated with Customer Number: | 26362                                                                         | OR                    | <input type="checkbox"/> Correspondence address below |
| Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                         |                                                                               |                       |                                                       |
| Address                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         |                                                                               |                       |                                                       |
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| Country                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Telephone                                                                               |                                                                               | Email                 |                                                       |
| <b>WARNING:</b><br>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.<br><br>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. |                                                                                         |                                                                               |                       |                                                       |
| <b>NAME OF SOLE OR FIRST INVENTOR:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                         | <input type="checkbox"/> 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<br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                         |                                                                               | Date<br>June 14, 2007 |                                                       |
| Residence: City                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | State                                                                                   | Country                                                                       | Citizenship           |                                                       |
| New York                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | New York                                                                                | USA                                                                           | IL                    |                                                       |
| Mailing Address<br>c/o AlmondNet, Inc.; 134 Spring Street, Suite 302                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                         |                                                                               |                       |                                                       |
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| New York                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | New York                                                                                | 10012                                                                         | USA                   |                                                       |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                         |                                                                               |                       |                                                       |

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|                                                                                                                                                   |                               |                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-------------------------------------------|
| <b>POWER OF ATTORNEY<br/>OR<br/>REVOCATION OF POWER OF ATTORNEY<br/>WITH A NEW POWER OF ATTORNEY<br/>AND<br/>CHANGE OF CORRESPONDENCE ADDRESS</b> | <b>Application Number</b>     | NEW APP                                   |
|                                                                                                                                                   | <b>Filing Date</b>            | 06/07/2012                                |
|                                                                                                                                                   | <b>First Named Inventor</b>   | Shkedi, Roy                               |
|                                                                                                                                                   | <b>Title</b>                  | Media properties selection method and ... |
|                                                                                                                                                   | <b>Art Unit</b>               | 2441 (in parent)                          |
|                                                                                                                                                   | <b>Examiner Name</b>          | Katsikis, K.J. (in parent)                |
|                                                                                                                                                   | <b>Attorney Docket Number</b> | 14-EP-CON3                                |

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:

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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

Date

05/31/2012

Name

Roy Shkedi

Telephone

(646) 217-0930

Title and Company

CEO - AlmondNet, Inc.

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

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

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shkedi, Roy                      Art Unit: : 2441\*  
Serial No. : \_\_\_\_\_                      Examiner: : Katsikis, Kostas J.\*  
Filing Date : 06/07/2012                      \* *In parent application S.N. 12/823,709*  
Title : Media properties selection method and system based on expected  
profit from profile-based ad delivery

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

Filed via EFS – June 07, 2012

**PRELIMINARY AMENDMENT**

Dear Sir:

Assignee requests entry of the following amendments and consideration of the following remarks in this continuation application.

Amendments to the specification begin on page 2.

Amendments to the claims begin on page 3.

Remarks begin on page 11.

## AMENDMENTS

### IN THE SPECIFICATION

At page 1, line 5, please replace the paragraph as follows:

This application is a continuation of application Serial No. 12/823,709, filed June 25, 2010, now U.S. Patent 8,204,783, which is a continuation of application Serial No. 11/763,286, filed June 14, 2007, now U.S. Patent 7,747,745, which claims the benefit of provisional application Serial No. 60/804,937, filed June 16, 2006, and provisional application Serial No. 60/805,119, filed June 19, 2006, which are herein incorporated by reference.

IN THE CLAIMS:

Please amend the claims as follows:

1-36. (Canceled)

37. (New) A method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement.

38. (New) The method of claim 37 wherein the visitor-specific condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

39. (New) The method of claim 37:

(i) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property.

40. (New) The method of claim 37 further comprising building a look-up data structure associating at least one selected of a plurality of possible profile



attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the visitor.

41. (New) The method of claim 37 wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor.

42. (New) The method of claim 37 wherein authorizing comprises recognizing an action conducted on the first media property by the visitor.

43. (New) The method of claim 37 wherein authorizing comprises authorizing based on a search request by the visitor to the first media property.

44. (New) The method of claim 37 wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the visitor.

45. (New) The method of claim 37 wherein authorizing comprises authorizing based on information about a profile attribute of the visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

46. (New) The method of claim 37 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property.

47. (New) The method of claim 37 wherein authorizing comprises: (i) responsive to receiving information via an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and (ii) authorizing display of the advertisement only during a specified time period after receiving the information about the visitor.

48. (New) The method of claim 37 wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property.

49. (New) The method of claim 37 wherein the second media property comprises equipment controlling ad space only temporarily.

50. (New) The method of claim 37 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property.

51. (New) The method of claim 50 wherein the condition is given to the second media property at the time arranging for placement of a tag takes place.

52. (New) The method of claim 51 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer.

53. (New) The method of claim 50 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the second media property for the second media property to place a tag on the electronic visitor readable by the second media property.

54. (New) The method of claim 37 wherein the condition is a specified time period after receiving profile-attribute information about the visitor.

55. (New) A tangible computer-server device programmed to implement a method of directing electronic advertisements, the method comprising:  
for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement.

56. (New) The server of claim 55 wherein the visitor-specific condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

57. (New) The server of claim 55 wherein the server is programmed to implement a method:

(i) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property.

58. (New) The server of claim 55 wherein the server is programmed to implement a method further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the visitor.

59. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor.

60. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises recognizing an action conducted on the first media property by the visitor.

61. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing based on a search request by the visitor to the first media property.

62. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the visitor.

63. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing based on information about a profile attribute of the visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

64. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property.

65. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises: (i) responsive to receiving information via an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and (ii) authorizing display of the advertisement only during a specified time period after receiving information about the visitor.

66. (New) The server of claim 55 wherein the server is programmed to implement a method wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property.

67. (New) The server of claim 55 wherein the server is programmed to implement a method wherein the second media property comprises equipment controlling ad space only temporarily.

68. (New) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property.

69. (New) The server of claim 68 wherein the server is programmed to implement a method wherein the condition is given to the second media property at the time arranging for placement of a tag takes place.

70. (New) The server of claim 69 wherein the server is programmed to implement a method wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer.

71. (New) The server of claim 68 wherein the server is programmed to implement a method wherein arranging for placement of a tag comprises redirecting the electronic visitor to the second media property for the second media property to place a tag on the electronic visitor readable by the second media property.

72. (New) The server of claim 55 wherein the server is programmed to implement a method wherein the condition is a specified time period after receiving profile-attribute information about the visitor.

73. (New) A system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:  
for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement.

74. (New) The system of claim 73 wherein the visitor-specific condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

75. (New) The system of claim 73 wherein the method:

- (i) further comprises building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and
- (ii) comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property.

76. (New) The system of claim 73 wherein the method further comprises building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the visitor.

77. (New) The system of claim 73 wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor.

78. (New) The system of claim 73 wherein authorizing comprises recognizing an action conducted on the first media property by the visitor.

79. (New) The system of claim 73 wherein authorizing comprises authorizing based on a search request by the visitor to the first media property.

80. (New) The system of claim 73 wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the visitor.

81. (New) The system of claim 73 wherein authorizing comprises authorizing based on information about a profile attribute of the visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

82. (New) The system of claim 73 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property.

83. (New) The system of claim 73 wherein authorizing comprises: (i) responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and (ii) authorizing display of the advertisement only during a specified time period after receiving the information about the visitor.

84. (New) The system of claim 73 wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property.

85. (New) The system of claim 73 wherein the second media property comprises equipment controlling ad space only temporarily.

86. (New) The system of claim 73 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property.

87. (New) The system of claim 86 wherein the condition is given to the second media property at the time arranging for placement of a tag takes place.

88. (New) The system of claim 89 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer.

89. (New) The system of claim 86 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the second media property for the second media property to place a tag on the electronic visitor readable by the second media property.

90. (New) The system of claim 73 wherein the condition is a specified time period after receiving profile-attribute information about the visitor.

**Remarks**

Upon entry of this amendment, there will be fifty-four (54) total claims pending, of which three (3) are independent claims. Therefore, pursuant to 37 CFR § 1.53(f)(3), excess claims fees in the amount of \$1,020 (34 claims x \$30/claim) are submitted concurrently.

Please feel free to telephone the undersigned if anything further is required to advance prosecution of this application.

Respectfully submitted,  
ALMONDNET, INC.  
by its attorney

Dated: June 7, 2012

/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



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shkedi, Roy Art Unit : 2441 \*  
 Serial No. : \_\_\_\_\_ Examiner : Katsikis, Kostas J. \*  
 Filing Date : 06/07/2012 \* In parent Serial No. 12/823,709  
 Title : Media properties selection method and system based on expected  
 profit from profile-based ad delivery

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

Filed via EFS – June 7, 2012

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Assignee discloses the references listed on form PTO-1449 attached to this document. All foreign and non-patent references listed, with the exception of the reference nos. 133 and 136, were cited in parent application Serial No. 12/823,709, therefore, pursuant to Office Rules, copies of those references are not included.

Assignee continues to direct the Examiner to the following applications, which share the same inventor, as well as the references cited therein:

| Serial No. | Filing Date | Earliest Parent Filing Date |
|------------|-------------|-----------------------------|
| 11/765,433 | 06/19/2007  | 06/19/2006 (prov.)          |
| 11/968,117 | 12/31/2007  |                             |
| 12/131,798 | 06/02/2008  |                             |
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| 12/536,451 | 08/05/2009  |                             |
| 12/860,666 | 08/20/2010  |                             |
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| 12/981,925 | 12/30/2010  | 12/31/2007                  |
| 13/024,217 | 02/09/2011  | 01/15/2009 (prov.)          |
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| <b>Serial No.</b> | <b>Filing Date</b> | <b>Earliest Parent Filing Date</b> |
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| 13/243,314        | 09/23/2011         | 06/02/2008                         |
| 13/274,242        | 10/14/2011         | 10/15/2010 (prov.)                 |
| 13/368,686        | 02/08/2012         | 11/28/2000                         |

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

Respectfully submitted,  
ALMONDNET, INC.  
by its attorney

Dated: June 7, 2012

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

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**Form PTO-1449 (Modified)**  
**List of Patents and Publications For**  
**Information Disclosure Statement**

Page 1 of 6

Serial No.: \_\_\_\_\_  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441 (in parent)  
Conf. No.: \_\_\_\_\_

U.S. PATENT DOCUMENTS

| <u>Examiner</u><br><u>Initials</u> | <u>Item</u> | <u>Document</u><br><u>Number</u> | <u>Publication</u><br><u>Date</u> | <u>Name of Patentee or</u><br><u>Applicant</u> | <u>Filing Date</u><br><u>(if appropriate)</u> |
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| _____                              | 2           | 5717923                          | 02/10/1998                        | Dedrick                                        |                                               |
| _____                              | 3           | 5724521                          | 03/03/1998                        | Dedrick                                        |                                               |
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| _____                              | 13          | 6216129                          | 04/10/2001                        | Eldering                                       |                                               |
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| _____                              | 15          | 6285991                          | 09/04/2001                        | Powar                                          |                                               |
| _____                              | 16          | 6324519                          | 11/27/2001                        | Eldering                                       |                                               |
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| _____                              | 22          | 6615247                          | 09/02/2003                        | Murphy                                         |                                               |
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| _____                              | 26          | 7043531                          | 05/09/2006                        | Seibel et al.                                  |                                               |
| _____                              | 27          | 7058593                          | 06/06/2006                        | Merritt                                        |                                               |
| _____                              | 28          | 7065550                          | 06/20/2006                        | Raghunandan                                    |                                               |
| _____                              | 29          | 7155508                          | 12/26/2006                        | Sankuratripati, et al.                         |                                               |

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Date Considered: \_\_\_\_\_

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U.S. PATENT DOCUMENTS

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| _____                              | 31          | 7188076                          | 03/06/2007                        | Bensemana                                      |                                               |
| _____                              | 32          | 7194424                          | 03/20/2007                        | Greer et al.                                   |                                               |
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U.S. PATENT DOCUMENTS

| Examiner<br>Initials | Item | Document<br>Number | Publication<br>Date | Name of Patentee or<br>Applicant | Filing Date<br>(if appropriate) |
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| _____                              | 93          | 20060161553                      | 07/20/2006                        | Woo                                            |                                               |
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| _____                              | 95          | 20060122879                      | 06/08/2006                        | O'Kelley                                       |                                               |
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| _____                              | 99          | 6832207                          | 12/14/2004                        | Shkedi                                         |                                               |
| _____                              | 100         | 6925440                          | 08/02/2005                        | Shkedi                                         |                                               |
| _____                              | 101         | 6973436                          | 12/06/2005                        | Shkedi                                         |                                               |
| _____                              | 102         | 7072853                          | 07/04/2006                        | Shkedi                                         |                                               |
| _____                              | 103         | 7428493                          | 09/23/2008                        | Shkedi                                         |                                               |
| _____                              | 104         | 7454364                          | 11/18/2008                        | Shkedi                                         |                                               |
| _____                              | 105         | 7822637                          | 10/26/2010                        | Shkedi                                         |                                               |
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| _____                              | 107         | 7861260                          | 12/28/2010                        | Shkedi                                         |                                               |
| _____                              | 108         | 7890609                          | 02/15/2011                        | Shkedi                                         |                                               |
| _____                              | 109         | 7979307                          | 07/12/2011                        | Shkedi                                         |                                               |
| _____                              | 110         | 8051444                          | 11/01/2011                        | Shkedi                                         |                                               |
| _____                              | 111         | 20050086112                      | 04/21/2005                        | Shkedi                                         |                                               |
| _____                              | 112         | 20070294401                      | 12/20/2007                        | Shkedi                                         |                                               |
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| _____                              | 116         | 20090299843                      | 12/03/2009                        | Shkedi                                         |                                               |

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| _____                        | 119         | 20110040607                | 02/17/2011                  | Shkedi                                   |                                         |
| _____                        | 120         | 20110040620                | 02/17/2011                  | Shkedi                                   |                                         |
| _____                        | 121         | 20110099576                | 04/28/2011                  | Shkedi et al.                            |                                         |
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| _____                        | 124         | 20110246309                | 10/06/2011                  | Shkedi                                   |                                         |
| _____                        | 125         | 20110246347                | 10/06/2011                  | Shkedi                                   |                                         |
| _____                        | 126         | 20110252441                | 10/13/2011                  | Shkedi                                   |                                         |
| _____                        | 127         | 20110258051                | 10/20/2011                  | Shkedi                                   |                                         |
| _____                        | 128         | 20120017240                | 01/19/2012                  | Shkedi                                   |                                         |
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| <u>Examiner<br/>Initials</u> |     | <u>Document<br/>Number</u> | <u>Publication<br/>Date</u> | <u>Country</u> | <u>Name of<br/>Patentee</u> | <u>Translation<br/>Yes / No</u> |
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| _____                        | 130 | WO2005/046237              | 5/19/2005                   | WO             | Gutta et al.                | n/a                             |
| _____                        | 131 | WO2004/084109              | 9/30/2004                   | WO             | NHN Corp.                   | n/a                             |
| _____                        | 132 | KR10-2004-0099222          | 11/26/2004                  | Korea          | Echo Marketing<br>Co., Ltd. | Yes                             |
| _____                        | 133 | KR10-2001-0096343          | 11/07/2001                  | Korea          | MyOne Card<br>Corp.         | Yes                             |

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Art Unit: 2441 (in parent)  
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OTHER ART

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| <u>Examiner</u><br><u>Initials</u> | <u>Item</u> | <u>Author Title Date Pertinent Pages Etc.</u>                                                                                                                   |
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(19) 대한민국특허청 (KR)  
(12) 공개특허공보 (A)

(51) . Int. Cl. <sup>7</sup>  
G06F 17/60E0

(11) 공개번호 특2001 -0096343  
(43) 공개일자 2001년11월07일

(21) 출원번호 10 -2000 -0020440  
(22) 출원일자 2000년04월18일

(71) 출원인 디엠에스랩 주식회사  
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서울 강남구 역삼1동 645 -18 동북빌딩 2층

(72) 발명자 현진석  
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(74) 대리인 박대진  
정은섭

심사청구 : 있음

(54) 고객 성향 분석정보 획득 시스템 및 방법

요약

본 발명은 고객 성향 분석정보 획득 시스템 및 방법에 관한 것으로서, 제휴된 인터넷 포털 사이트에서 사이트의 현황정보와 이용자의 성향 정보 등의 솔루션을 제공하면서 획득한 이용자의 성향 분석 정보들을 통합적으로 분석하여 다시금 제휴 사이트에 제공함으로써 공동 마케팅 및 타겟 마케팅을 행할 수 있도록 한다.

대표도  
도 1

색인어  
이용자성향 사이트현황 타겟마케팅 공동마케팅 쿠키셋

명세서

도면의 간단한 설명

도 1은 본 발명에 의한 고객 성향 분석 정보 획득 방법을 구현하기 위한 구성도이다.

도 2는 본 발명에 의한 고객 성향 분석 정보 획득 방법을 설명하기 위한 흐름도이다.

도 3은 본 발명에 의한 사이트 현황정보로써 시간대별 이용자 프로파일 현황을 나타낸 예시도이다.

도 4는 본 발명에 의한 사이트 현황정보로써 제공서비스별 이용자 프로파일 현황을 나타낸 예시도이다.

도 5는 도 2의 이용자 성향 분석 과정을 나타낸 흐름도이다.

도 6은 본 발명에 의해 이용자를 유사성향 그룹으로 정의한 상태를 나타낸 예시도이다.

- 도면의 주요부분에 대한 부호의 설명 -

10 : 인증서버 20 : 웹서버

30 : 고객DB 40 : 로그서버

50 : 분석DB 60 : 현황분석서버

70 : 고객정보 추출서버 80 : 성향분석서버

100 : 고객서버

발명의 상세한 설명

발명의 목적

발명이 속하는 기술 및 그 분야의 종래기술

본 발명은 고객 성향 분석정보 획득 시스템 및 방법에 관한 것으로서, 보다 상세하게는 제휴된 인터넷 포탈 사이트에서 사이트의 현황정보와 이용자의 성향 정보 등의 솔루션을 제공하면서 획득한 이용자의 성향 분석 정보들을 통합적으로 분석하여 다시금 제휴 사이트에 제공함으로써 공동 마케팅 및 타겟 마케팅을 행할 수 있도록 한 고객 성향 분석정보 획득 시스템 및 방법에 관한 것이다.

인터넷 분야에서 고객을 확보하는 방법이란 인터넷 포탈 또는 일반 기업이 회원을 확보하는 방법을 의미하는 것으로서, 일반적으로 회원을 확보하는 방법은 직접 회원에게 이익을 주고 회원 가입을 유도하는 것이 일반적이다. 그 예로는 다양한 콘텐츠를 제공하고 회원을 확보하는 방법이나 광고를 보면 금전적으로 혜택을 주어서 회원을 확보하는 방법이나 또는 무료 e-mail을 제공함으로써 회원을 확보하는 방법 등이 있다.

이와 같은 종래의 회원을 확보하기 위한 방법의 특징은 고객과의 직접적인 접촉 하에서 고객정보를 획득하는 것으로써 고객에게 이익을 직접적으로 제공해야 하기 때문에 금전적인 부담이 많이 든다는 문제점이 있다. 보통 1인당 고객을 획득하는 비용은 적게는 수 천원부터 수 만원이 든다.

또한, 인터넷 포탈 사이트가 회원을 확보하게 되면 이를 기반으로 다양한 사업을 하는데 광고 영업의 경우 페이지뷰 기준으로 광고营업을 하기 때문에 실제로 회원이나 방문자가 실제로 그 배너 광고를 보는지는 알 수 없는 문제이다. 따라서, 이를 해결하기 위해 좀 더 발전시킨 방법이 콘텐츠 타겟팅과 프로파일 타겟팅 방법인데 이 또한 매스마케팅 기반이라서 이루어지기 때문에 고객 일대일 기반으로 개인 성향에 맞추어 광고를 할 수는 없는 문제점이 있다.

따라서, 결국 광고 수입은 페이지뷰에 근거한 고정액으로 제약될 수밖에 없고, 더 높은 광고 수입을 기대할 수는 없는 문제점이 있다.

발명이 이루고자 하는 기술적 과제

본 발명은 상기와 같은 문제점을 해결하기 위해 창작된 것으로서, 본 발명의 목적은 제휴된 인터넷 포탈 사이트에서 사이트의 현황정보와 이용자의 성향 정보 등의 솔루션을 제공하면서 획득한 이용자의 성향 분석 정보들을 통합적으로 분석하여 다시금 제휴 사이트에 제공함으로써 제휴 업체간 공동 마케팅 및 이용자에 대한 타겟 마케팅을 행할 수 있도록 한 고객 성향 분석정보 획득방법을 제공함에 있다.

#### 발명의 구성 및 작용

상기와 같은 목적을 실현하기 위한 본 발명의 고객 성향 분석 정보 획득 시스템은 각 사이트에서 각종 컨텐츠, 커뮤니티, 전자상거래를 서비스하는 웹서버와, 각 사이트에 등록된 사용자들의 정보를 기록하는 고객DB와, 웹서버에 접속하는 사용자를 고객DB의 정보와 비교하여 인증하는 인증서버와, 웹서버에 접속한 사용자의 로그정보를 저장하는 로그서버와, 로그서버의 정보와 사이트 고객DB를 통해 이용자 중심으로 모델링하여 저장하는 분석DB와, 분석DB의 데이터를 기반으로 사이트의 현황정보를 분석하여 제공하는 현황분석서버와, 분석DB의 데이터를 기반으로 성향분석을 수행하는 성향 분석서버와, 분석DB의 데이터를 분석하고 저장하여 고객서버로 인터넷을 통해 전송하는 고객정보 추출서버와, 각 사이트의 고객정보 추출서버로부터 전송 받은 정보들을 다시 정리하고 분석하여 통합적인 이용자 성향을 분석하여 각 사이트로 다시 제공하는 고객서버로 이루어진 것을 특징으로 한다.

또한, 고객 성향 분석 정보 획득 방법은 각 사이트에서 요구하는 솔루션의 내용에 따라 각 사이트에서 제공하는 서비스를 분류하여 표준 분류체계로 맵핑하는 단계와, 이용자가 각 사이트에 방문할 때 웹 로그와 쿠키셋을 설정하여 이용자의 신원을 확보하여 웹 서버 환경별 로그 형태를 설계하는 단계와, 설계된 로그 정보를 통합하여 데이터를 로그서버로 전송하여 로그 데이터베이스에 저장하는 단계와, 로그서버에 저장된 로그 정보를 이용자 중심으로 모델링하여 분석DB를 구축하는 단계와, 분석DB의 데이터를 기반으로 현황분석서버를 통해 사이트 현황정보와 성향분석서버를 통해 이용자 성향을 분석하는 단계와, 각 사이트에서 분석된 데이터를 고객정보 추출서버를 통해 인터넷으로 고객 서버로 전송하는 단계와, 고객 서버에 저장된 각 사이트의 이용자 성향 및 향배 정보로 통합 이용자 성향을 분석하는 단계와, 통합 이용자 성향 분석 정보를 각 사이트에 전송하여 공동 마케팅 및 타겟 마케팅을 수행하도록 하는 단계로 이루어진 것을 특징으로 한다.

또한, 위에서 이용자 성향 분석을 할 때 사이트에서 제공되는 서비스를 일정한 분류체계를 정리하는 단계와, 분류체계에 따라 분류된 내용별로 이용자들을 스코어링 하여 개인별 성향을 도출하는 단계와, 클러스터링 알고리즘을 이용하여 유사한 성향을 가지는 이용자들을 그룹핑하여 세부집단을 분류하고 정의하는 단계로 이루어진 것을 특징으로 한다.

위와 같이 이루어진 본 발명은 각각의 인터넷 포탈 사이트를 대상으로 공동 마케팅 제휴 네트워크를 구축하고 제휴된 인터넷 포탈 사이트에게 사이트에서 원하는 사이트의 현황정보와 이용자 성향 정보를 각각의 사이트에 제공하면서 획득한 이용자 성향 정보를 통해 통합적인 이용자 성향 정보를 분석하여 다시 제휴된 네트워크에 제공하면서 회원고객을 획득함으로써 제휴된 인터넷 기업들과 공동 마케팅 사업 및 타겟 마케팅을 수행할 수 있도록 한다.

이하, 본 발명의 바람직한 실시예를 첨부된 도면을 참조하여 설명한다. 또한 본 실시예는 본 발명의 권리범위를 한정하는 것은 아니고, 단지 예시로 제시된 것이다.

도 1은 본 발명에 의한 고객 성향 분석 정보 획득 방법을 구현하기 위한 구성도이다.

여기에 도시된 바와 같이 각 사이트에서 각종 컨텐츠, 커뮤니티, 전자상거래를 서비스하는 웹서버(20)와, 각 사이트에 등록된 사용자들의 정보를 기록하는 고객DB(30)와, 웹서버(20)에 접속하는 사용자를 고객DB(30)의 정보와 비교하여 인증하는 인증서버(10)와, 웹서버(20)에 접속한 사용자의 로그정보를 저장하는 로그서버(40)와, 로그서버(40)의 정보와 사이트 고객DB(30)를 통해 이용자 중심으로 모델링하여 저장하는 분석DB(50)와, 분석DB(50)의 데이터를 기반으로 사이트의 현황정보를 분석하여 제공하는 현황분석서버(60)와, 분석DB(40)의 데이터를 기반으로 성향분석을 수

행하는 성향분석서버(80)와, 분석DB(50)의 데이터를 분석하고 저장하여 고객서버(100)로 인터넷(90)을 통해 전송하는 고객정보 추출서버(70)와, 각 사이트의 고객정보 추출서버(70)로부터 전송받은 정보들을 다시 정리하고 분석하여 통합적인 이용자 성향을 분석하여 각 사이트로 다시 제공하는 고객서버(100)로 이루어진다.

위에서 현황분석서버(60)는 사용자들이 접속하여 로그정보와 분석된 사용자 정보를 조회할 수 있도록 구성된다.

위와 같이 이루어진 본 발명의 고객 성향 분석 정보 획득 시스템에 의한 고객 성향 분석 정보 획득 방법을 설명하기 위해 도 2에 도시된 흐름도를 참조하여 설명하면 다음과 같다.

먼저, 인터넷 업계의 전문 포털 중심으로 공동마케팅 제휴 계약을 통해 각 사이트에서 원하는 각 사이트의 현황분석이나 이용자 성향 분석 정보 등의 솔루션을 제공하면서 얻게 되는 각 사이트의 현황분석이나 이용자 성향 분석 정보를 제공받을 수 있도록 선행 작업이 이루어져야 한다.

웹서버(20)를 통해 각종 콘텐츠, 커뮤니티, 전자상거래 등의 서비스를 제공하는 각 사이트에서 원하는 정보의 내용과 사이트의 전반적인 사이트의 시스템 상황을 분석하고 정의한다(S10).

그런다음, 각 사이트에서 제공하는 콘텐츠, 커뮤니티, 상거래 아이템을 각각 분류하고 표준 분류체계에 따라 맵핑한다(S20).

이후, 이용자가 각 사이트에 방문하게 되면 남게 되는 웹 로그에 남게 되는데 이때 쿠키셋을 설정하여 이용자의 신원을 확보하여 웹서버(20)의 환경별 로그 형태를 설계하여 최적화 한다(S30). 이때 이용자들의 신원을 확보할 때 각 사이트의 이용자들의 허락을 받아서 확보하게 된다.

이와 같이 각 사이트에 방문하는 다수의 이용자가 방문하여 제공하는 서비스를 이용하거나 접속할 때 남기는 웹 로그들과 쿠키셋을 통해 설계된 로그 형태대로 정보를 통합하여 각 인터넷 사이트의 부하 정도를 고려하여 사용자가 많이 접속하지 않는 새벽에 스케줄링된 작업을 수행하여 자동으로 데이터를 로그서버(40)로 전송하여 로그 데이터베이스에 저장한다(S40).

이와 같이 로그서버(40)에 저장된 로그 정보는 데이터 파싱기술을 이용하여 이용자 중심으로 모델링하여 분석DB(50)를 구축한다(S50).

즉, 이용자들에 대한 등록데이터, 등록된 관심사, 클릭스트림, 선호 콘텐츠, 가입커뮤니티, 구매성향 등을 저장한다.

그런다음, 분석DB(50)의 데이터를 기반으로 현황분석서버(60)를 통해 사이트 현황정보를 분석한다(S60).

사이트 현황 정보는 사이트에 접속한 기간에 대한 현황 즉, 시간대, 요일, 월, 분기별로 제공하며, 이용자의 상태 즉, 회원과 비회원, 신규회원과 기존회원, 우량, 일반, 휴면, 이탈회원 등 최근 방문일, 방문주기 등을 제공하고, 이용자의 프로파일 현황으로 성별, 연령, 직업, 지역 등을 제공한다. 또한, 제공서비스별 현황으로 콘텐츠, 커뮤니티, 상거래 등의 현황을 제공한다.

위와 같은 사이트 현황 정보를 예를 들면, 도 3에 도시된 바와 같이 시간대별 이용자 프로파일 현황을 제공하거나 도 4에 도시된 바와 같이 제공서비스별 이용자 프로파일 현황 즉, 건강정보에 접속한 이용자의 프로파일 현황, 뉴스정보에 접속한 이용자의 프로파일 현황을 제공한다. 그리고, 콘텐츠 분류별 이용자 프로파일 현황 등을 제공하게 된다.

또한, 분석DB(50)의 데이터를 기반으로 성향분석서버(80)를 통해 이용자 성향을 분석한다(S70).

이용자 성향 분석은 도 5에 도시된 바와 같이 먼저, 사이트에서 제공되는 서비스 즉, 콘텐츠, 커뮤니티, 상거래 상품 등에 따라 일정한 분류체계에 따라 정리한다(S702). 이때 누락된 자료는 재정리하여 정제된 자료를 확보한다.

그런다음, 분류체계에 따라 분리된 내용별로 이용자들을 스코어링 하여 개인별 성향을 도출한다(S704).

위와 같이 도출된 개인별 성향은 클러스터링 알고리즘을 이용하여 도 6과 같이 유사한 성향을 가지는 이용자들을 그룹핑하여 유사한 성향을 가지는 수십 개의 세부집단을 분류하고 정의한다(S706).

이와 같이 각 사이트에서 분석된 데이터를 고객정보 추출서버(70)로 보내면 인터넷(90)을 통해 고객센터(100)로 전송된다(S80).

그러면, 고객센터(100)는 각 사이트에서 전송된 사이트의 현황 분석정보나 이용자 성향 분석정보, 항해 정보를 통해 고객 정보를 획득한 후 이 정보를 통합하여 통합적인 이용자 성향을 분석한다(S90).

이와 같이 통합적으로 분석된 이용자 성향 분석 정보는 다시 각 사이트에 제공되어 이용자의 성향을 세부적인 집단으로 분류하여 각 집단에 적합한 일대일 타겟팅 광고가 가능하고 각각 제휴된 각 사이트간에 공동 마케팅을 수행할 수 있게 된다(S100).

이렇게 각 사이트에서 원하는 요구사항에 따라 사이트 현황 분석 및 이용자 성향을 분석하면서 획득하는 각 사이트에 가입된 수십만의 이용자를 정보를 통합하여 통합적인 이용자 성향을 분석함으로써 정확한 이용자의 성향을 기반으로 체계적인 이용자를 관리할 뿐만 아니라 일대일 마케팅을 수행할 수 있게 된다.

#### 발명의 효과

상기한 바와 같이 본 발명은 직접 고객과 인터넷에서 접촉하여 고객 정보를 획득하는 것이 아니고, 인터넷 기업에게 사이트의 현황 분석 정보 및 이용자 성향 분석 정보 등의 솔루션 제공을 하고 이의 대가로 각 사이트의 고객의 허가를 받아서 고객 정보를 획득하는 간접적인 방식으로 고객의 성향 정보를 획득하여 통합적인 이용자의 성향을 분석하고 분석된 정보를 제공함으로써 제휴된 인터넷 기업들과 공동 마케팅 사업 및 일대일 타겟팅 광고를 수행할 수 있도록 하는 효과가 있다.

또한, 일대일 솔루션을 제공받아서 고객에게 원투원 마케팅을 할 수 있어 개인화된 콘텐츠를 제공할 수 있으며, 성향 분석에 의한 타겟팅을 할 수 있으므로 클릭 기준으로 광고 계약할 수 있고 더 높은 광고 수입을 기대할 수 있는 이점이 있다.

한편, 간접적인 방법으로 이용자의 정보를 확보하기 때문에 이용자의 정보를 확보하기 위해 소요되는 비용을 줄일 수 있으며 제휴 사이트간 네트워크를 구축함으로써 이용자 정보를 기준으로 다양한 공동 마케팅 사업을 할 수 있는 이점이 있다.

그리고, 통합된 이용자 성향 분석 및 제휴 사이트의 폭이 넓고 깊이가 깊은 매체를 통하여 광고주에게 원하는 타겟팅 광고를 구성구성에 구사할 수 있는 이점이 있다.

#### (57) 청구의 범위

##### 청구항 1.

각 사이트에서 각종 서비스를 제공하는 웹서버와,

각 사이트에 등록된 사용자들의 정보를 기록하는 고객DB와,

웹서버에 접속하는 사용자를 고객DB의 정보와 비교하여 인증하는 인증서버와,

웹서버에 접속한 사용자의 로그정보를 저장하는 로그서버와,

로그서버의 정보와 사이트 고객DB를 통해 이용자 중심으로 모델링하여 저장하는 분석DB와,

분석DB의 데이터를 기반으로 사이트의 현황정보를 분석하여 제공하는 현황분석서버와,

분석DB의 데이터를 기반으로 성향분석을 수행하는 성향분석서버와,

분석DB의 데이터를 분석하고 저장하여 고객서버로 인터넷을 통해 전송하는 고객정보 추출서버와,

각 사이트의 고객정보 추출서버로부터 전송받은 정보들을 다시 정리하고 분석하여 통합적인 이용자 성향을 분석하여 각 사이트로 다시 제공하는 고객서버

로 이루어진 것을 특징으로 하는 고객 성향 분석 정보 획득 시스템.

## 청구항 2.

제 1항에 있어서, 상기 현황분석서버는 사용자들이 로그정보와 분석된 사용자 정보를 조회할 수 있도록 구성된 것을 특징으로 하는 고객 성향 분석 정보 획득 시스템.

## 청구항 3.

각 사이트에서 요구하는 솔루션의 내용에 따라 각 사이트에서 제공하는 서비스를 분류하여 표준 분류체계로 맵핑하는 단계와,

이용자가 각 사이트에 방문할 때 웹 로그와 쿠키셋을 설정하여 이용자의 신원을 확보하여 웹 서버 환경별 로그 형태를 설계하는 단계와,

설계된 로그 정보를 통합하여 데이터를 로그서버로 전송하여 로그 데이터베이스에 저장하는 단계와,

로그서버에 저장된 로그 정보를 이용자 중심으로 모델링하여 분석DB를 구축하는 단계와,

분석DB의 데이터를 기반으로 현황분석서버를 통해 사이트 현황정보와 성향분석서버를 통해 이용자 성향을 분석하는 단계와,

각 사이트에서 분석된 데이터를 고객정보 추출서버를 통해 인터넷으로 고객 서버로 전송하는 단계와,

고객 서버에 저장된 각 사이트의 이용자 성향 및 행태 정보로 통합 이용자 성향을 분석하는 단계와,

통합 이용자 성향 분석 정보를 각 사이트에 전송하여 공동 마케팅 및 타겟 마케팅을 수행하도록 하는 단계

를 포함하여 이루어진 것을 특징으로 하는 고객 성향 분석 정보 획득 방법.

## 청구항 4.

제 3항에 있어서, 상기 이용자 성향을 분석하는 단계는

사이트에서 제공되는 서비스를 일정한 분류체계를 정리하는 단계와,

분류체계에 따라 분리된 내용별로 이용자들을 스코어링 하여 개인별 성향을 도출하는 단계와,

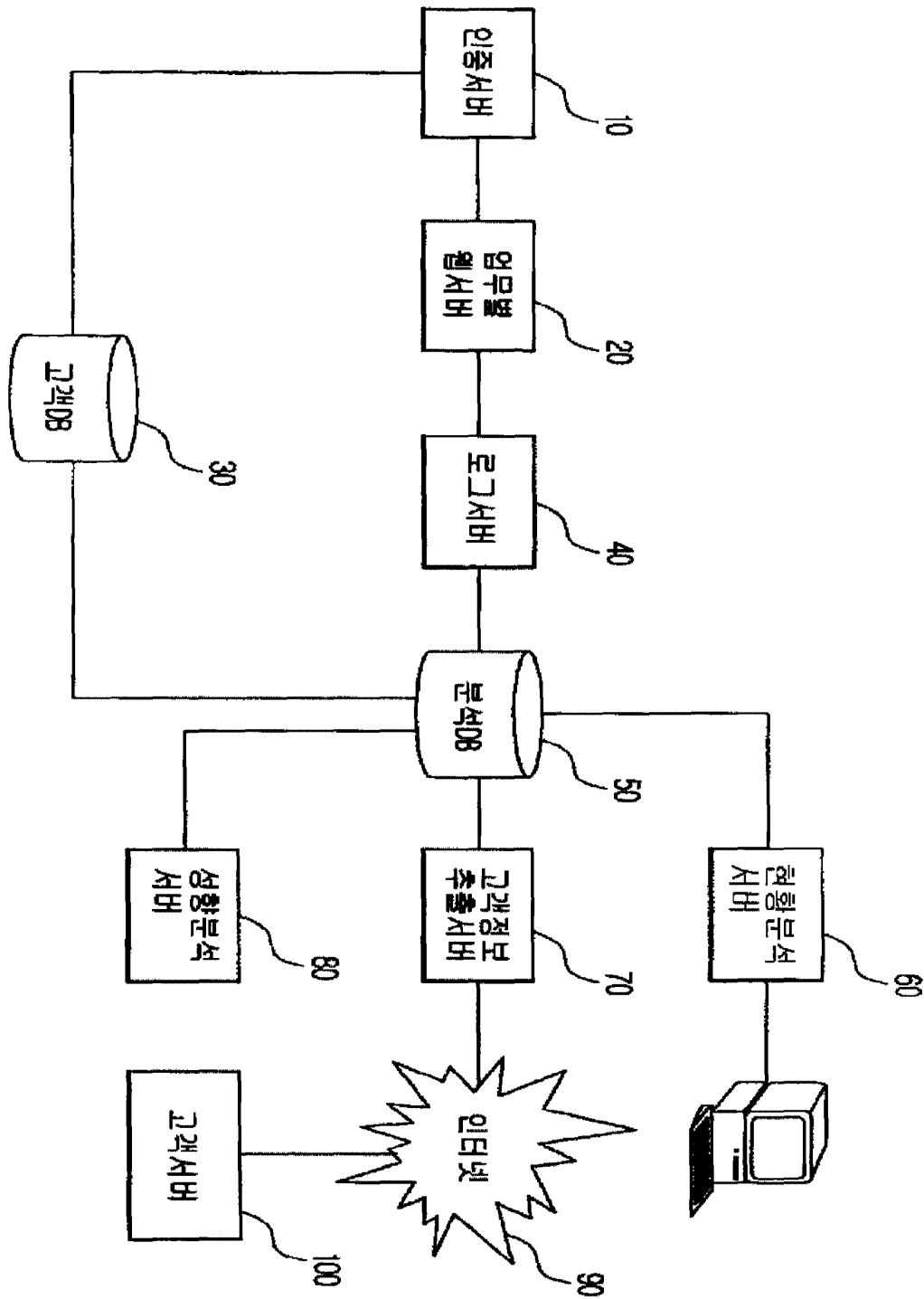
클러스터링 알고리즘을 이용하여 유사한 성향을 가지는 이용자들을 그룹핑하여 세부집단을 분류하고 정의하는 단계를 포함하여 이루어진 것을 특징으로 하는 고객 성향 분석 정보 획득 방법.

청구항 5.

제 3항에 있어서, 상기 사이트 현황 정보는 사이트에 접속한 기간 현황과, 이용자의 상태 현황과, 이용자의 프로파일 현황과, 제공서비스별 현황 중 어느 하나 이상인 것을 특징으로 하는 고객 성향 분석 정보 획득 방법.

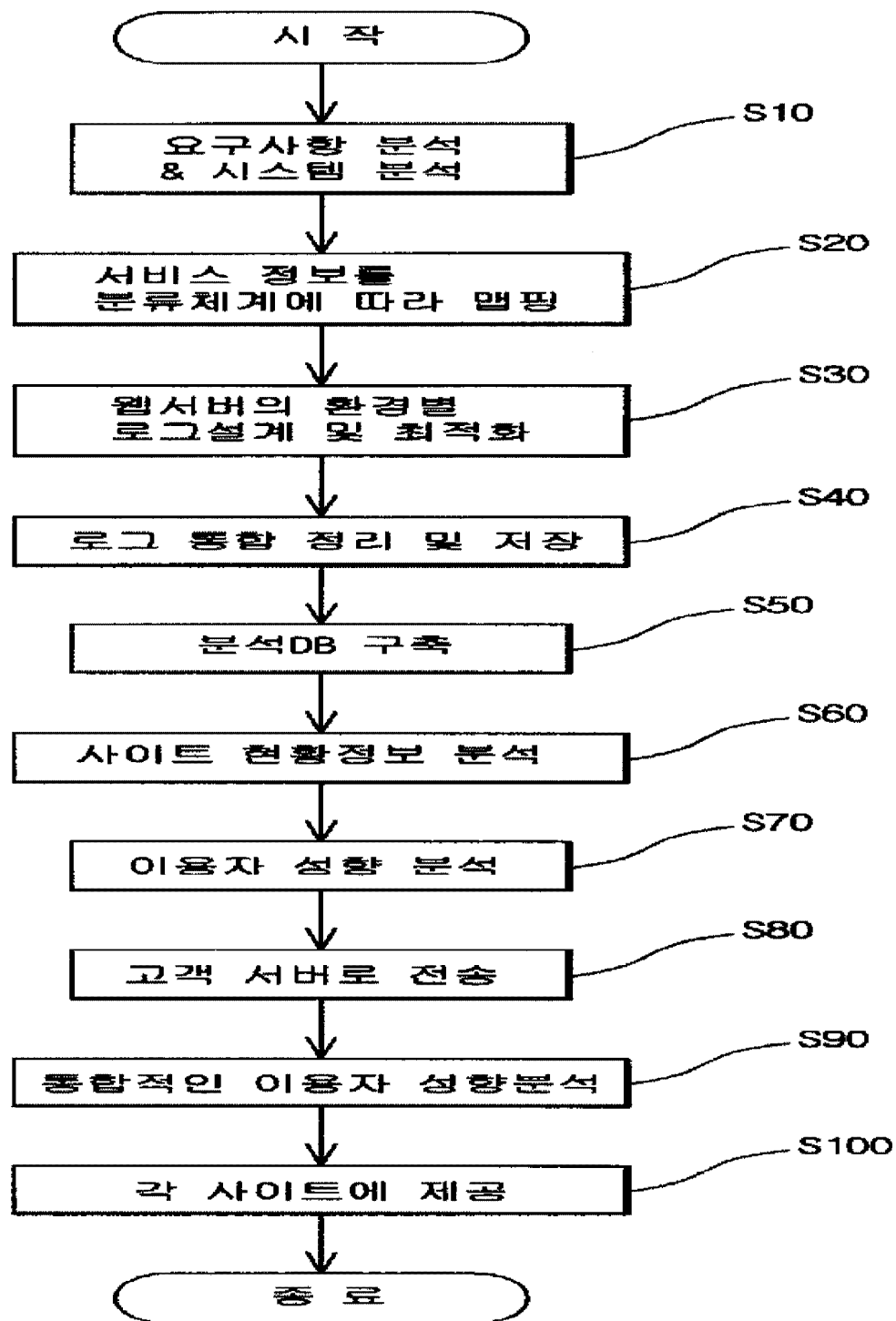
도면

도면 1

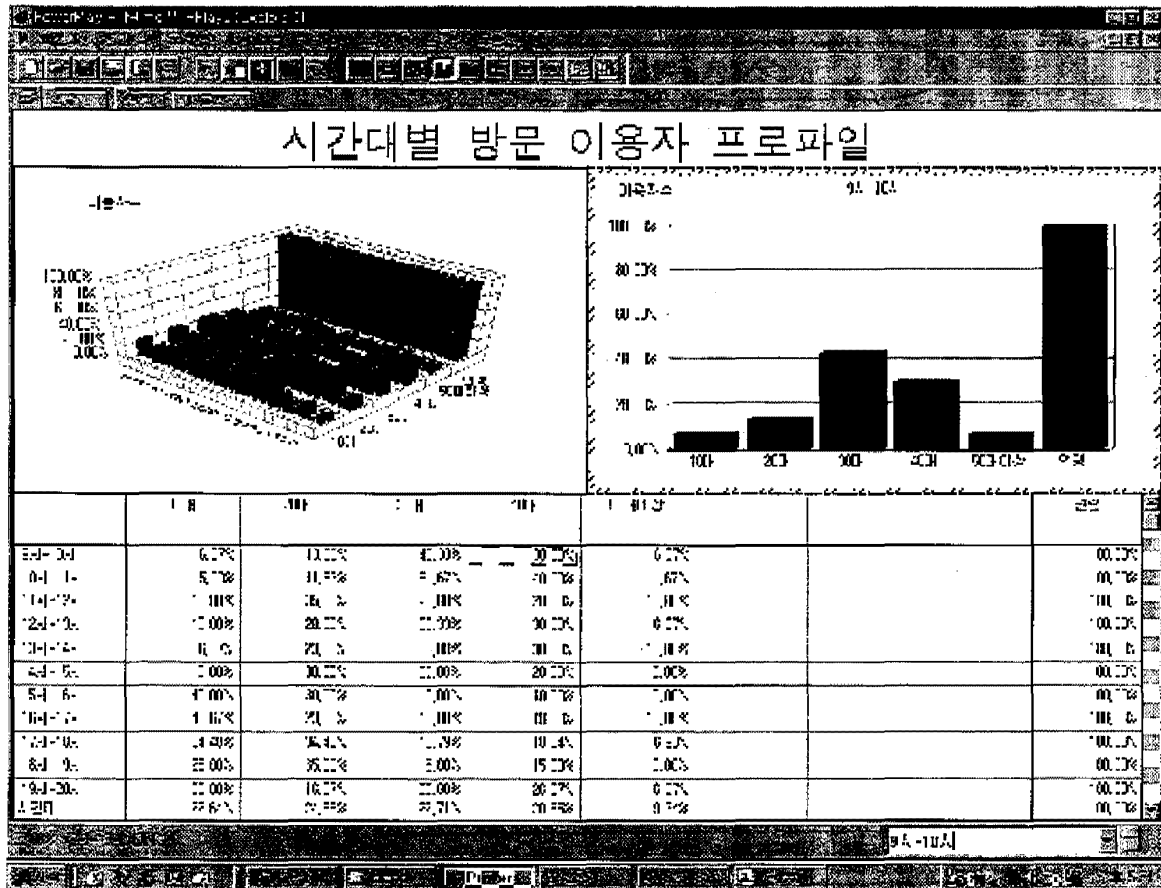




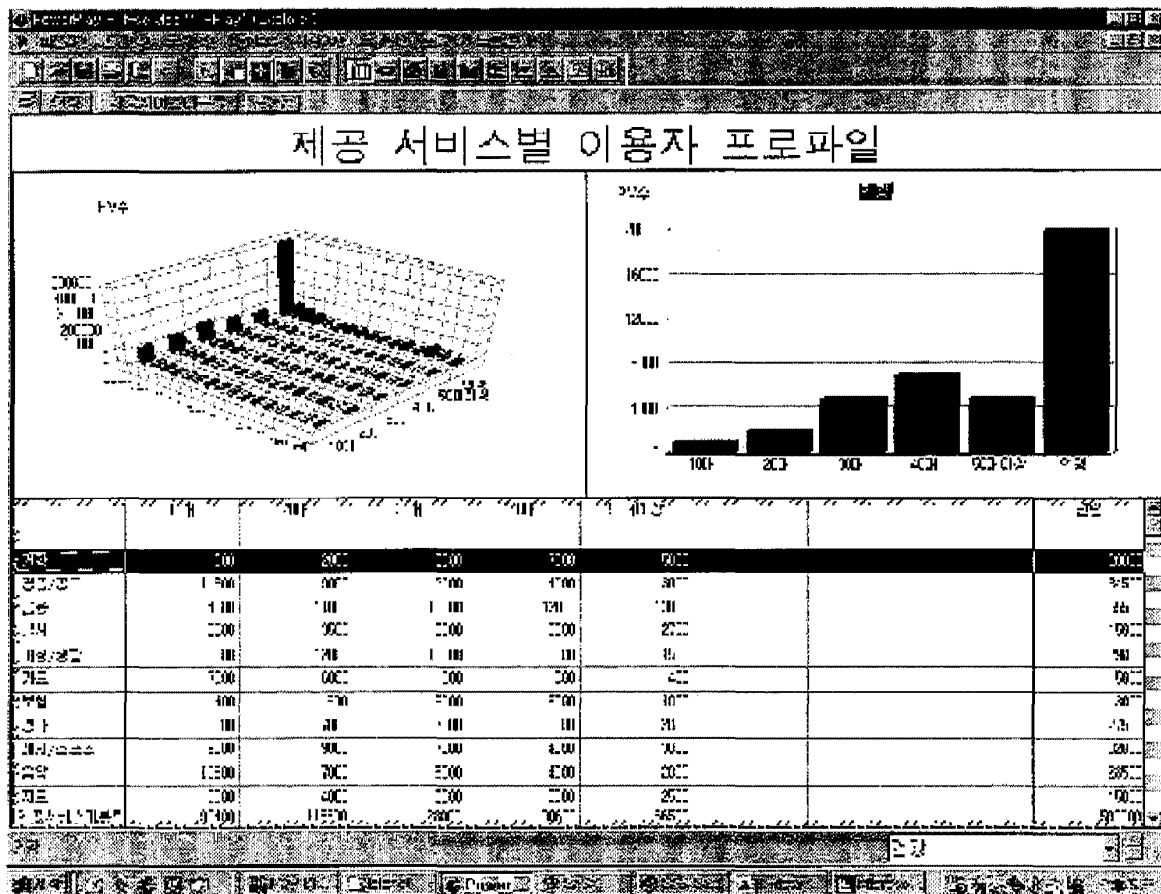
도면 2



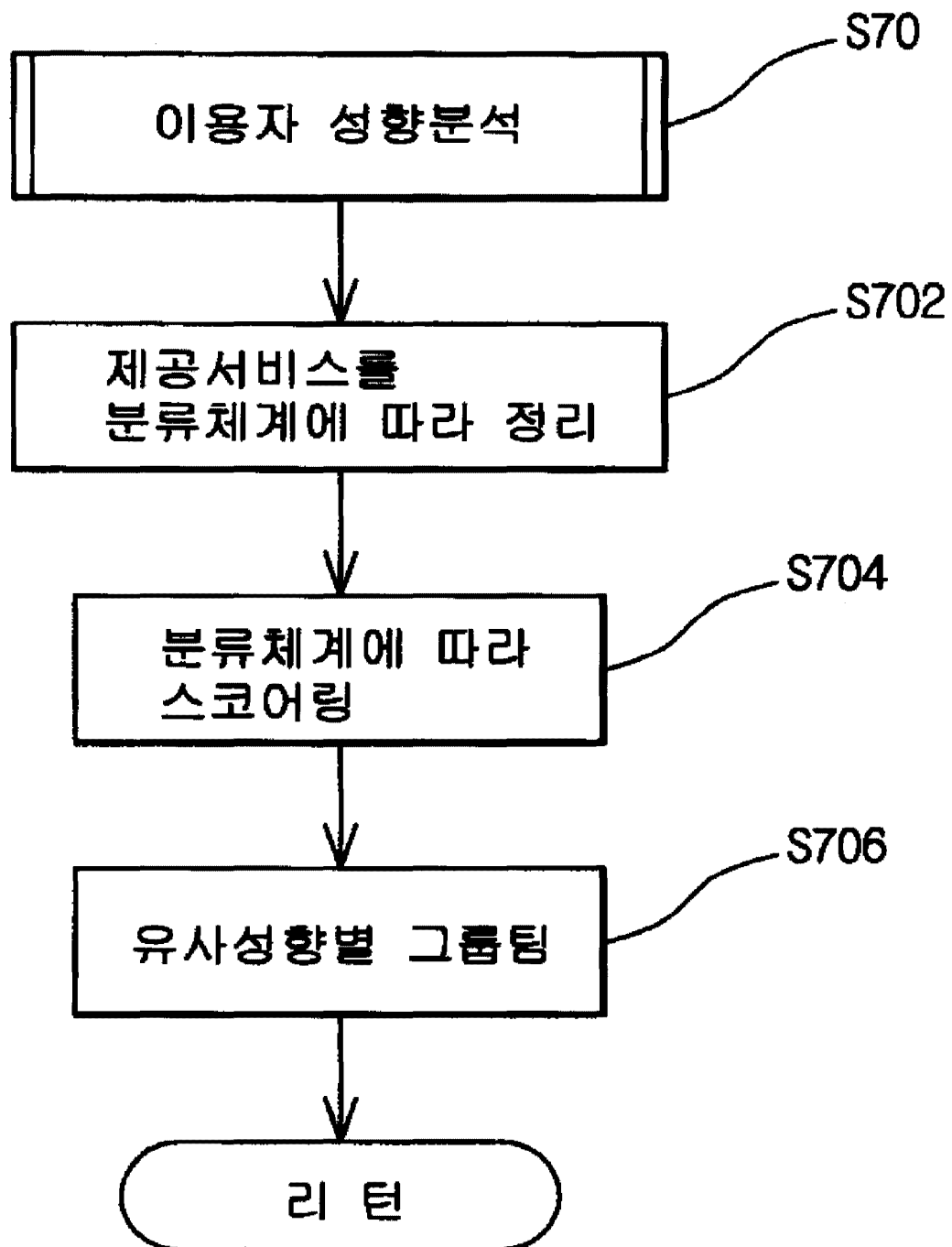
도면 3



도면 4



도면 5





# KR Unexamined Patent Publication(A)

## Bibliographic Data

|                             |                                                             |
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| Agent                       | AJU Kim Chang & Lee                                         |
| Inventor                    | HYUN, JinSok                                                |
| Applicant                   | MyOne Card. Corp.                                           |
| Title of Invention          | SYSTEM AND METHOD FOR OBTAINING ANALYSIS OF USER PROPENSITY |

## 요약

본 발명은 고객 성향 분석정보 획득 시스템 및 방법에 관한 것으로서, 제휴된 인터넷 포털 사이트에서 사이트의 현황정보와 이용자의 성향 정보 등의 솔루션을 제공하면서 획득한 이용자의 성향 분석 정보들을 통합적으로 분석하여 다시금 제휴 사이트에 제공함으로써 공동 마케팅 및 타겟 마케팅을 행할 수 있도록 한다.

## Abstract

The invention relates to the system for obtaining analysis information of user propensity and method. And in the cooperated internet portal site, by it unificationals, the propensity analysis information of the user which gets while offering solution including the status information of site and tendency information of user etc. being analyzed and again offering to the affiliated site co-marketing and target marketing are done.

## 대표도면

도면. 1

## Representative drawing

Fig. 1

## 키워드

이용자성향 사이트현황 타겟마케팅 공동마케팅 쿠키셋

## Keyword(s)

User inclination site present condition target marketing co-marketing cookie set

## 명세서

### ■ 배경기술

본 발명은 고객 성향 분석정보 획득 시스템 및 방법에 관한 것으로서, 보다 상세하게는 제휴된 인터넷 포털 사이트에서 사이트의 현황정보와 이용자의 성향 정보 등의 솔루션을 제공하면서 획득한 이용자의 성향 분석 정보들을 통합적으로 분석하여 다시금 제휴 사이트에 제공함으로써 공동 마케팅 및 타겟 마케팅을 행할 수 있도록 한 고객 성향 분석정보 획득 시스템 및 방법에 관한 것이다.

인터넷 분야에서 고객을 확보하는 방법이란 인터넷 포털 또는 일반 기업이 회원을 확보하는 방법을 의미하는 것으로서, 일반적으로 회원을 확보하는 방법은 직접 회원에게 이익을 주고 회원 가입을 유도하는 것이 일반적이다. 그 예로는 다양한 콘텐츠를 제공하고 회원을 확보하는 방법이나 광고를 보면 금전적으로 혜택을 주어서 회원을 확보하는 방법이나 또는 무료 e-mail을 제공함으로써 회원을 확보하는 방법 등이 있다.

## Description

### ■ Background Art

The invention relates to the system for obtaining analysis information of user propensity and method, more specifically, to co-marketing, the system for obtaining analysis information of user propensity and the method doing the target marketing it again offers to the affiliated site the propensity analysis information of the user which gets solution including the status information of site and tendency information of user etc. is offered to the cooperated internet portal site are analyzed it unificationals.

It is general that in the internet field, the method for securing client implies the method in which the internet portal or the private enterprise secures the members. It directly decreases the benefit to the members and the method for generally securing the members induces join. For example, method etc. in other words have as the method for offering the various contents and securing the members or the method it monetaries

if advertisement is at looked, for the benefit being given and securing the members secures the members by offering no charge e-mail.

이와 같은 종래의 회원을 확보하기 위한 방법의 특징은 고객과의 직접적인 접촉 하에서 고객정보를 획득하는 것으로써 고객에게 이익을 직접적으로 제공해야 하기 때문에 금전적인 부담이 많이 든다는 문제점이 있다. 보통 1인당 고객을 획득하는 비용은 적게는 수 천원부터 수 만원이 든다.

In the feature of the method for securing this kind of the conventional members, the problem that the burden it monetaries, because with getting the customer information under the direct contact with client it directly has to offer the benefit to client very much comes in has. Normal, in the cost getting 1 ophryon client, the number ten thousand won at the least comes in from the number thousand won.

또한, 인터넷 포털 사이트가 회원을 확보하게 되면 이를 기반으로 다양한 사업을 하는데 광고 영업의 경우 페이지뷰 기준으로 광고营업을 하기 때문에 실제로 회원이나 방문자가 실제로 그 배너 광고를 보는지는 알 수 없는 문제이다. 따라서, 이를 해결하기 위해 좀 더 발전시킨 방법이 콘텐츠 타겟팅과 프로파일 타겟팅 방법인데 이 또한 매스마케팅 기반이라서 이루어지기 때문에 고객 일대일 기반으로 개인 성향에 맞추어 광고를 할 수는 없는 문제점이 있다.

Moreover, it is therefore the advertisement business the problem whether the members or visitor in fact in fact looks at the banner ad or not of knowing in case of the advertisement business to the page view standards to the various business based on this if the internet portal site secures the members. Therefore, there is a problem that it gives an order with the client one-to-one basis with the individual inclination in order to solve this because the contents targeting and profile targeting method but the method which it little more developes is included a , moreover, the mass marketing \*\*\* west and it cannot advertise.

따라서, 결국 광고 수입은 페이지뷰에 근거한 고정액으로 계약될 수밖에 없고, 더 높은 광고 수입을 기대할 수는 없는 문제점이 있다.

Therefore, in conclusion, there is a problem that the advertisement income cannot help being contracted to the fixative basing on on the page view. The higher advertisement income cannot be expected.

#### ■ 발명의 내용

#### ■ Summary of invention

##### 발명의 효과

##### Effects of the invention

상기한 바와 같이 본 발명은 직접 고객과 인터넷에서 접촉하여 고객 정보를 획득하는 것이 아니고, 인터넷 기업에게 사이트의 현황 분석 정보 및 이용자 성향 분석 정보 등의 솔루션 제공을 하고 이의 대가로 각 사이트의 고객의 허가를 받아서 고객 정보를 획득하는 간접적인 방식으로 고객의 성향 정보를 획득하여 통합적인 이용자의 성향을 분석하고 분석된 정보를 제공함으로써 제휴된 인터넷 기업들과 공동 마케팅 사업 및 일대일 타겟팅 광고를 수행할 수 있도록 하는 효과가 있다.

As described above, the present invention has the effect that it directly touches in client and internet and the customer information is not gotten, but the internet enterprises in which the tendency information of client is gotten to the indirect mode in which the solution supply including the analysis of current situation information and user propensity analysis information of site etc. is to the internet enterprise and the authorization of the client of each site is received as this cost and getting the customer information and analyzing the inclination of the user unificationals, and which are cooperated by providing the related information, the co-marketing business and one-to-one targeting advertisement are proceed.

또한, 일대일 솔루션을 제공받아서 고객에게 원투원 마케팅을 할 수 있어 개인화된 콘텐츠를 제공할 수 있으며, 성향 분석에 의한 타겟팅을 할 수 있으므로 클릭 기준으로 광고 계약할 수 있고 더 높은 광고 수입을 기대할 수 있는 이점이 있다.

Moreover, there can be the advantage contracting advertisement and expect the higher advertisement income as the click standards by the inclination analysis the contents which the one-to-one solution is provided can be offered.

한편, 간접적인 방법으로 이용자의 정보를 확보하기 때문에 이용자의 정보를 확보하기 위해 소요되는 비용을 줄일 수 있으며 제휴 사이트간 네트워크를 구축함으로써 이용자 정보를 기준으로 다양한 공동 마케팅 사업을 할 수 있는 이점이 있다.

In the meantime, there can be the advantage which can run a business based on the user information the various co-marketing by driving away network between the affiliated site while reducing the cost which is required in order to secure the information of user because of securing the information of user as the indirect method.

그리고, 통합된 이용자 성향 분석 및 제휴 사이트의 폭이 넓고 깊이가 깊은 매체를 통하여 광고주에게 원하는 타겟팅 광고를 구성구석에 구사할 수 있는 이점이 있다.

And the advantage can have at one's beck and call has the desired targeting advertisement through the media in which the width of the affiliated site and the integrated user inclination analysis widens and depth deepens to advertiser in every nook and corner.

## 도면에 대한 간단한 설명

도 1은 본 발명에 의한 고객 성향 분석 정보 획득 방법을 구현하기 위한 구성도이다.

도 2는 본 발명에 의한 고객 성향 분석 정보 획득 방법을 설명하기 위한 흐름도이다.

도 3은 본 발명에 의한 사이트 현황정보로서 시간대별 이용자 프로파일 현황을 나타낸 예시도이다.

도 4는 본 발명에 의한 사이트 현황정보로서 제공서비스별 이용자 프로파일 현황을 나타낸 예시도이다.

도 5는 도 2의 이용자 성향 분석 과정을 나타낸 흐름도이다.

도 6은 본 발명에 의해 이용자를 유사성향 그룹으로 정의한 상태를 나타낸 예시도이다.

- 도면의 주요부분에 대한 부호의 설명 -

10: 인증서버 20: 웹서버

30: 고객DB 40: 로그서버

50: 분석DB 60: 현황분석서버

70: 고객정보 추출서버 80: 성향분석서버

100: 고객서버

## 기술적 과제

본 발명은 상기와 같은 문제점을 해결하기 위해 창작된 것으로서, 본 발명의 목적은 제휴된 인터넷 포털 사이트에서 사이트의 현황정보와 이용자의 성향 정보 등의 솔루션을 제공하면서 다 시금 제휴 사이트에 제공함으로써 제휴 업체간 공동 마케팅 및 이용자에 대한 타겟 마케팅을 행할 수 있도록 한 고객 성향 분석정보 획득방법을 제공함에 있다.

## 발명의 구성 및 작용

상기와 같은 목적을 실현하기 위한 본 발명의 고객 성향 분석 정보 획득 시스템은 각 사이트에서 각종 컨텐츠, 커뮤니티, 전자상거래를 서비스하는 웹서버와, 각 사이트에 등록된 사용자들의 정보를 기록하는 고객DB와, 웹서버에 접속하는 사용자들 고객DB의 정보와 비교하여 인증하는 인증서버와, 웹서버에 접속한 사용자의 로그정보를 저장하는 로그서버와, 로그서버의 정보와 사이트 고객DB를 통해 이용자 중심으로 모델링하여 저장하는 분석DB와, 분석DB의 데이터를 기반으로 사이트의 현

## Brief explanation of the drawing

Fig. 1 the configuration diagram for embodying the user trend analysis method for achieving information.

Figure 2 is flowchart for illustrating the user trend analysis method for achieving information.

Figure 3 is an example diagram showing the time slot user profile present condition with the site status information.

Figure 4 is an example diagram showing the service offered user profile present condition with the site status information.

Figure 5 is flowchart showing the user inclination analysis process of fig. 2.

The example diagram showing the state defining user with the fig. 6 silver the invention as the similarity flavor group.

Description - of the denotation about the main part of - drawing.

10: certificate server 20: web server.

30: client DB 40: log server.

50: analysis DB 60: analysis of current situation server.

70: customer information extraction server 80: inclination analysis server.

100: customer server.

## Technical Task

The invention provides the status information of the site in the internet portal site which is to solve problems described in the above created, and the object of the present invention is cooperated and the user trend analysis method for achieving information which does the target marketing for user and co-marketing between the affiliated company by it unificationals, the propensity analysis information of the user which gets while offering solution including the tendency information of user etc. being analyzed and again offering to the affiliated site.

## Structure & Operation of the Invention

The system for obtaining analysis information of user propensity of the present invention for realizing the purpose as described above it characterizes to be included of the inclination analysis server performing the inclination analysis based on data of the certificate server, certified and the log server, storing the log information of the user connecting to the web server and the analysis DB, which it stores it models through the information and site customer database of the log server to the user central



환경정보를 분석하여 제공하는 현황분석서버와, 분석DB의 데이터를 기반으로 성향분석을 수행하는 성향분석서버와, 분석DB의 데이터를 분석하고 저장하여 고객서버로 인터넷을 통해 전송하는 고객정보 추출서버와, 각 사이트의 고객정보 추출서버로부터 전송 받은 정보들을 다시 정리하고 분석하여 통합적인 이용자 성향을 분석하여 각 사이트로 다시 제공하는 고객서버로 이루어진 것을 특징으로 한다.

and the analysis of current situation server, the customer information extraction server analyzing data of the analysis DB and stores and transmits with the customer server through internet, and the customer server compared to the information of the customer database the web server, giving one's service all kinds of the contentses, the community, and the electronic commerce at each site and the customer database, recording the information of the authorized users in each site and the user connecting to the web server. As to the inclination analysis server, the status information of site is analyzed based on data of the analysis DB and offered and analysis DB. As to the customer server, information which it is transmitted from the customer information extraction server of each site are arranged again and analyzing and in which the user inclination it unificationals, is analyzed and which it again offers to each site.

또한, 고객 성향 분석 정보 획득 방법은 각 사이트에서 요구하는 솔루션의 내용에 따라 각 사이트에서 제공하는 서비스를 분류하여 표준 분류체계로 맵핑하는 단계와, 이용자가 각 사이트에 방문할 때 웹 로그와 쿠키셋을 설정하여 이용자의 신원을 확보하여 웹 서버 환경별 로그 형태를 설계하는 단계와, 설계된 로그 정보를 통합하여 데이터를 로그서버로 전송하여 로그 데이터베이스에 저장하는 단계와, 로그서버에 저장된 로그 정보를 이용자 중심으로 모델링하여 분석DB를 구축하는 단계와, 분석DB의 데이터를 기반으로 현황분석서버를 통해 사이트 현황정보와 성향분석서버를 통해 이용자 성향을 분석하는 단계와, 각 사이트에서 분석된 데이터를 고객정보 추출서버를 통해 인터넷으로 고객 서버로 전송하는 단계와, 고객 서버에 저장된 각 사이트의 이용자 성향 및 행동 정보로 통합 이용자 성향을 분석하는 단계와, 통합 이용자 성향 분석 정보를 각 사이트에 전송하여 공동 마케팅 및 타겟 마케팅을 수행하도록 하는 단계로 이루어진 것을 특징으로 한다.

Moreover, the user trend analysis method for achieving information comprises the user central step of transmitting with the customer server to the internet through the customer information extraction server the step of driving away the analysis DB it models, and step of analyzing the user inclination through the site status information through the analysis of current situation server based on data of the analysis DB and inclination analysis server, and data analyzed in each site, and step of analyzing the integration user inclination to the user inclination and navigation information of each site saved in the customer server, and step performing co-marketing and target marketing the integration user propensity analysis information is transmitted in each site the step, that it stores in the log database data is transmitted with the log server the log information designed with the step of mapping to the normal sort system the service offered to each site is classified according to the content of the solution demanded in each site, and the step that designs the environment of web server log type the identity of user is secured weblog and cookie set are established user visits in each site is with merged and the log information saved in the log server.

또한, 위에서 이용자 성향 분석을 할 때 사이트에서 제공되는 서비스를 일정한 분류체계를 정리하는 단계와, 분류체계에 따라 분리된 내용별로 이용자들을 스코어링 하여 개인별 성향을 도출하는 단계와, 클러스터링 알고리즘을 이용하여 유사한 성향을 가지는 이용자들을 그룹핑하여 세부집단을 분류하고 정의하는 단계로 이루어진 것을 특징으로 한다.

Moreover, it comprises the step of arranging the fixed classification system the service, the step of drawing in something the individualized disposition it scores the classified by contents separating according to the classification system user, and the step that the users having the inclination. The step of arranging the fixed classification system the service is offered from site when in the upper part the user inclination analysis. The step that the users having the inclination is similar by using the clustering algorithm is grouped and that classifies the detail population and defined.

위와 같이 이루어진 본 발명은 각각의 인터넷 포털 사이트를 대상으로 공동 마케팅 제휴 네트워크를 구축하고 제휴된 인터넷 포털 사이트에게 사이트에서 원하는 사이트의 현황정보와 이용자 성향 정보를 각각의 사이트에 제공하면서 획득한 이용자 성향 정보를 통해 통합적인 이용자 성향 정보를 분석하여 다시 제휴된 네트워크에 제공하면서 회원고객을 획득함으로써 제휴된 인터넷 기업들과 공동 마케팅 사업 및 타겟 마케팅을 수행할 수 있도록 한다.

The internet enterprises which are cooperated by getting the member customer while the user tendency information unificationals, being analyzed through the user tendency information which gets while offering the status information and user tendency information of the site wanting to the internet portal site driving away the co-marketing consortium network for the invention included like the upper part is each internet portal site and is cooperated in site to each site and offering to the again cooperated network, the co-marketing business and target marketing are proceed.

이하, 본 발명의 바람직한 실시예를 첨부된 도면을 참조하여 설명한다. 또한 본 실시예는 본 발명의 권리범위를 한정하는 것은 아니고, 단지 예시로 제시된 것이다.

Hereinafter, the preferred embodiment of the present invention is explained referring to the figure. Moreover, this working example does not limit the scope of right of the present invention. It is only as an example reindicated.

도 1은 본 발명에 의한 고객 성향 분석 정보 획득 방법을 구현하기 위한 구성도이다.

Fig. 1 the configuration diagram for embodying the user trend analysis method for achieving information.

여기에 도시된 바와 같이 각 사이트에서 각종 콘텐츠, 커뮤니

It is included of the inclination analysis server (80) performing

터, 전자상거래를 서비스하는 웹서버(20)와, 각 사이트에 등록된 사용자들의 정보를 기록하는 고객DB(30)와, 웹서버(20)에 접속하는 사용자를 고객DB(30)의 정보와 비교하여 인증하는 인증서버(10)와, 웹서버(20)에 접속한 사용자의 로그정보를 저장하는 로그서버(40)와, 로그서버(40)의 정보와 사이트 고객DB(30)를 통해 이용자 중심으로 모델링하여 저장하는 분석DB(50)와, 분석DB(50)의 데이터를 기반으로 사이트의 현황정보를 분석하여 제공하는 현황분석서버(60)와, 분석DB(40)의 데이터를 기반으로 성향분석을 수행하는 성향분석서버(80)와, 분석DB(50)의 데이터를 분석하고 저장하여 고객서버(100)로 인터넷(90)을 통해 전송하는 고객정보 추출서버(70)와, 각 사이트의 고객정보 추출서버(70)로부터 전송받은 정보들을 다시 정리하고 분석하여 통합적인 이용자 성향을 분석하여 각 사이트로 다시 제공하는 고객서버(100)로 이루어진다.

the inclination analysis based on data of the certificate server (10), which it when all kinds of the contentses in each site as shown in activating, the community, and the electronic commerce are compared with the information of the customer database (30) the web server (20), given one's service and the customer database (30), recording the information of the authorized users in each site and the user connecting to the web server (20) certifies and the log server (40), storing the log information of the user connecting to the web server (20) and the analysis DB (50), which it stores it models through the information and site customer database (30) of the log server (40) to the user central and the analysis of current situation server (60), the customer information extraction server (70), and the customer server (100). As to inclination analysis server (80), the status information of site is analyzed based on data of the analysis DB (50) and offered and analysis DB (40). The customer information extraction server (70) analyzes data of the analysis DB (50) and which stores and transmitted with the customer server (100) through the internet (90). As to the customer server (100), information which it is transmitted from the customer information extraction server (70) of each site are arranged again and analyzing and in which the user inclination it unificationals, is analyzed and which it again offers to each site.

위에서 현황분석서버(60)는 사용자들이 접속하여 로그정보와 분석된 사용자 정보를 조회할 수 있도록 구성된다.

In the upper part, in order to users connect and it inquires the analyzed user information with the log information the analysis of current situation server (60) is composed.

위와 같이 이루어진 본 발명의 고객 성향 분석 정보 획득 시스템에 의한 고객 성향 분석 정보 획득 방법을 설명하기 위해 도 2에 도시된 흐름도를 참조하여 설명하면 다음과 같다.

If it explains with reference to the flowchart illustrated in Figure 2 in order to explain the user trend analysis method for achieving information by the system for obtaining analysis information of user propensity of the present invention included like the upper part, it thes same like next

먼저, 인터넷 업계의 전문 포탈 중심으로 공동마케팅 제휴 계약을 통해 각 사이트에서 원하는 각 사이트의 현황분석이나 이용자 성향 분석 정보 등의 솔루션을 제공하면서 얻게 되는 각 사이트의 현황분석이나 이용자 성향 분석 정보를 제공받을 수 있도록 선행 작업이 이루어져야 한다.

Firstly, in order to be provided the analysis of current situation or the user propensity analysis information of each site which obtains while offering solution including the analysis of current situation or the user propensity analysis information of desired each site etc. to the speciality portal center of the internet community through the co-marketing \*\*\* to each site predecessor has to be included.

웹서버(20)를 통해 각종 콘텐츠, 커뮤니티, 전자상거래 등의 서비스를 제공하는 각 사이트에서 원하는 정보의 내용과 사이트의 전반적인 사이트의 시스템 상황을 분석하고 정의한다(S10).

The system status of the overall site of the content of the information wanting in each site offering service including all kinds of the contentses or the community, the electronic commerce etc. through the web server (20) and site are analyzed and it defines (S10).

그런다음, 각 사이트에서 제공하는 콘텐츠, 커뮤니티, 상거래 아이템을 각각 분류하고 표준 분류체계에 따라 맵핑한다(S20).

Next, the contents, offered to each site the community, and the commercial transaction item are classified respectively and it maps according to the normal sort system (S20).

이후, 이용자가 각 사이트에 방문하게 되면 남게 되는 웹 로그에 남게 되는데 이때 쿠키셋을 설정하여 이용자의 신원을 확보하여 웹서버(20)의 환경별 로그 형태를 설계하여 최적화 한다(S30). 이때 이용자들의 신원을 확보할 때 각 사이트의 이용자들의 허락을 받아서 확보하게 된다.

Thereafter, the cookie set is established at this time to remain in the weblog which remains if user visits in each site and the identity of user is secured and the environment log type of the web server (20) is designed and it optimizes (S30). At this time, when securing the identity of the users, the permission of the users of each site is received and it secures.

위와 같이 각 사이트에 방문하는 다수의 이용자가 방문하여 제공하는 서비스를 이용하거나 접속할 때 남기는 웹 로그들과 쿠키셋을 통해 설계된 로그 형태대로 정보를 통합하여 각 인터넷 사이트의 부하 정도를 고려하여 사용자가 많이 접속하지 않는 새벽에 스케줄링된 작업을 수행하여 자동으로 데이터를 로그 서버(40)로 전송하여 로그 데이터베이스에 저장한다(S40).

In this way, the information is with merged according to the log type designed through the weblogs and the cookie set which it leaves when the service in which a plurality of users visited in each site visits and offered being used or connecting and the task scheduled in the early morning when user very much does not connect in consideration of the load degree of each internet site is proceed and data is transmitted automatically with the log server (40) and it stores in the log database (S40).

이와 같이 로그서버(40)에 저장된 로그 정보는 데이터 파싱 기술을 이용하여 이용자 중심으로 모델링하여 분석DB(50)를 구축한다(S50).

In this way, by using data parsing technology, it models to the user central and the log information saved in the log server (40) drives away the analysis DB (50) (S50).

즉, 이용자들에 대한 등록데이터, 등록된 관심사, 클릭스트림, 선호 콘텐츠, 가입커뮤니티, 구매성향 등을 저장한다.

That is, registration data about the users, and the registered concern, click stream, preference contents, subscription community, the purchasing disposition etc is stored.

그런다음, 분석DB(50)의 데이터를 기반으로 현황분석서버(60)를 통해 사이트 현황정보를 분석한다(S60).

Next, the site status information is analyzed based on data of the analysis DB (50) through the analysis of current situation server (60) (S60).

사이트 현황 정보는 사이트에 접속한 기간에 대한 현황 즉, 시간대, 요일, 월, 분기별로 제공하며, 이용자의 상태 즉, 회원과 비회원, 신규회원과 기존회원, 우량, 일반, 휴먼, 이탈회원 등 최근 방문일, 방문주기 등을 제공하고, 이용자의 프로파일 현황으로 성별, 연령, 직업, 지역 등을 제공한다. 또한, 제공서비스별 현황으로 콘텐츠, 커뮤니티, 상거래 등의 현황을 제공한다.

The site status information offers to the present condition about the period, connecting to site in other words, the time slot, day, month, per quarter. And the visit date, the period of visiting etc. are offered recently the state of user, in other words, the members and nonmember, and the new member and existing members, excellence, general, sleep, the secession members etc. The sex, age, job, area light is offered to the profile present condition of user. Moreover, the present condition including the contents, the community, the commercial transaction etc. is offered to the service offered present condition.

위와 같은 사이트 현황 정보를 예를 들면, 도 3에 도시된 바와 같이 시간대별 이용자 프로파일 현황을 제공하거나 도 4에 도시된 바와 같이 제공서비스별 이용자 프로파일 현황 즉, 건강 정보에 접속한 이용자의 프로파일 현황, 뉴스정보에 접속한 이용자의 프로파일 현황을 제공한다. 그리고, 콘텐츠 분류별 이용자 프로파일 현황 등을 제공하게 된다.

The time slot user profile present condition is offered as shown in fig. 3 or the profile present condition of the user connecting as shown in fig. 4 to the service offered user profile present condition, in other words, the health information, and the profile present condition of the user connecting to the news information are offered in case of the site status information as in the above. And the content category user profile present condition etc. are offered.

또한, 분석DB(50)의 데이터를 기반으로 성향분석서버(80)를 통해 이용자 성향을 분석한다(S70).

Moreover, the user inclination is analyzed based on data of the analysis DB (50) through the inclination analysis server (80) (S70).

이용자 성향 분석은 도 5에 도시된 바와 같이 먼저, 사이트에서 제공되는 서비스 즉, 콘텐츠, 커뮤니티, 상거래 상품 등에 따라 일정한 분류체계에 따라 정리한다(S702). 이때 누락된 자료는 재정리하여 정제된 자료를 확보한다.

The user inclination analysis arranges according to the classification system constant according to the service, firstly offered as shown in fig. 5 from site in other words, the service, in other words, the contents, the community, the commercial transaction goods etc (S702). At this time, data in which omitted data readjusts and which is refined is secured.

그런다음, 분류체계에 따라 분리된 내용별로 이용자들을 스코어링 하여 개인별 성향을 도출한다(S704).

Next, users are scored to the classified by contents separating according to the classification system and the individualized disposition is in something drawn (S704).

위와 같이 도출된 개인별 성향은 클러스터링 알고리즘을 이용하여 도 6과 같이 유사한 성향을 가지는 이용자들을 그룹핑하여 유사한 성향을 가지는 수십 개의 세부집단을 분류하고 정의한다(S706).

The detail population of several dozen having the inclination grouping and is similar is classified and the users having the inclination which the individualized disposition drawn like the upper part is similar like the fig. 6 by using the clustering algorithm is defined (S706).

이와 같이 각 사이트에서 분석된 데이터를 고객정보 추출서버(70)로 보내면 인터넷(90)을 통해 고객서버(100)로 전송된다(S80).

In this way, if data analyzed in each site is sent to the customer information extraction server (70), it is transmitted through the internet (90) to the customer server (100) (S80).

그러면, 고객서버(100)는 각 사이트에서 전송된 사이트의 현황 분석정보나 이용자 성향 분석정보, 항해 정보를 통해 고객 정보를 획득한 후 이 정보를 통합하여 통합적인 이용자 성향을 분석한다(S90).

And then, after getting the customer information through the analysis of current situation information or the user propensity analysis information of the site transmitted from each site, and the navigation information, it merges with this information and the customer server (100) analyzes the user inclination it unificationals (S90).

이와 같이 통합적으로 분석된 이용자 성향 분석 정보는 다시 각 사이트에 제공되어 이용자의 성향을 세부적인 집단으로 분류하여 각 집단에 적합한 일대일 타겟팅 광고가 가능하고 각각 제휴된 각 사이트간에 공동 마케팅을 수행할 수 있게 된다 (S100).

In this way, it is again offered to each site and it classifies the inclination of user into the detail population and the one-to-one targeting advertisement suitable for each population possible and the user propensity analysis information which unifications, is analyzed is proceed co-marketing between the respective cooperated each site (S100).

이렇게 각 사이트에서 원하는 요구사항에 따라 사이트 현황 분석 및 이용자 성향을 분석하면서 획득하는 각 사이트에 가입된 수십만의 이용자를 정보를 통합하여 통합적인 이용자 성향을 분석함으로써 정확한 이용자의 성향을 기반으로 체계적인 이용자를 관리할 뿐만 아니라 일대일 마케팅을 수행할 수 있게 된다.

In this way, according to the requirement wanting in each site, by, in addition the information being with merged and subscribed to each site which it gets while analyzing the site analysis of current situation and user inclination analyzing the user inclination it unifications, the systematic user is managed based on the inclination of the exact user one to one marketing is proceed.

## 청구의 범위

## Scope of Claims

### ■ 청구 1항 :

각 사이트에서 각종 서비스를 제공하는 웹서버와,  
각 사이트에 등록된 사용자들의 정보를 기록하는 고객DB와,  
웹서버에 접속하는 사용자를 고객DB의 정보와 비교하여 인증하는 인증서버와,  
웹서버에 접속한 사용자의 로그정보를 저장하는 로그서버와,  
로그서버의 정보와 사이트 고객DB를 통해 이용자 중심으로 모델링하여 저장하는 분석DB와,  
분석DB의 데이터를 기반으로 사이트의 현황정보를 분석하여 제공하는 현황분석서버와,  
분석DB의 데이터를 기반으로 성향분석을 수행하는 성향분석서버와,  
분석DB의 데이터를 분석하고 저장하여 고객서버로 인터넷을 통해 전송하는 고객정보 추출서버와,  
각 사이트의 고객정보 추출서버로부터 전송받은 정보들을 다시 정리하고 분석하여 통합적인 이용자 성향을 분석하여 각 사이트로 다시 제공하는 고객서버  
로 이루어진 것을 특징으로 하는 고객 성향 분석 정보 획득 시스템.

### ■ Claim 1:

The customer server in which data of inclination analysis server performing the inclination analysis based on data of the certificate server, which it when the various services in each site is compared with the information of the customer database the web server, offered and the customer database, recording the information of the authorized users in each site and the user connecting to the web server certifies and the log server, storing the log information of the user connecting to the web server and the analysis DB, which it stores it models through the information and site customer database of the log server to the user central and the analysis of current situation server, in which the status information of site is analyzed based on data of the analysis DB and offered and analysis DB, and analysis DB is analyzed and which stores and in which information which it is transmitted from the customer information extraction server of the customer information extraction server, transmitted with the customer server through internet and each site are arranged again and analyzing and in which the user inclination it unifications, is analyzed and which it again offers to each site.

The included system for obtaining analysis information of user propensity.

### ■ 청구 2항 :

제 1항에 있어서, 상기 현황분석서버는 사용자들이 로그정보와 분석된 사용자 정보를 조회할 수 있도록 구성된 것을 특징으로 하는 고객 성향 분석 정보 획득 시스템.

### ■ Claim 2:

The system for obtaining analysis information of user propensity, wherein the analysis of current situation server as to the first claim it is composed so that users inquire the analyzed user information with the log information.

### ■ 청구 3항 :

각 사이트에서 요구하는 솔루션의 내용에 따라 각 사이트에서 제공하는 서비스를 분류하여 표준 분류체계로 매핑하는 단계와,

### ■ Claim 3:

The user trend analysis method for achieving information wherein the step of mapping to the normal sort system the service offered to each site is classified according to the content of the solution demanded in each site, the step weblog and

이용자가 각 사이트에 방문할 때 웹 로그와 쿠키셋을 설정하여 이용자의 신원을 확보하여 웹 서버 환경별 로그 형태를 설계하는 단계와,

설계된 로그 정보를 통합하여 데이터를 로그서버로 전송하여 로그 데이터베이스에 저장하는 단계와,

로그서버에 저장된 로그 정보를 이용자 중심으로 모델링하여 분석DB를 구축하는 단계와,

분석DB의 데이터를 기반으로 현황분석서버를 통해 사이트 현황정보와 성향분석서버를 통해 이용자 성향을 분석하는 단계와,

각 사이트에서 분석된 데이터를 고객정보 추출서버를 통해 인터넷으로 고객 서버로 전송하는 단계와,

고객 서버에 저장된 각 사이트의 이용자 성향 및 향해 정보로 통합 이용자 성향을 분석하는 단계와,

통합 이용자 성향 분석 정보를 각 사이트에 전송하여 공동 마케팅 및 타겟 마케팅을 수행하도록 하는 단계

를 포함하여 이루어진 것을 특징으로 하는 고객 성향 분석 정보 획득 방법.

#### ■ 청구 4항 :

제 3항에 있어서, 상기 이용자 성향을 분석하는 단계는

사이트에서 제공되는 서비스를 일정한 분류체계를 정리하는 단계와,

분류체계에 따라 분리된 내용별로 이용자들을 스코어링 하여 개인별 성향을 도출하는 단계와,

클러스터링 알고리즘을 이용하여 유사한 성향을 가지는 이용자들을 그룹핑하여 세부집단을 분류하고 정의하는 단계

를 포함하여 이루어진 것을 특징으로 하는 고객 성향 분석 정보 획득 방법.

#### ■ 청구 5항 :

제 3항에 있어서, 상기 사이트 현황 정보는 사이트에 접속한 기간 현황과, 이용자의 상태 현황과, 이용자의 프로파일 현황과, 제공서비스별 현황 중 어느 하나 이상인 것을 특징으로 하는 고객 성향 분석 정보 획득 방법.

cookie set are established when user visits in each site and that the identity of user is secured and designing the environment of web server log type, the step that the designed log information is with merged and that data is transmitted with the log server and storing in the log database, the user central step of transmitting with the customer server to the internet through the customer information extraction server the step of driving away the analysis DB it models, and step of analyzing the user inclination through the site status information through the analysis of current situation server based on data of the analysis DB and inclination analysis server, and data analyzed in each site the log information saved in the log server, step of analyzing the integration user inclination to the user inclination and navigation information of each site saved in the customer server, and step performing co-marketing and target marketing the integration user propensity analysis information is transmitted in each site is by including comprised.

#### ■ Claim 4:

The user trend analysis method for achieving information, wherein the step of analyzing the user inclination as to claim 3 the step of arranging the fixed classification system the service offered from site, the step of drawing in something the individualized disposition it scores the classified by contents separating according to the classification system user, and the step that the users having the inclination is by including comprised, and the step that the users having the inclination is similar by using the clustering algorithm is grouped and that classifies the detail population and defined.

#### ■ Claim 5:

The user trend analysis method for achieving information, wherein the site status information as to claim 3 among the profile present condition, of the state present condition, of the period present condition, connecting to site and user and user and service offered present condition one or greater.

## Drawing

#### ■ Fig. 1

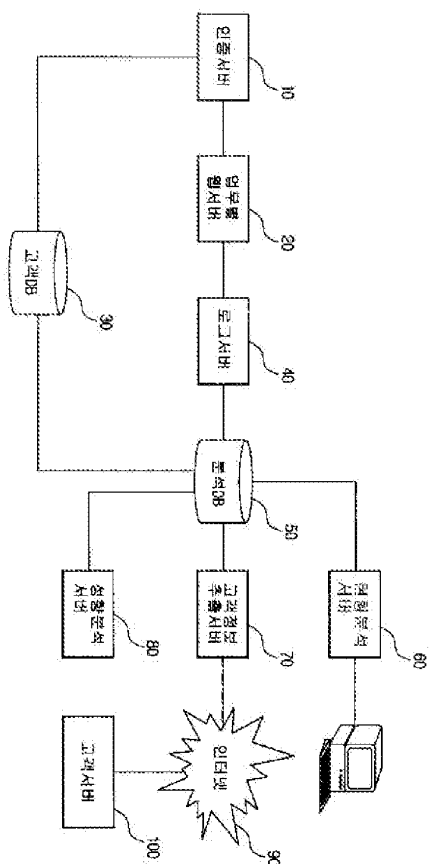


Fig. 2

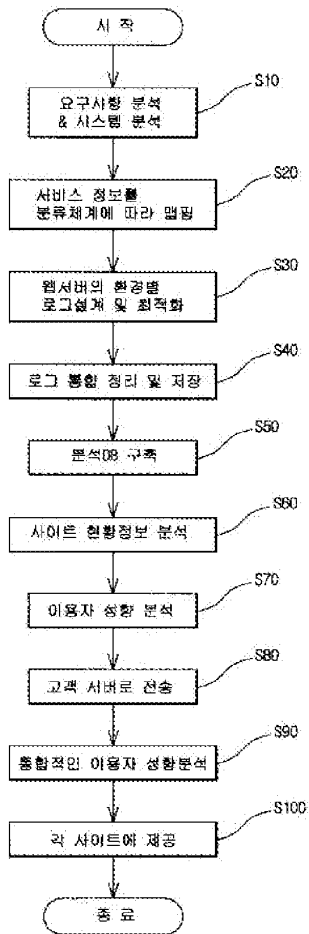
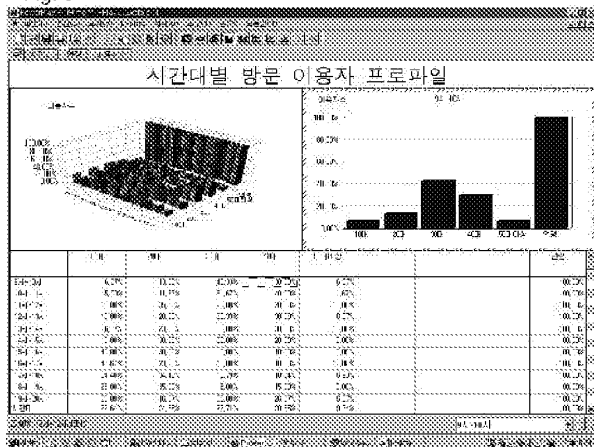


Fig. 3



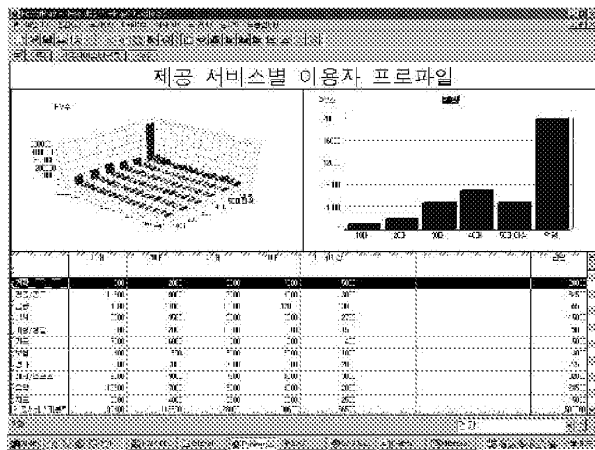
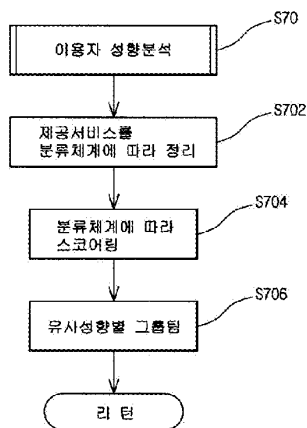


Fig. 5



■ Fig. 6

[illegible]

## Legal Status

| Date         | Type of Document                           | Status          |
|--------------|--------------------------------------------|-----------------|
| 2000. 04. 18 | Patent Application                         | 수리 (Acceptance) |
| 2000. 04. 19 | Submission of Attached Electronic Document | 수리 (Acceptance) |
| 2001. 10. 15 | Request for Prior Art Search               | 수리 (Acceptance) |
| 2001. 11. 14 | Report of Prior Art Search                 | 수리 (Acceptance) |



|            |                                                   |                     |
|------------|---------------------------------------------------|---------------------|
| 2002.02.27 | Notification of reason for refusal                | 발송처리완료 (Dispatched) |
| 2002.06.26 | Decision to Refuse a Patent                       | 발송처리완료 (Dispatched) |
| 2006.10.27 | Notification of change of applicant's information | 수리 (Acceptance)     |
| 2009.07.07 | Notification of change of applicant's information | 수리 (Acceptance)     |

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(PDF Creation Date : 2011.04.26)

| Electronic Patent Application Fee Transmittal  |          |                                                                                                      |        |                      |
|------------------------------------------------|----------|------------------------------------------------------------------------------------------------------|--------|----------------------|
| <b>Application Number:</b>                     |          |                                                                                                      |        |                      |
| <b>Filing Date:</b>                            |          |                                                                                                      |        |                      |
| <b>Title of Invention:</b>                     |          | Media properties selection method and system based on expected profit from profile-based ad delivery |        |                      |
| <b>First Named Inventor/Applicant Name:</b>    |          | Roy Shkedi                                                                                           |        |                      |
| <b>Filer:</b>                                  |          | Louis J. Hoffman/Donald Hertz                                                                        |        |                      |
| <b>Attorney Docket Number:</b>                 |          | 14-EP-CON3                                                                                           |        |                      |
| Filed as Small Entity                          |          |                                                                                                      |        |                      |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |          |                                                                                                      |        |                      |
| Description                                    | Fee Code | Quantity                                                                                             | Amount | Sub-Total in USD(\$) |
| <b>Basic Filing:</b>                           |          |                                                                                                      |        |                      |
| Utility filing Fee (Electronic filing)         | 4011     | 1                                                                                                    | 95     | 95                   |
| Utility Search Fee                             | 2111     | 1                                                                                                    | 310    | 310                  |
| Utility Examination Fee                        | 2311     | 1                                                                                                    | 125    | 125                  |
| <b>Pages:</b>                                  |          |                                                                                                      |        |                      |
| <b>Claims:</b>                                 |          |                                                                                                      |        |                      |
| Claims in excess of 20                         | 2202     | 34                                                                                                   | 30     | 1020                 |
| <b>Miscellaneous-Filing:</b>                   |          |                                                                                                      |        |                      |
| <b>Petition:</b>                               |          |                                                                                                      |        |                      |

| Description                              | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|------------------------------------------|----------|----------|--------|----------------------|
| <b>Patent-Appeals-and-Interference:</b>  |          |          |        |                      |
| <b>Post-Allowance-and-Post-Issuance:</b> |          |          |        |                      |
| <b>Extension-of-Time:</b>                |          |          |        |                      |
| <b>Miscellaneous:</b>                    |          |          |        |                      |
| <b>Total in USD (\$)</b>                 |          |          |        | <b>1550</b>          |

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 12964297                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 07-JUN-2012                                                                                          |
| <b>Filing Date:</b>                         |                                                                                                      |
| <b>Time Stamp:</b>                          | 19:24:42                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                                          |             |
|------------------------------------------|-------------|
| Submitted with Payment                   | yes         |
| Payment Type                             | Credit Card |
| Payment was successfully received in RAM | \$1550      |
| RAM confirmation Number                  | 6128        |
| Deposit Account                          |             |
| Authorized User                          |             |

### File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/<br>Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|----------------------|-----------|-------------------------------------|------------------|------------------|
|-----------------|----------------------|-----------|-------------------------------------|------------------|------------------|

|              |                                                     |                                                   |                                                    |     |    |
|--------------|-----------------------------------------------------|---------------------------------------------------|----------------------------------------------------|-----|----|
| 1            | Transmittal of New Application                      | 12-06-07-AlmondNet-EP-CON3-App_Trans.pdf          | 50672<br>1d10d531827cda28f610e9bef1a8909a04a3e628  | no  | 1  |
| Warnings:    |                                                     |                                                   |                                                    |     |    |
| Information: |                                                     |                                                   |                                                    |     |    |
| 2            |                                                     | AlmondNet-EP-Specification_from_parent.pdf        | 113139<br>f0357b856b26f7cb86268944a855dbf5386fe7f0 | yes | 26 |
|              | Multipart Description/PDF files in .zip description |                                                   |                                                    |     |    |
|              | Document Description                                |                                                   | Start                                              | End |    |
|              | Specification                                       |                                                   | 1                                                  | 19  |    |
|              | Claims                                              |                                                   | 20                                                 | 25  |    |
|              | Abstract                                            |                                                   | 26                                                 | 26  |    |
| Warnings:    |                                                     |                                                   |                                                    |     |    |
| Information: |                                                     |                                                   |                                                    |     |    |
| 3            | Drawings-only black and white line drawings         | AlmondNet-EP-Drawings_from_parent.pdf             | 368890<br>3c5b266c73603db59847ac62304ac35ed297ebcb | no  | 3  |
| Warnings:    |                                                     |                                                   |                                                    |     |    |
| Information: |                                                     |                                                   |                                                    |     |    |
| 4            | Oath or Declaration filed                           | AlmondNet-EP-Declaration-copy_from_parent.pdf     | 93873<br>5108d24b28950901979dd03baf1d7ccf10ec2104  | no  | 2  |
| Warnings:    |                                                     |                                                   |                                                    |     |    |
| Information: |                                                     |                                                   |                                                    |     |    |
| 5            | Power of Attorney                                   | 12-06-07-AlmondNet-EP-CON3-POA-signed_5-31-12.pdf | 32847<br>7fc4c8d7878e40f8fa8a7dde19c67a4277a7c3f3  | no  | 1  |
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| Information: |                                                     |                                                   |                                                    |     |    |
| 6            | Preliminary Amendment                               | 12-06-07-Almondnet-EP-CON3-Prelim_Amend.pdf       | 51676<br>93985b109d62fd6f0bfa2f7e2601b4daba68e3f   | no  | 11 |
| Warnings:    |                                                     |                                                   |                                                    |     |    |
| Information: |                                                     |                                                   |                                                    |     |    |
| 7            | Transmittal Letter                                  | 12-06-07-Almondnet-EP-CON3-IDS_Cover.pdf          | 23639<br>861b6e3169e06ed6dff9a27394ea11d87688eef   | no  | 2  |
| Warnings:    |                                                     |                                                   |                                                    |     |    |
| Information: |                                                     |                                                   |                                                    |     |    |

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| 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Information Disclosure Statement (IDS) Form (SB08) | 12-06-07-Almondnet-EP-CON3-FORM_1449.pdf  | 43944<br>0e56f46b3c3b31e95f28dddead81c44006a1aa169 | no | 6  |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                           |                                                    |    |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                           |                                                    |    |    |
| This is not an USPTO supplied IDS fillable form                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                    |                                           |                                                    |    |    |
| 9                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Foreign Reference                                  | KR10-2001-0096343.pdf                     | 642657<br>e7d9f82fd74341897100e9fa9de62cad5f5896   | no | 13 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                           |                                                    |    |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                           |                                                    |    |    |
| 10                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Foreign Reference                                  | KR10-2001-0096343-machine_trans.pdf       | 735572<br>d79ea33523dda9b8f3b7921efa805576b0d2dfb7 | no | 12 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                           |                                                    |    |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                           |                                                    |    |    |
| 11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Non Patent Literature                              | 40-ClickOver_Inc_introduces_ClickWise.pdf | 25370<br>7aa1332a272f328d217512f00790613705bd0ff   | no | 2  |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                           |                                                    |    |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                           |                                                    |    |    |
| 12                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Fee Worksheet (SB06)                               | fee-info.pdf                              | 36367<br>4b829a751e2e5c28887c1b84d6bab842c6c20cb2  | no | 2  |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                           |                                                    |    |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                           |                                                    |    |    |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                           | 2218646                                            |    |    |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                                                    |                                           |                                                    |    |    |

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: AlmondNet, Inc.

Application No./Patent No.: 13/491,454

Filed/Issue Date: 06/07/2012

Titled: Media properties selection method and system based on expected profit from profile-based ad delivery

AlmondNet, Inc., a 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 in;
2. ☐ an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

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 therefore 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

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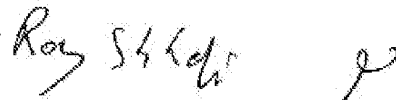
☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

- ☒ 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.

Signature



05/31/2012

Date

Roy Shkedi

CEO - AlmondNet, Inc.

Printed or Typed Name

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.**

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| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 12964428                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 07-JUN-2012                                                                                          |
| <b>Filing Date:</b>                         |                                                                                                      |
| <b>Time Stamp:</b>                          | 19:44:37                                                                                             |
| <b>Application Type:</b>                    | 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               | Assignee showing of ownership per 37 CFR 3.73(b). | 12-06-07-AlmondNet-EP-CON3-Owner_Stmt-signed_053112.pdf | 30488<br>90c9f20a72efe84afca5c69ffb4b71697980fe0 | no               | 1                |

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**New Applications Under 35 U.S.C. 111**

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

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

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

**New International Application Filed with the USPTO as a Receiving Office**

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

## 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: "Media Properties Selection Method and System Based On Expected Profit from Profile-based Ad Delivery," described in a U.S. utility patent application filed June 14, 2007, and a PCT application of the same date, 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.

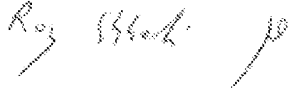
I agree that, when requested, I will, without charge to Assignee but at Assignee's expense, sign all papers, take all rightful oaths, and do all acts that may be necessary, desirable, or convenient for securing and maintaining patents for the inventions in all countries and for vesting title to such 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:



\_\_\_\_\_ at New York, New York, June 14, 2007.

Roy Shkedi

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 12964464                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 07-JUN-2012                                                                                          |
| <b>Filing Date:</b>                         |                                                                                                      |
| <b>Time Stamp:</b>                          | 19:49:08                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

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|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

### File Listing:

| Document Number | Document Description                              | File Name                | File Size(Bytes)/<br>Message Digest               | Multi Part /.zip | Pages (if appl.) |
|-----------------|---------------------------------------------------|--------------------------|---------------------------------------------------|------------------|------------------|
| 1               | Assignee showing of ownership per 37 CFR 3.73(b). | EP_Assignment-Signed.pdf | 28990<br>f8cc545f68376ee050e44c0cbf6136c1ddd92609 | no               | 1                |

### Warnings:

### Information:

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Total Files Size (in bytes):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 28990 |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |       |



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| APPLICATION<br>NUMBER | FILING or<br>371(c) DATE | GRP ART<br>UNIT | FIL FEE REC'D | ATTY. DOCKET NO | TOT CLAIMS | IND CLAIMS |
|-----------------------|--------------------------|-----------------|---------------|-----------------|------------|------------|
| 13/491,454            | 06/07/2012               | 2447            | 1550          | 14-EP-CON3      | 54         | 3          |

CONFIRMATION NO. 8741

26362

LOUIS J. HOFFMAN, P.C.  
14301 North 87th Street, Suite 312  
Scottsdale, AZ 85260

FILING RECEIPT



OC000000054907305

Date Mailed: 06/20/2012

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 CON of 12/823,709 06/25/2010 PAT 8204783  
which is a CON of 11/763,286 06/14/2007 PAT 7747745  
which claims benefit of 60/804,937 06/16/2006  
and claims benefit of 60/805,119 06/19/2006

**Foreign Applications** (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.)

**If Required, Foreign Filing License Granted:** 06/18/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/491,454**

**Projected Publication Date:** 09/27/2012

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Media properties selection method and system based on expected profit from profile-based ad delivery

**Preliminary Class**

709

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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#### **NOT GRANTED**

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| <b>PATENT APPLICATION FEE DETERMINATION RECORD</b><br>Substitute for Form PTO-875                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                               |                                  |          |                                    |               | Application or Docket Number<br>13/491,454 |                    |                         |                 |                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------|------------------------------------|---------------|--------------------------------------------|--------------------|-------------------------|-----------------|--------------------|
| <b>APPLICATION AS FILED - PART I</b>                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                               |                                  |          |                                    |               |                                            |                    |                         |                 |                    |
| (Column 1)                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                               | (Column 2)                       |          | SMALL ENTITY                       |               | OTHER THAN SMALL ENTITY                    |                    |                         |                 |                    |
| FOR                                                                                                                                                                                                                                                                                                                                                                                                        | NUMBER FILED                                                                                                                                                                                                                  | NUMBER EXTRA                     | RATE(\$) | FEE(\$)                            |               | RATE(\$)                                   | FEE(\$)            |                         |                 |                    |
| BASIC FEE<br><small>(37 CFR 1.16(a), (b), or (c))</small>                                                                                                                                                                                                                                                                                                                                                  | N/A                                                                                                                                                                                                                           | N/A                              | N/A      | 95                                 |               | N/A                                        |                    |                         |                 |                    |
| SEARCH FEE<br><small>(37 CFR 1.16(k), (l), or (m))</small>                                                                                                                                                                                                                                                                                                                                                 | N/A                                                                                                                                                                                                                           | N/A                              | N/A      | 310                                |               | N/A                                        |                    |                         |                 |                    |
| EXAMINATION FEE<br><small>(37 CFR 1.16(o), (p), or (q))</small>                                                                                                                                                                                                                                                                                                                                            | N/A                                                                                                                                                                                                                           | N/A                              | N/A      | 125                                |               | N/A                                        |                    |                         |                 |                    |
| TOTAL CLAIMS<br><small>(37 CFR 1.16(j))</small>                                                                                                                                                                                                                                                                                                                                                            | 54                                                                                                                                                                                                                            | minus 20 =<br>*                  | 34       | x 30 =                             | 1020          |                                            |                    |                         |                 |                    |
| INDEPENDENT CLAIMS<br><small>(37 CFR 1.16(h))</small>                                                                                                                                                                                                                                                                                                                                                      | 3                                                                                                                                                                                                                             | minus 3 =<br>*                   |          | x 125 =                            | 0.00          |                                            |                    |                         |                 |                    |
| APPLICATION SIZE FEE<br><small>(37 CFR 1.16(s))</small>                                                                                                                                                                                                                                                                                                                                                    | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). |                                  |          |                                    | 0.00          |                                            |                    |                         |                 |                    |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                               |                                  |          |                                    | 0.00          |                                            |                    |                         |                 |                    |
| * If the difference in column 1 is less than zero, enter "0" in column 2.                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                               |                                  |          |                                    |               | TOTAL                                      | 1550               |                         |                 |                    |
| <b>APPLICATION AS AMENDED - PART II</b>                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                               |                                  |          |                                    |               |                                            |                    |                         |                 |                    |
| (Column 1)                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                               | (Column 2)                       |          | (Column 3)                         |               | SMALL ENTITY                               |                    | OTHER THAN SMALL ENTITY |                 |                    |
| AMENDMENT A                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                               | CLAIMS REMAINING AFTER AMENDMENT |          | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE(\$)                                   | ADDITIONAL FEE(\$) |                         | RATE(\$)        | ADDITIONAL FEE(\$) |
|                                                                                                                                                                                                                                                                                                                                                                                                            | Total<br><small>(37 CFR 1.16(i))</small>                                                                                                                                                                                      | *                                | Minus    | **                                 | =             | x                                          | =                  |                         | x               | =                  |
|                                                                                                                                                                                                                                                                                                                                                                                                            | Independent<br><small>(37 CFR 1.16(h))</small>                                                                                                                                                                                | *                                | Minus    | ***                                | =             | x                                          | =                  |                         | x               | =                  |
|                                                                                                                                                                                                                                                                                                                                                                                                            | Application Size Fee (37 CFR 1.16(s))                                                                                                                                                                                         |                                  |          |                                    |               |                                            |                    |                         |                 |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                            | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))                                                                                                                                                               |                                  |          |                                    |               |                                            |                    |                         |                 |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                               |                                  |          |                                    |               | TOTAL ADD'L FEE                            |                    |                         | TOTAL ADD'L FEE |                    |
| AMENDMENT B                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                               | CLAIMS REMAINING AFTER AMENDMENT |          | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE(\$)                                   | ADDITIONAL FEE(\$) |                         | RATE(\$)        | ADDITIONAL FEE(\$) |
|                                                                                                                                                                                                                                                                                                                                                                                                            | Total<br><small>(37 CFR 1.16(i))</small>                                                                                                                                                                                      | *                                | Minus    | **                                 | =             | x                                          | =                  |                         | x               | =                  |
|                                                                                                                                                                                                                                                                                                                                                                                                            | Independent<br><small>(37 CFR 1.16(h))</small>                                                                                                                                                                                | *                                | Minus    | ***                                | =             | x                                          | =                  |                         | x               | =                  |
|                                                                                                                                                                                                                                                                                                                                                                                                            | Application Size Fee (37 CFR 1.16(s))                                                                                                                                                                                         |                                  |          |                                    |               |                                            |                    |                         |                 |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                            | FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))                                                                                                                                                               |                                  |          |                                    |               |                                            |                    |                         |                 |                    |
|                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                               |                                  |          |                                    |               | TOTAL ADD'L FEE                            |                    |                         | TOTAL ADD'L FEE |                    |
| * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.<br>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".<br>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".<br>The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1. |                                                                                                                                                                                                                               |                                  |          |                                    |               |                                            |                    |                         |                 |                    |





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| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 13/491,454         | 06/07/2012            | Roy Shkedi            | 14-EP-CON3             |

**CONFIRMATION NO. 8741**

**POA ACCEPTANCE LETTER**

26362  
LOUIS J. HOFFMAN, P.C.  
14301 North 87th Street, Suite 312  
Scottsdale, AZ 85260



Date Mailed: 06/20/2012

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 06/07/2012.

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

/tqlam/

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



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| APPLICATION NO.                                                                                               | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|---------------------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------------------|-----------------------------|
| 13/491,454                                                                                                    | 06/07/2012  | Roy Shkedi           | 14-EP-CON3                      | 8741                        |
| 26362 7590 08/30/2012<br>LOUIS J. HOFFMAN, P.C.<br>14301 North 87th Street, Suite 312<br>Scottsdale, AZ 85260 |             |                      | EXAMINER<br>KATSIKIS, KOSTAS J  |                             |
|                                                                                                               |             |                      | ART UNIT<br>2441                | PAPER NUMBER                |
|                                                                                                               |             |                      | NOTIFICATION DATE<br>08/30/2012 | DELIVERY MODE<br>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



### **DETAILED ACTION**

1. This communication is in response to the Preliminary Amendment filed on June 7, 2012, in which claims 1-36 have been canceled. Claims 37-90 have been newly added. Accordingly, claims 37-90 remain pending for examination.

### **Status of Claims**

2. Claims 37-90 are pending, of which claims 37-90 are rejected under 35 U.S.C. 103. Claims 37-90 are also subject to a provisional double patenting rejection.

### ***Priority***

3. Under 35 U.S.C. 120, Examiner has acknowledged Applicant's claim for the benefit of prior-filed U.S. Patent Application Serial No. 12/823,709, filed June 25, 2010, now U.S. Patent 8,204,783, which is a continuation of application Serial No. 11/763,286, filed June 14, 2007, now U.S. Patent 7,747,745, which claims the benefit of provisional application Serial No. 60/804,937, filed June 16, 2006, and provisional application Serial No. 60/805,119, filed June 19, 2006.

### ***Information Disclosure Statement***

4. The information disclosure statement, filed June 7, 2012 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, and the information referred to therein has been considered as to the merits.

### ***Claim Objections***

5. Claim 37 is objected to because of the following informalities: Claim 37, line 5, “the visitor” should be changed to “~~the~~ each electronic visitor”, and lines 6-7, “the visitor” should be changed to “the electronic visitor” to maintain consistency throughout the claim and minimize confusion.

Appropriate correction is required.

### **Examiner’s Note Regarding Statutory Subject Matter Under 35 U.S.C. § 101**

6. Regarding independent claim 55, which recites, a tangible computer server device, Examiner has determined the claim as whole to meet the requirements of 35 U.S.C. § 101. As per Applicant’s instant Specification, beginning at least in page 4, line 4, it is recited that “*The **BT company’s server**, which either gave the site a unique code for a page, received from the page its URL, or received access to the page’s content that could be analyzed by the **BT company’s server**, etc., identifies the content read by the page’s visitor or the keyword searched for by the user, or an ad clicked on the page, etc. The content read by the page visitor could be identified by the **BT company’s***”

**server** whether the content was reported by the site or whether the content was identified following the analysis of the page. **The server** then places a cookie on the user's computer indicating what content was read by the visitor on the page, what keyword was searched for by the user, or what ad was clicked on the page, etc. The placed cookie indicates that information (1) in the cookie per se, (2) in a central database operated by the server where the cookie ID is used as a record finder, or (3) both in the cookie and in the database". Thus, in the context of the detailed description, with combined support from FIG. 3 which illustrates the **BT company server** at item 30, it is clear that the claimed tangible computer-server device refers to a structural server, and is therefore taken to be statutory component. Thus, the claim as a whole satisfies the requirement of 35 U.S.C. 101. The same applies to independent claim 73 which recites that the system comprises one or more computers.

7. **Examiner's Note:** Examiner has cited particular paragraphs and/or columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

***Claim Rejections - 35 USC § 103***

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

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

9. **Claims 37, 41-46, 48-53, 55, 59-64, 66-61, 73, 77-82 and 84-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herb D. Vest (United States Patent Application Publication No. US 2006/0020510 A1), hereinafter “Vest”.**

Regarding claim 37, **Vest** discloses a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement (*wherein at least the Abstract of **Vest** discloses that a computerized*

*method for targeting advertisements toward certain groups of on-line users utilizes an advertising server to direct and deliver the advertisements to on-line users. Specifically **Vest**, paragraph [0011] notes the need for a system or method to automatically associate information about an advertisement shown to on-line users with the users' later submission of information to an advertiser's web site, and to correlate marketing and advertising data collected by advertising servers with data in other databases containing more exhaustive information about the on-line users. **Vest** further notes that a method of correlating such data would be invaluable in maximizing the efficiency of advertising campaigns. Specifically, with reference to FIG. 1, the basic structure of a common on-line advertising system is illustrated. As disclosed in paragraph [0021], the system comprises at least one content publisher web site 110 (such as yahoo.com, msnbc.com, or wells Fargo.com), at least one advertising server 112, and at least one advertiser's target web site 114 (such as match.com). **Vest** discloses that a content publisher can be any entity that has an agreement to permit third party advertisers to display advertising as a part of the content publisher's on-line content. The advertisements may appear in forms such as banner ads, text ads, pop-up ads, pop-under ads, or any other advertising technology. Furthermore, as disclosed in paragraph [0022], the process of serving an advertisement begins when a user browsing an on-line network sends a request 130 to the content publisher's (yahoo.com/msnbc.com/wells Fargo.com) web server for a web page. The content publisher (yahoo.com/msnbc.com/wells Fargo.com) responds by transmitting data 132 to the user's computer. The user's browser receives the data, parses the data, and*



*displays the result. If an advertisement is to be shown as a part of the content, the data received by the user will contain at least one instruction for the user's browser to retrieve an advertisement from an advertising server. The user's browser automatically transmits a request 134 to the advertising server 112 for an advertisement. First, the advertising server transmits 136 a data packet checking the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past. After checking for a cookie, the advertising server transmits 136 data containing an advertisement and a URL. In the preferred embodiment, the URL points the user to the advertising server. Should a user click on the advertisement (hyperlink), the advertising server records the click, as well as the placement of the advertisement, including the specific web page and possibly the position of the advertisement on the web page as passive profile attribute data. The web page may be found using the referrer URL. As disclosed in [0025], referring to FIG. 3, the advertiser records 322 additional passive profile attribute information about the user into the advertiser's database 314, such as the web pages visited by the user, the time and date of the visits, and the user's browser and IP address. **Vest** notes that ideally, the database will also contain active profile attribute information 320 by the user to the advertiser's web site 310. In the given example, **Vest** discloses a dating service may collect user information such as name, age, gender, location, education, annual income,*

*and smoking preference during a user registration process. **Vest** notes that this profile information, containing both the actively and passively collected information, is extremely valuable to a company who may be interested in targeting their advertisements to certain groups of users who have responded positively to specific placements of an advertisement. In [0026]-[0027] **Vest** discloses that various techniques exist and may be utilized for communicating information about the particular ad that caused a visitor to visit the advertiser's web site. Illustrated in FIG. 2A is a URL 210 comprising a web domain 212, a web page 214, and a query string 216. The query string will usually contain both a placement identifier 224 and an advertisement identifier 222 as shown in FIG. 2B, which as disclosed in [0028]-[0029] are two valuable pieces of advertisement data that an advertiser will use to categorize users using criteria such as age, gender, location, education, income level, or any other data field of the profile information. This categorized data will help identify the advertisements and corresponding placements that were most successful for a certain identified group. The advertiser may use this information to increase the frequency of certain advertisements shown on certain content publisher's web sites in certain positions/locations on the web site. **Vest** gives a particular example using a dating service in paragraph [0030]. Specifically, a dating service (such as match.com) may be interested in acquiring additional females with incomes between \$50,000 and \$100,000. The profile information collected by the advertiser may show that females in that income group respond best to a certain advertisement on a specific financial web site (such as WellsFargo.com). The advertiser can then shift resources toward those advertisements that best help them*

*achieve their goal. Therefore **Vest** discloses a user first visiting a third party second media property such as wells Fargo.com. A user clicks on an ad that takes her to a first media property (such as match.com). A user fills out active profile attribute information when registering for service at the match.com web site (such as age, gender, location, education, income level), while the advertiser has also collected and stored passive profile attribute information at the advertiser's database (such as the web pages visited by the user at the time the user clicked on the match.com ad, the time and date of the visit, and the user's browser and IP address). As depicted in [0030] the profile information collected from the user when registering may show that females in the income group between \$50,000-\$100,000 respond best to certain advertisements that have been placed on the wells Fargo.com web site, and therefore the advertiser can shift resources toward those particular advertisements that best help them achieve their goal of reaching more females with incomes in the above price range. Thus, Examiner submits that **Vest** discloses at least for each of a multitude of different electronic visitors to a first media property (match.com), responsive to receiving information about at least one of a plurality of profile attributes possibly applicable to the visitor (income level, age, gender), electronically authorizing a third-party second media property (wells Fargo.com) to allow display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property (when later accessing her finances at wells Fargo.com), of an advertisement correlated with the information received about the visitor (advertisement correlated with information that the user supplied upon registering), subject to a visitor-specific condition for display of the*

*advertisement (in this example visitor-specific condition is income between \$50k-\$100k)) (Vest, Abstract, FIG. 1, FIG. 2A-FIG. 2B, and FIG. 3, paragraphs [0011], [0021]-[0022], and [0025]-[0030]). Vest does not explicitly disclose automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement.*

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to automate the steps of electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement, to provide advertisers with receiving a positive margin at a faster return and maximize the efficiency of advertising campaigns. Additionally, Examiner submits that it would be further obvious to one having ordinary skill in the art at the time the invention was made to automate the teachings found in **Vest**, since it has been held that broadly providing a mechanical or automatic means to replace manual activity which has accomplished the same result involves only routine skill in the art. In re Venner, 120 USPQ 192. Please note that in the instant application, page 9, lines 7-8, and page 10, lines 9-10, applicant has not disclosed any criticality for the claimed limitations.

In re Venner, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958) (Appellant argued

that claims to a permanent mold casting apparatus for molding trunk pistons were allowable over the prior art because the claimed invention combined “old permanent-mold structures together with a timer and solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed”. The court held that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art.)

As to claim 55, **Vest** discloses a tangible computer-server device programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement (*wherein at least the Abstract of **Vest** discloses that a computerized method for targeting advertisements toward certain groups of on-line users utilizes an advertising server to direct and deliver the advertisements to on-line users. Specifically **Vest**, paragraph [0011] notes the need for a system or method to automatically associate information about an advertisement shown to on-line users with the users' later submission of information to an advertiser's web site, and to correlate marketing*

*and advertising data collected by advertising servers with data in other databases containing more exhaustive information about the on-line users. **Vest** further notes that a method of correlating such data would be invaluable in maximizing the efficiency of advertising campaigns. Specifically, with reference to FIG. 1, the basic structure of a common on-line advertising system is illustrated. As disclosed in paragraph [0021], the system comprises at least one content publisher web site 110 (such as yahoo.com, msnbc.com, or wells Fargo.com), at least one advertising server 112 (a first tangible computer-server device), and at least one advertiser's target web site 114 (such as match.com). **Vest** discloses that a content publisher can be any entity that has an agreement to permit third party advertisers to display advertising as a part of the content publisher's on-line content. The advertisements may appear in forms such as banner ads, text ads, pop-up ads, pop-under ads, or any other advertising technology. Furthermore, as disclosed in paragraph [0022], the process of serving an advertisement begins when a user browsing an on-line network sends a request 130 to the content publisher's web server (a second tangible computer-server device) for a web page. The content publisher (yahoo.com/msnbc.com/wells Fargo.com) responds by transmitting data 132 to the user's computer. The user's browser receives the data, parses the data, and displays the result. If an advertisement is to be shown as a part of the content, the data received by the user will contain at least one instruction for the user's browser to retrieve an advertisement from an advertising server (tangible computer-server device). The user's browser automatically transmits a request 134 to the advertising server 112 for an advertisement. First, the advertising server transmits 136 a data packet checking*

*the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past. After checking for a cookie, the advertising server transmits 136 data containing an advertisement and a URL. In the preferred embodiment, the URL points the user to the advertising server. Should a user click on the advertisement (hyperlink), the advertising server records the click, as well as the placement of the advertisement, including the specific web page and possibly the position of the advertisement on the web page as passive profile attribute data. The web page may be found using the referrer URL. As disclosed in [0025], referring to FIG. 3, the advertiser records 322 additional passive profile attribute information about the user into the advertiser's database 314, such as the web pages visited by the user, the time and date of the visits, and the user's browser and IP address. **Vest** notes that ideally, the database will also contain active profile attribute information 320 by the user to the advertiser's web site 310. In the given example, **Vest** discloses a dating service may collect user information such as name, age, gender, location, education, annual income, and smoking preference during a user registration process. **Vest** notes that this profile information, containing both the actively and passively collected information, is extremely valuable to a company who may be interested in targeting their advertisements to certain groups of users who have responded positively to specific placements of an advertisement. In [0026]-[0027] **Vest** discloses that various*

*techniques exist and may be utilized for communicating information about the particular ad that caused a visitor to visit the advertiser's web site. Illustrated in FIG. 2A is a URL 210 comprising a web domain 212, a web page 214, and a query string 216. The query string will usually contain both a placement identifier 224 and an advertisement identifier 222 as shown in FIG. 2B, which as disclosed in [0028]-[0029] are two valuable pieces of advertisement data that an advertiser will use to categorize users using criteria such as age, gender, location, education, income level, or any other data field of the profile information. This categorized data will help identify the advertisements and corresponding placements that were most successful for a certain identified group. The advertiser may use this information to increase the frequency of certain advertisements shown on certain content publisher's web sites in certain positions/locations on the web site. **Vest** gives a particular example using a dating service in paragraph [0030]. Specifically, a dating service (such as match.com) may be interested in acquiring additional females with incomes between \$50,000 and \$100,000. The profile information collected by the advertiser may show that females in that income group respond best to a certain advertisement on a specific financial web site (such as WellsFargo.com). The advertiser can then shift resources toward those advertisements that best help them achieve their goal. Therefore **Vest** discloses a user first visiting a third party second media property such as wells Fargo.com. A user clicks on an ad that takes her to a first media property (such as match.com). A user fills out active profile attribute information when registering for service at the match.com web site (such as age, gender, location, education, income level), while the advertiser has also collected and stored passive*



*profile attribute information at the advertiser's database (such as the web pages visited by the user at the time the user clicked on the match.com ad, the time and date of the visit, and the user's browser and IP address). As depicted in [0030] the profile information collected from the user when registering may show that females in the income group between \$50,000-\$100,000 respond best to certain advertisements that have been placed on the wells Fargo.com web site, and therefore the advertiser can shift resources toward those particular advertisements that best help them achieve their goal of reaching more females with incomes in the above price range. Thus, Examiner submits that **Vest** discloses at least for each of a multitude of different electronic visitors to a first media property (match.com), responsive to receiving information about at least one of a plurality of profile attributes possibly applicable to the visitor (income level, age, gender), electronically authorizing a third-party second media property (wells Fargo.com) to allow display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property (when later accessing her finances at wells Fargo.com), of an advertisement correlated with the information received about the visitor (advertisement correlated with information that the user supplied upon registering), subject to a visitor-specific condition for display of the advertisement (in this example visitor-specific condition is income between \$50k-\$100k). Again, the system of **Vest** would indeed be modified to include automation) (**Vest**, Abstract, FIG. 1, FIG. 2A-FIG. 2B, and FIG. 3, paragraphs [0011], [0021]-[0022], and [0025]-[0030]).* The motivation regarding the obviousness of claim 37 is

also applied to claim 55.

Regarding claim 73, **Vest** discloses a system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement (*wherein at least the Abstract of **Vest** discloses that a computerized method for targeting advertisements toward certain groups of on-line users utilizes an advertising server to direct and deliver the advertisements to on-line users. Specifically **Vest**, paragraph [0011] notes the need for a system or method to automatically associate information about an advertisement shown to on-line users with the users' later submission of information to an advertiser's web site, and to correlate marketing and advertising data collected by advertising servers with data in other databases containing more exhaustive information about the on-line users. **Vest** further notes that a method of correlating such data would be invaluable in maximizing the efficiency of advertising campaigns. Specifically, with reference to FIG. 1, the basic structure of a common on-line advertising system is illustrated. As disclosed in paragraph [0021], the*

*system comprises at least one content publisher web site 110 (such as yahoo.com, msnbc.com, or wellsfargo.com), at least one advertising server 112 (a first computer), and at least one advertiser's target web site 114 (such as match.com). **Vest** discloses that a content publisher can be any entity that has an agreement to permit third party advertisers to display advertising as a part of the content publisher's on-line content. The advertisements may appear in forms such as banner ads, text ads, pop-up ads, pop-under ads, or any other advertising technology. Furthermore, as disclosed in paragraph [0022], the process of serving an advertisement begins when a user browsing an on-line network sends a request 130 to the content publisher's web server (a second computer) for a web page. The content publisher (yahoo.com/msnbc.com/wellsfargo.com) responds by transmitting data 132 to the user's computer. The user's browser receives the data, parses the data, and displays the result. If an advertisement is to be shown as a part of the content, the data received by the user will contain at least one instruction for the user's browser to retrieve an advertisement from an advertising server. The user's browser automatically transmits a request 134 to the advertising server 112 for an advertisement. First, the advertising server transmits 136 a data packet checking the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past. After checking for a cookie, the advertising server transmits 136 data containing an*

*advertisement and a URL. In the preferred embodiment, the URL points the user to the advertising server. Should a user click on the advertisement (hyperlink), the advertising server records the click, as well as the placement of the advertisement, including the specific web page and possibly the position of the advertisement on the web page as passive profile attribute data. The web page may be found using the referrer URL. As disclosed in [0025], referring to FIG. 3, the advertiser records 322 additional passive profile attribute information about the user into the advertiser's database 314, such as the web pages visited by the user, the time and date of the visits, and the user's browser and IP address. **Vest** notes that ideally, the database will also contain active profile attribute information 320 by the user to the advertiser's web site 310. In the given example, **Vest** discloses a dating service may collect user information such as name, age, gender, location, education, annual income, and smoking preference during a user registration process. **Vest** notes that this profile information, containing both the actively and passively collected information, is extremely valuable to a company who may be interested in targeting their advertisements to certain groups of users who have responded positively to specific placements of an advertisement. In [0026]-[0027] **Vest** discloses that various techniques exist and may be utilized for communicating information about the particular ad that caused a visitor to visit the advertiser's web site. Illustrated in FIG. 2A is a URL 210 comprising a web domain 212, a web page 214, and a query string 216. The query string will usually contain both a placement identifier 224 and an advertisement identifier 222 as shown in FIG. 2B, which as disclosed in [0028]-[0029] are two valuable pieces of advertisement data that an advertiser will use to*

*categorize users using criteria such as age, gender, location, education, income level, or any other data field of the profile information. This categorized data will help identify the advertisements and corresponding placements that were most successful for a certain identified group. The advertiser may use this information to increase the frequency of certain advertisements shown on certain content publisher's web sites in certain positions/locations on the web site. **Vest** gives a particular example using a dating service in paragraph [0030]. Specifically, a dating service (such as match.com) may be interested in acquiring additional females with incomes between \$50,000 and \$100,000. The profile information collected by the advertiser may show that females in that income group respond best to a certain advertisement on a specific financial web site (such as WellsFargo.com). The advertiser can then shift resources toward those advertisements that best help them achieve their goal. Therefore **Vest** discloses a user first visiting a third party second media property such as wells Fargo.com. A user clicks on an ad that takes her to a first media property (such as match.com). A user fills out active profile attribute information when registering for service at the match.com web site (such as age, gender, location, education, income level), while the advertiser has also collected and stored passive profile attribute information at the advertiser's database (such as the web pages visited by the user at the time the user clicked on the match.com ad, the time and date of the visit, and the user's browser and IP address). As depicted in [0030] the profile information collected from the user when registering may show that females in the income group between \$50,000-\$100,000 respond best to certain advertisements that have been placed on the wells Fargo.com web site, and*

*therefore the advertiser can shift resources toward those particular advertisements that best help them achieve their goal of reaching more females with incomes in the above price range. Thus, Examiner submits that **Vest** discloses at least for each of a multitude of different electronic visitors to a first media property (match.com), responsive to receiving information about at least one of a plurality of profile attributes possibly applicable to the visitor (income level, age, gender), electronically authorizing a third-party second media property (wellsfargo.com) to allow display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property (when later accessing her finances at wells Fargo.com), of an advertisement correlated with the information received about the visitor (advertisement correlated with information that the user supplied upon registering), subject to a visitor-specific condition for display of the advertisement (in this example visitor-specific condition is income between \$50k-\$100k). Again, the system of **Vest** would indeed be modified to include automation) (**Vest, Abstract, FIG. 1, FIG. 2A-FIG. 2B, and FIG. 3, paragraphs [0011], [0021]-[0022], and [0025]-[0030]**). The motivation regarding the obviousness of claim 37 is also applied to claim 73.*

Regarding claim 41, **Vest** discloses the method of claim 37 wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor (*wherein as discussed above, the content publisher (yahoo.com/msnbc.com/wellsfargo.com) responds by transmitting data 132 to the user's computer. The user's browser receives*

*the data, parses the data, and displays the result. If an advertisement is to be shown as a part of the content, the data received by the user will contain at least one instruction for the user's browser to retrieve an advertisement from an advertising server. The user's browser automatically transmits a request 134 to the advertising server 112 for an advertisement. First, the advertising server transmits 136 a data packet checking the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past. After checking for a cookie, the advertising server transmits 136 data containing an advertisement and a URL) (Vest, paragraph [0022]).*

The motivation regarding the obviousness of claim 37 is also applied to claim 41.

Regarding claim 42, **Vest** discloses the method of claim 37 wherein authorizing comprises recognizing an action conducted on the first media property by the visitor (*wherein as discussed above, Vest discloses that a visitor at the dating web site registers and supplies age, gender, and income*) (**Vest, paragraph [0025]**). The motivation regarding the obviousness of claim 37 is also applied to claim 42.

Regarding claim 43, **Vest** discloses the method of claim 37 wherein authorizing comprises authorizing based on a search request by the visitor to the first media property (*wherein again, the on-line visitor first makes contact with the advertiser's web-*

*site. The user's browser 200 contacts the advertiser's website 202 with the URL 210)*

**(Vest, paragraph [0023])**. The motivation regarding the obviousness of claim 37 is also applied to claim 43.

Regarding claim 44, **Vest** discloses the method of claim 37 wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the visitor *(wherein again, the on-line visitor inputs active profile information such as, for example smoking preference)* **(Vest, paragraph [0025])**. The motivation regarding the obviousness of claim 37 is also applied to claim 44.

Regarding claim 45, **Vest** discloses the method of claim 37 wherein authorizing comprises authorizing based on information about a profile attribute of the visitor and categorizing the profile attribute within at least one of a plurality of predefined categories *(wherein again, the on-line visitor inputs active profile information according to specific categories, at least such as age, gender, location and education)* **(Vest, paragraph [0025])**. The motivation regarding the obviousness of claim 37 is also applied to claim 45.

Regarding claim 46, **Vest** discloses the method of claim 37 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property *(wherein Vest further discloses placing a tag. Specifically, [0022] discloses that the advertising server*



*transmits 136 a data packet checking the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past* (**Vest, paragraph [0022]**). The motivation regarding the obviousness of claim 37 is also applied to claim 46.

Regarding claim 48, **Vest** discloses the method of claim 37 wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property (*wherein as disclosed in at least FIG. 1, content publisher has equipment in different medium than that of advertiser (advertiser's web server)*) (**Vest, FIG. 1, paragraph [0021]**). The motivation regarding the obviousness of claim 37 is also applied to claim 48.

Regarding claim 49, **Vest** discloses the method of claim 37 wherein the second media property comprises equipment controlling ad space only temporarily (*wherein the content publisher have advertisements only temporarily on their web sites*) (**Vest, FIG. 1, paragraph [0021]**). The motivation regarding the obviousness of claim 37 is also applied to claim 49.

Regarding claim 50, **Vest** discloses the method of claim 37 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property (*wherein **Vest** further discloses placement of a tag readable by the content publisher, and pointing the user to the advertising web site. Specifically, the advertising server transmits 136 a data packet checking the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past. After checking for a cookie, the advertising server transmits 136 data containing an advertisement and a URL, which **Vest** discloses points the user to the advertising server*) (**Vest, paragraph [0022]**). The motivation regarding the obviousness of claim 37 is also applied to claim 50.

Regarding claim 51, **Vest** discloses the method of claim 50 wherein the condition is given to the second media property at the time arranging for placement of a tag takes place (*wherein when a female visitor specifies their income to be between \$50K and \$100K on the dating web site, the advertising company may use this condition for placing an appropriate ad catered to females in that income range*) (**Vest, paragraph [0030]**). The motivation regarding the obviousness of claim 37 is also applied to claim 51.

Regarding claim 52, **Vest** discloses the method of claim 51 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer (*wherein the advertisement with catered to those women with incomes ranging from \$50K-\$100K (the particular user's profile attribute) is placed on the content publisher's web page via URL*) (**Vest, paragraphs [0022]-[0023] and [0030]**). The motivation regarding the obviousness of claim 37 is also applied to claim 52.

Regarding claim 53, **Vest** discloses the method of claim 50 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the second media property for the second media property to place a tag on the electronic visitor readable by the second media property (*wherein **Vest** further discloses placement of a tag readable by the content publisher, and pointing the user to the advertising web site. Specifically, the advertising server transmits 136 a data packet checking the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past. After checking for a cookie, the advertising server transmits 136 data containing an advertisement and a URL, which **Vest** discloses points the user to the advertising server*) (**Vest, paragraph [0022]**). The motivation regarding

the obviousness of claim 37 is also applied to claim 53.

Claims 59-64 and 66-71 are corresponding tangible computer server-device claims of method claims 41-46 and 48-53; therefore, they are rejected under the same rationale.

Claims 77-82 and 84-89 are corresponding system claims of method claims 41-46 and 48-53; therefore, they are rejected under the same rationale.

**10. Claims 47, 54, 65 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vest, and further in view of Clarence H. Bandura (United States Patent Application Publication No. US 2002/0099603 A1), hereinafter “Bandura”.**

Regarding claim 47, **Vest** discloses the method of claim 1 wherein: (i) the method comprises, responsive to receiving information via an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property (*wherein **Vest** further discloses placement of a tag readable by the content publisher, and pointing the user to the advertising web site. Specifically, the advertising server transmits 136 a data packet checking the user's computer for any cookie previously installed by the particular advertising server. If a cookie does not exist, the advertising server attempts to install a cookie on the user's machine. The*

*cookie allows an advertising server to track the number of times a particular advertisement has been shown to a specific user and the advertisements the user has clicked on in the past. After checking for a cookie, the advertising server transmits 136 data containing an advertisement and a URL, which **Vest** discloses points the user to the advertising server) (**Vest, paragraph [0022]**). **Vest** does not explicitly disclose (ii) authorizing comprises authorizing display of the advertisement only during a specified time period after receiving the information about the visitor.*

However **Bandura** discloses (ii) authorizing comprises authorizing display of the advertisement only during a specified time period after receiving the information about the visitor (*wherein advertiser or user uploads advertising data into a temporary network, customized demographic data is pre-selected and designed to suit the requirements of advertiser or user through programmed information consisting of specified time intervals of display being one time, synchronized, repeating or rotating throughout selected locations and regions*) (**Bandura, Abstract, paragraphs [0001], and [0006]-[0007]**).

**Vest** and **Bandura** are analogous art because they are from the same field of endeavor, namely, methods and systems of managing electronic advertisements. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of **Vest** and **Bandura** before him or her, to modify the electronic advertisement system of **Vest** to include the pre-determined-display-interval functionality of **Bandura** with reasonable expectation that this would result in a system that gave flexibility for interchanging or synchronizing customized display data. This

method of improving the electronic advertisement system of **Vest** was well within the ordinary ability of one of ordinary skill in the art based on the teachings of **Bandura**. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of **Vest** with **Bandura** to obtain the invention as specified in claim 47.

Regarding claim 54, **Vest-Bandura** discloses the method of claim 37 wherein the condition is a specified time period after receiving profile-attribute information about the visitor (*wherein advertiser or user uploads advertising data into a temporary network, customized demographic data is pre-selected and designed to suit the requirements of advertiser or user through programmed information consisting of specified time intervals of display being one time, synchronized, repeating or rotating throughout selected locations and regions*) (**Bandura, Abstract, paragraphs [0001], and [0006]-[0007]**). The motivation regarding the obviousness of claim 47 is also applied to claim 54.

Claims 65 and 83 are corresponding respective tangible computer server-device and system claims of method claim 47; therefore, they are rejected under the same rationale.

**11. Claims 38, 56 and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vest, and further in view of Sandholm et al. (United States Patent Application Publication No. US 2006/0224496 A1), hereinafter "Sandholm".**

Regarding claim 38, **Vest** discloses the method of claim 37, but does not explicitly disclose wherein the visitor-specific condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute dependent price that an advertiser is willing to pay for display of the advertisement.

However **Sandholm** discloses a visitor-specific condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute dependent price that an advertiser is willing to pay for display of the advertisement (*wherein **Sandholm** at least discloses that a bid price can depend on information about a user's profile. For instance, a search engine might have profile information about the user (e.g., because the user has to register with the search engine, or because there is some broader desktop presence that allows the search engine to track a user's online presence over time). The user profile can also be augmented through knowledge of other services provided to the same user, such as through the text in the body of email messages or historical information about the kinds of sites that a user likes to visit. **Sandholm** further notes that a price charged having additional restrictions that only consider profiles that fit within a certain class, in terms of demographics, location, and also in terms of an aggregate classification of the kinds of sites that a user visits online, thereby enabling advertisers to better target their potential consumers*) (**Sandholm**, paragraphs [0243]-[0244]).

**Vest** and **Sandholm** are analogous art because they are from the same field of endeavor, namely, methods and systems for management of electronic advertisements.

At the time of the invention, it would have been obvious to one of ordinary skill in

the art, having the teachings of **Vest** and **Sandholm** before him or her, to modify the electronic advertisement system of **Vest** to include the visitor-specific conditions of **Sandholm** with reasonable expectation that this would result in a system that improved the correlation of marketing and advertising data collected by advertising servers with data in other databases containing more relevant profile information about the on-line users and therefore enabled advertisers to market their products to a more effective and responsive class of potential consumers. This method of improving the electronic advertisement system of **Vest** was well within the ordinary ability of one of ordinary skill in the art based on the teachings of **Sandholm**. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of **Vest** with **Sandholm** to obtain the invention as specified in claim 38.

Claims 56 and 74 are corresponding respective tangible computer server-device and system claims of method claim 38; therefore, they are rejected under the same rationale.

**12. Claims 39-40, 57-58 and 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vest, and further in view of Boubek et al. (United States Patent Application Publication No. US 2004/0068436 A1), hereinafter "Boubek".**

Regarding claim 39, **Vest** discloses the method of claim 37:

- (i) further comprising building a look-up data structure associating at



least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties (*wherein **Vest** discloses that when a user clicks on the advertisement (hyperlink), the advertising server records the click, as well as the placement of the advertisement, including the specific web page and possibly the position of the advertisement on the web page as passive profile attribute data. The web page may be found using the referrer URL. As disclosed in [0025], referring to FIG. 3, the advertiser records 322 additional passive profile attribute information about the user into the advertiser's database 314, such as the web pages visited by the user, the time and date of the visits, and the user's browser and IP address. **Vest** notes that ideally, the database will also contain active profile attribute information 320 by the user to the advertiser's web site 310. In the given example, **Vest** discloses a dating service may collect user information such as name, age, gender, location, education, annual income, and smoking preference during a user registration process. **Vest** notes that this profile information, containing both the actively and passively collected information, is extremely valuable to a company who may be interested in targeting their advertisements to certain groups of users who have responded positively to specific placements of an advertisement. Thus it is implied by **Vest** that the active profile attribute information stored in the advertiser's database 314 and supplied by the user (item 320 of FIG. 3), along with the passive profile attribute information at the advertiser's database 314 (item 322 of FIG. 3), such as the particular web page the user had been viewing when she/he clicked the particular ad hyperlink, the placement of the ad on the web page, which is recorded by the advertising server is*

*all stored in the advertiser's database 314. **Vest** further implies that by utilizing the aforementioned information in the advertiser's database 314, an advertising company may curtail the placement of certain advertisements to certain content publishers. In the given example, the placement of ads for match.com would be at the wells Fargo.com web site, with an aim at drawing in more females with income between \$50K and \$100K) (Vest, FIG. 3, paragraphs [0025], and [0029]-[0030]). **Vest** does not explicitly disclose*

(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property.

However **Boubek** discloses (ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property (*wherein information providers may influence position of information tags by auctioning directory search terms associated*

*with information tag, then ranking the tags based upon bid amount from auction. Each information tag may be associated with a spending limit and based upon predetermined time period) (Boubek, Abstract, FIG. 4, paragraph [0055]).*

**Vest** and **Boubek** are analogous art because they are from the same field of endeavor, namely, methods and systems for management of electronic advertisements.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of **Vest** and **Boubek** before him or her, to modify the electronic advertisement system of **Vest** to include the information tags of **Boubek** with reasonable expectation that this would result in a system that allowed consumers access to information maintained on the same websites as the information tags, allowing targeting of specific markets, thereby facilitating the means of marketing through a communications network such as the Internet and during set times as deemed most effective for receiving a positive margin at a faster return and maximize the efficiency of advertising campaigns. This method of improving the electronic advertisement system of **Vest** was well within the ordinary ability of one of ordinary skill in the art based on the teachings of **Boubek**. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of **Vest** with **Boubek** to obtain the invention as specified in claim 39.

Regarding claim 40, **Vest-Boubek** discloses the method of claim 37 further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second

media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the visitor (*wherein again, **Vest** discloses that the advertiser records 322 additional passive profile attribute information about the user into the advertiser's database 314, such as the web pages visited by the user, the time and date of the visits, and the user's browser and IP address. **Vest** notes that ideally, the database will also contain active profile attribute information 320 by the user to the advertiser's web site 310. In the given example, **Vest** discloses a dating service may collect user information such as name, age, gender, location, education, annual income, and smoking preference during a user registration process. **Vest** notes that this profile information, containing both the actively and passively collected information, is extremely valuable to a company who may be interested in targeting their advertisements to certain groups of users who have responded positively to specific placements of an advertisement. **Boubek** discloses the auctioning of directory search terms associated with information tag, then ranking the tags based upon bid amount from auction*) (**Vest, FIG. 3, paragraphs [0025], and [0029]-[0030], Boubek, Abstract, FIG. 4, paragraph [0055]**). The motivation regarding the obviousness of claim 39 is also applied to claim 40.

Claims 57-58 and 75-76 are corresponding respective tangible computer server-device and system claims of method claims 39-40; therefore, they are rejected under

the same rationale.

### ***Double Patenting***

13. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

**14. Claims 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 14, 18, 20, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 32, 31, 35, 37, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 50, 51, 49 and 48 of U.S. Patent No. 8,200,822 B1.**

15. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 14, 18, 20, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 32, 31, 35, 37, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 50, 51, 49 and 48 of U.S. Patent No. 8,200,822 B1 contain every element of claims 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90 of the instant application and thus anticipate the claims of the instant application. Claims 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89 and 90 of the

instant application are therefore not patentably distinct from the earlier patent claims and as such are unpatentable over obvious-type double patenting. A later application claim is not patently distinct from an earlier claim if the later claim is anticipated by the earlier claim.

“A later patent claim is not patentably distinct from an earlier patent claim if the later claim is obvious over, or **anticipated by**, the earlier claim. In re Longi, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type double patenting because the claims at issue were obvious over claims in four prior art patents); In re Berg, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998) (affirming a holding obviousness-type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within that genus)”. ELI LILLY AND COMPANY vs. BARR LABORATORIES INC., United States Court of Appeals for the Federal Circuit, ON PETITION FOR REHEARING EN BANC (DECIDED: May 30, 2001).

With respect to claim 37 of the instant application, claim 37 recites, “A *method of directing electronic advertisements, the method comprising:*

*for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an*

*advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement”.*

Regarding claim 1 of U.S. Patent No. 8,200,822 B1, claim 1 recites, “A *method of directing electronic advertisements, the method comprising:*

*for each of a multitude of different electronic visitors to a first media property, responsive to receiving information about at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing a third-party second media property to **allow** display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an advertisement correlated with the **profile-attribute information received about the visitor**, subject to a visitor-specific condition for display of the advertisement **that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement”.***

As is shown from the plain text, the limitations that are substantially distinct are specifically that the “*visitor-specific condition for display of the advertisement*” of Patent No. 8,200,822 B2 is specified, namely that “**a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement**”. Thus each limitation of claim 37 of the instant Application is also within claim 1 of the Patent No. 8,200,822 B1, and



therefore, claim 37 of the instant Application is thus anticipated by claim 1 of Patent No. 8,200,822 B1.

Each of the dependent claims of the instant Application distinguish themselves substantially similarly to those of U.S. Patent No. 8,200,822 B1, with respect to the above claims. Thus each limitation of the dependent claims in the instant application is also in the dependent claims of U.S. Patent No. 8,200,822 B1. Therefore, the above referenced dependent claims of the instant Application are therefore also anticipated and thus are not patentably distinct from the earlier patent claims and as such are unpatentable over obvious-type double patenting.

**16. Claims 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 55, 57, 58, 59, 63, 65, 66, 73, 76, 77, 78, 81, 82 and 84 are also rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 4, 11, 12, 13, 6, 7, 14, 19, 17, 23, 8, 18, 24, 26, 28, 29, 30, 33, 35, 37, 39, 40, 41, 42, 44 and 46 of U.S. Patent No. 7,747,745 B2 in view of Sandholm.**

17. Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1, 4, 11, 12, 13, 6, 7, 14, 19, 17, 23, 8, 18, 24, 26, 28, 29, 30, 33, 35, 37, 39, 40, 41, 42, 44 and 46 of U.S. Patent No. 7,747,745 B2 are obvious variants of claims 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 55, 57, 58, 59, 63, 65, 66, 73, 76, 77, 78, 81, 82 and 84 of the instant application. Claims 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 55, 57, 58, 59, 63, 65, 66, 73, 76, 77, 78, 81,

82 and 84 of the instant application are therefore not patentably distinct from the earlier patent claims and as such are unpatentable over obvious-type double patenting. A later application claim is not patently distinct from an earlier claim if the later claim is obvious over the earlier claim.

“A later patent claim is not patentably distinct from an earlier patent claim if the later claim is **obvious over**, or anticipated by, the earlier claim. In re Longi, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type double patenting because the claims at issue were obvious over claims in four prior art patents); In re Berg, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir. 1998) (affirming a holding obviousness-type double patenting where a patent application claim to a genus is anticipated by a patent claim to a species within that genus)”. ELI LILLY AND COMPANY vs. BARR LABORATORIES INC., United States Court of Appeals for the Federal Circuit, ON PETITION FOR REHEARING EN BANC (DECIDED: May 30, 2001).

With respect to claim 37 of the instant application, claim 37 recites, “A *method of directing electronic advertisements, the method comprising:*

*for each of a multitude of different electronic visitors to a first media property, based on information indicating at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the visitor visits the second media property at a time after the visitor visits the first media property, of an*

*advertisement correlated with the indicated profile attributes, subject to a visitor-specific condition for display of the advertisement”.*

Regarding claim 1 of U.S. Patent No. 7,747,745 B2, claim 1 recites, “A *method of directing electronic advertisements using one or more computers, the method comprising:*

(a) ***determining automatically, with at least one of the computers, a profile-attribute-dependent revenue available for display of a profile-attribute-related advertisement; and***

(b) *for each of a multitude of different electronic visitors to a first media property, responsive to receiving information about at least one of a plurality of profile attributes possibly applicable to the visitor, automatically electronically authorizing, with at least one of the computers, a third-party second media property to allow display, to the electronic visitor when later visiting the second media property, of an advertisement correlated with the profile-attribute information received about the visitor, for a price that does not exceed a price cap that is a selected amount less than the revenue available for display of the advertisement”.*

As is shown from the plain text, other than the first limitation being absent from the instant Application, the only major difference between the instant Application and US Patent No. 7,747,745 B2 is that instead of Patent No. 7,747,745 B2 reciting “*subject to a visitor-specific condition for display of the advertisement,*” Patent No. 7,747,745 B2

recites “***for a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement***”. **Sandholm** discloses a visitor-specific condition for display of an advertisement such that a price charged by the second media property is less than a profile-attribute dependent price that an advertiser is willing to pay for display of the advertisement. As discussed above, **Sandholm** at least discloses that a bid price can depend on information about a user’s profile. For instance, a search engine might have profile information about the user, and that the user profile can also be augmented through knowledge of other services provided to the same user, such as through the text in the body of email messages or historical information about the kinds of sites that a user likes to visit. **Sandholm** further notes that a price charged having additional restrictions that only consider profiles that fit within a certain class, in terms of demographics, location, and also in terms of an aggregate classification of the kinds of sites that a user visits online, can be used to enable advertisers to better target their potential consumers (**See Sandholm, paragraphs [0243]-[0244]**).

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the US Patent No. 7,747,745 B2 to include to allow display of an advertisement to an electronic visitor “***subject to a visitor specific condition***” as disclosed in **Sandholm** with reasonable expectation that this would result in a system that improved the correlation of marketing and advertising data collected by advertising servers with data in other databases containing more relevant profile information about the on-line users and therefore enabled advertisers to market their

products to a more effective and responsive class of potential consumers.

Therefore, claim 37 is an obvious variant over claim 1 of US Patent No. 7,747,745 B2 and is thus not patentably distinct over claim 1 of US Patent No. 7,747,745 B2.

Each of the dependent claims of the instant Application distinguish themselves substantially similarly to those of US Patent No. 7,747,745 B2, with respect to the above claims. Thus each limitation of the dependent claims in the instant application is also an obvious variant of the dependent claims of U.S. Patent No. 7,747,745 B2. Therefore, the above referenced dependent claims of the instant Application are therefore also obvious variants and thus are not patentably distinct from the earlier patent claims and as such are unpatentable over obvious-type double patenting.

### ***Conclusion***

18. Further references of interest are cited on Form PTO-892, which is an attachment to this Office Action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kostas Katsikis whose telephone number is (571)270-5434. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571)272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/Kostas Katsikis/  
Examiner  
Art Unit 2441

August 25, 2012

|                                   |                                       |                                                           |             |
|-----------------------------------|---------------------------------------|-----------------------------------------------------------|-------------|
| <b>Notice of References Cited</b> | Application/Control No.<br>13/491,454 | Applicant(s)/Patent Under<br>Reexamination<br>SHKEDI, ROY |             |
|                                   | Examiner<br>KOSTAS KATSIKIS           | Art Unit<br>2441                                          | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name                 | Classification |
|---|---|--------------------------------------------------|-----------------|----------------------|----------------|
| * | A | US-2002/0099603 A1                               | 07-2002         | Bandura, Clarence H. | 705/14         |
| * | B | US-2004/0068436 A1                               | 04-2004         | Boubek et al.        | 705/014        |
| * | C | US-2005/0278443 A1                               | 12-2005         | Winner et al.        | 709/224        |
| * | D | US-2006/0020510 A1                               | 01-2006         | Vest, Herb D.        | 705/014        |
| * | E | US-2006/0224496 A1                               | 10-2006         | Sandholm et al.      | 705/037        |
| * | F | US-2011/0258049 A1                               | 10-2011         | Ramer et al.         | 705/14.66      |
|   | G | US-                                              |                 |                      |                |
|   | H | US-                                              |                 |                      |                |
|   | I | US-                                              |                 |                      |                |
|   | J | US-                                              |                 |                      |                |
|   | K | US-                                              |                 |                      |                |
|   | L | US-                                              |                 |                      |                |
|   | M | US-                                              |                 |                      |                |

**FOREIGN PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
|---|---|--------------------------------------------------|-----------------|---------|------|----------------|
|   | N |                                                  |                 |         |      |                |
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|   | S |                                                  |                 |         |      |                |
|   | T |                                                  |                 |         |      |                |

**NON-PATENT DOCUMENTS**

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

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

## EAST Search History

## EAST Search History (Prior Art)

| Ref # | Hits  | Search Query                                                   | DBs             | Default Operator | Plurals | Time Stamp       |
|-------|-------|----------------------------------------------------------------|-----------------|------------------|---------|------------------|
| S1    | 0     | "13491454"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:21 |
| S2    | 1     | "20060020510"                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:22 |
| S3    | 6     | "11763286"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:58 |
| S4    | 3     | (profile\$1dependent) with price                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:31 |
| S5    | 64    | (profile near4 depend\$3) with price                           | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S6    | 3     | (profile near4 depend\$3 near4 attribut\$2) with price         | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S7    | 29    | S5 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S8    | 28    | S5 same3 (advertisement or advertis\$3 or ad\$1)               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:33 |
| S9    | 13    | S8 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:34 |
| S10   | 10    | "7747745"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 23:23 |
| S11   | 1     | "8200822"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 10:26 |
| S12   | 18626 | ((advertis\$3 or market\$3 or advertisement\$1) near4 \$3line) | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:05 |
| S13   | 352   | profile same (social adj1 media\$1)                            | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S14   | 19    | S12 same3 S13                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S15   | 8     | S14 and "705"/\$                                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S16   | 2     | S14 and "709"/\$                                               | US-PGPUB;       | ADJ              | ON      | 2012/08/26 12:09 |



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|-----|------|-------------------------------------------------------------------------------|-----------------|-----|----|------------------|
|     |      |                                                                               | USPAT           |     |    |                  |
| S17 | 691  | (profile with (attribute or characteristic\$1)) same (social near network\$3) | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:10 |
| S18 | 3074 | ((advertisements or ad\$1 or advertis\$3) same \$3line).ab.                   | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:11 |
| S19 | 27   | S17 and S18                                                                   | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:12 |
| S20 | 1    | "20020099603"                                                                 | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:18 |
| S21 | 1    | "20040068436"                                                                 | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:19 |
| S22 | 62   | ((ROY) near2 (SHKEDI)).INV.                                                   | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:20 |
| S23 | 5    | (profile with (attribute or characteristic\$1)) same (social near network\$3) | FPRS; EPO; JPO  | ADJ | ON | 2012/08/26 12:20 |

**8/ 26/ 2012 12:27:23 PM**

**C:\ Users\ kkatsikis1\ Documents\ EAST\ Workspaces\ 13491454.wsp**

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|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

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|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47 |          |            |  |  |  |  |  |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------|--|--|--|--|--|--|--|--|
| CLAIM                                                                                                                                                                             |          | DATE       |  |  |  |  |  |  |  |  |
| Final                                                                                                                                                                             | Original | 08/26/2012 |  |  |  |  |  |  |  |  |
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|                                                                                                                                                                                   | 30       | -          |  |  |  |  |  |  |  |  |
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|                                                                                                                                                                                   | 33       | -          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 34       | -          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 35       | -          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 36       | -          |  |  |  |  |  |  |  |  |

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|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          |            | <input type="checkbox"/> CPA |  |  | <input type="checkbox"/> T.D. |  |  | <input type="checkbox"/> R.1.47 |  |  |
|----------------------------------------------------------------------------------------|----------|------------|------------------------------|--|--|-------------------------------|--|--|---------------------------------|--|--|
| CLAIM                                                                                  |          | DATE       |                              |  |  |                               |  |  |                                 |  |  |
| Final                                                                                  | Original | 08/26/2012 |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 37       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 38       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 39       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 40       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 41       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 42       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 43       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 44       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 45       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 46       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 47       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 48       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 49       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 50       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 51       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 52       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 53       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 54       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 55       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 56       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 57       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 58       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 59       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 60       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 61       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 62       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 63       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 64       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 65       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 66       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 67       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 68       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 69       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 70       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 71       | ✓          |                              |  |  |                               |  |  |                                 |  |  |
|                                                                                        | 72       | ✓          |                              |  |  |                               |  |  |                                 |  |  |

|                                                                                                                                       |                                            |                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <p align="center"><b><i>Index of Claims</i></b></p>  | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                                       | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47 |          |            |  |  |  |  |  |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------------|--|--|--|--|--|--|--|--|
| CLAIM                                                                                                                                                                             |          | DATE       |  |  |  |  |  |  |  |  |
| Final                                                                                                                                                                             | Original | 08/26/2012 |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 73       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 74       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 75       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 76       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 77       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 78       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 79       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 80       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 81       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 82       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 83       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 84       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 85       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 86       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 87       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 88       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 89       | ✓          |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                   | 90       | ✓          |  |  |  |  |  |  |  |  |

|                                                                                                              |                                                |                                                                   |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------------------|
| <b>Search Notes</b><br><br> | <b>Application/Control No.</b><br><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>SHKEDI, ROY |
|                                                                                                              | <b>Examiner</b><br><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br><br>2441                                       |

| SEARCHED |          |      |          |
|----------|----------|------|----------|
| Class    | Subclass | Date | Examiner |
|          |          |      |          |

| SEARCH NOTES                                           |                     |          |
|--------------------------------------------------------|---------------------|----------|
| Search Notes                                           | Date                | Examiner |
| Examiner conducted thorough EAST search.               | 8/25/2012-8/26/2012 | KK       |
| EAST (USPAT, US-PGPUBS) - see search history printout. | 8/25/2012-8/26/2012 | KK       |
| EAST (EPO, JPO, FPRS) - see search history printout.   | 8/26/2012           | KK       |
| Examiner conducted Inventor Name search in EAST.       | 8/26/2012           | KK       |
| 709 (text search only - see search history printout).  | 8/26/2012           | KK       |
| 705 (text search only - see search history printout).  | 8/26/2012           | KK       |
| Examiner conducted NPL search (Google).                | 8/25/2012           | KK       |

| INTERFERENCE SEARCH |          |      |          |
|---------------------|----------|------|----------|
| Class               | Subclass | Date | Examiner |
|                     |          |      |          |

|                                             |  |
|---------------------------------------------|--|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |  |
|---------------------------------------------|--|

Receipt date: 06/07/2012

13491454 - GAU: 2441

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**List of Patents and Publications For**  
**Information Disclosure Statement**

Serial No.: \_\_\_\_\_  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441 (in parent)  
Conf. No.: \_\_\_\_\_

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| Examiner<br>Initials<br>/K.K./ | Item | Document<br>Number | Publication<br>Date | Name of Patentee or<br>Applicant | Filing Date<br>(if appropriate) |
|--------------------------------|------|--------------------|---------------------|----------------------------------|---------------------------------|
|                                | 1    | 5710884            | 01/20/1998          | Dedrick                          |                                 |
|                                | 2    | 5717923            | 02/10/1998          | Dedrick                          |                                 |
|                                | 3    | 5724521            | 03/03/1998          | Dedrick                          |                                 |
|                                | 4    | 5752238            | 05/12/1998          | Dedrick                          |                                 |
|                                | 5    | 5794210            | 08/11/1998          | Goldhaber, et al.                |                                 |
|                                | 6    | 5855008            | 12/29/1998          | Goldhaber, et al.                |                                 |
|                                | 7    | 5918014            | 06/29/1999          | Robinson                         |                                 |
|                                | 8    | 5948061            | 09/07/1999          | Merriman, et al.                 |                                 |
|                                | 9    | 6026368            | 02/15/2000          | Brown et al.                     |                                 |
|                                | 10   | 6055513            | 04/25/2000          | Katz, et al.                     |                                 |
|                                | 11   | 6073241            | 06/06/2000          | Rosenberg et al.                 |                                 |
|                                | 12   | 6141010            | 10/31/2000          | Hoyle                            |                                 |
|                                | 13   | 6216129            | 04/10/2001          | Eldering                         |                                 |
|                                | 14   | 6285987            | 09/04/2001          | Roth et al.                      |                                 |
|                                | 15   | 6285991            | 09/04/2001          | Powar                            |                                 |
|                                | 16   | 6324519            | 11/27/2001          | Eldering                         |                                 |
|                                | 17   | 6366298            | 04/02/2002          | Haitsuka et al.                  |                                 |
|                                | 18   | 6377986            | 04/23/2002          | Philyaw et al.                   |                                 |
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|                                | 20   | 6484492            | 11/26/2002          | Meholic, et al.                  |                                 |
|                                | 21   | 6487538            | 11/26/2002          | Gupta, et al.                    |                                 |
|                                | 22   | 6615247            | 09/02/2003          | Murphy                           |                                 |
|                                | 23   | 6868392            | 03/15/2005          | Ogasawara                        |                                 |
|                                | 24   | 6983379            | 01/03/2006          | Spalink et al.                   |                                 |
|                                | 25   | 7039594            | 05/02/2006          | Gersting                         |                                 |
|                                | 26   | 7043531            | 05/09/2006          | Seibel et al.                    |                                 |
|                                | 27   | 7058593            | 06/06/2006          | Merritt                          |                                 |
|                                | 28   | 7065550            | 06/20/2006          | Raghunandan                      |                                 |
|                                | 29   | 7155508            | 12/26/2006          | Sankuratripati, et al.           |                                 |

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Serial No.: \_\_\_\_\_  
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| /K.K./               | 30   | 7181438            | 02/20/2007          | Szabo                            |                                 |
|                      | 31   | 7188076            | 03/06/2007          | Bensemana                        |                                 |
|                      | 32   | 7194424            | 03/20/2007          | Greer et al.                     |                                 |
|                      | 33   | 7756744            | 07/13/2010          | Schiff et al.                    |                                 |
|                      | 34   | 7558795            | 07/07/2009          | Malik et al.                     |                                 |
|                      | 35   | 8036929            | 10/11/2011          | Reisman                          |                                 |
|                      | 36   | 20010020242        | 09/06/2001          | Gupta, et al.                    |                                 |
|                      | 37   | 20010039515        | 11/08/2001          | Mayadas                          |                                 |
|                      | 38   | 20010044743        | 11/22/2001          | McKinley et al.                  |                                 |
|                      | 39   | 20020002541        | 01/03/2002          | Williams                         |                                 |
|                      | 40   | 20020112013        | 08/15/2002          | Walsh                            |                                 |
|                      | 41   | 20020072965        | 06/13/2002          | Merriman et al.                  |                                 |
|                      | 42   | 20020072971        | 06/13/2002          | DeBusk, et al.                   |                                 |
|                      | 43   | 20020082910        | 06/27/2002          | Kontogouris                      |                                 |
|                      | 44   | 20020082923        | 06/27/2002          | Merriman, et al.                 |                                 |
|                      | 45   | 20020091568        | 07/11/2002          | Kraft et al.                     |                                 |
|                      | 46   | 20020099603        | 07/25/2002          | Bandura                          |                                 |
|                      | 47   | 20020123928        | 09/05/2002          | Eldering et al.                  |                                 |
|                      | 48   | 20020133399        | 09/19/2002          | Main                             |                                 |
|                      | 49   | 20020143632        | 10/03/2002          | Walter et al.                    |                                 |
|                      | 50   | 20020161636        | 10/31/2002          | Takahashi et al.                 |                                 |
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|                      | 54   | 20030046156        | 03/06/2003          | Cromer, et al.                   |                                 |
|                      | 55   | 20030050827        | 03/13/2003          | Hennessey                        |                                 |
|                      | 56   | 20030065558        | 04/03/2003          | Shaw et al.                      |                                 |
|                      | 57   | 20030083931        | 05/01/2003          | Lang                             |                                 |
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Applicant: Shkedi, Roy  
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|----------------------|------|--------------------|---------------------|----------------------------------|---------------------------------|
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|                      | 60   | 20030135413        | 07/17/2003          | Nishi, et al.                    |                                 |
|                      | 61   | 20030135853        | 07/17/2003          | Goldman, et al.                  |                                 |
|                      | 62   | 20030149938        | 08/07/2003          | McElfresh, et al.                |                                 |
|                      | 63   | 20030154126        | 08/14/2003          | Gehlott et al.                   |                                 |
|                      | 64   | 20030171990        | 09/11/2003          | Rao, et al.                      |                                 |
|                      | 65   | 20030208404        | 11/06/2003          | Michie                           |                                 |
|                      | 66   | 20030220837        | 11/27/2003          | Asayama                          |                                 |
|                      | 67   | 20040024632        | 02/05/2004          | Perry                            |                                 |
|                      | 68   | 20040059632        | 04/15/2004          | Kang et al.                      |                                 |
|                      | 69   | 20040068436        | 04/08/2004          | Boubek et al.                    |                                 |
|                      | 70   | 20040117322        | 06/17/2004          | Bjorksten et al.                 |                                 |
|                      | 71   | 20040260605        | 12/23/2004          | McIntyre et al.                  |                                 |
|                      | 72   | 20050010472        | 01/13/2005          | Quatse et al.                    |                                 |
|                      | 73   | 20050021397        | 01/27/2005          | Cui, et al.                      |                                 |
|                      | 74   | 20050028188        | 02/03/2005          | Latona, et al.                   |                                 |
|                      | 75   | 20050038698        | 02/17/2005          | Lukose et al.                    |                                 |
|                      | 76   | 20050038702        | 02/17/2005          | Merriman et al.                  |                                 |
|                      | 77   | 20050080772        | 04/14/2005          | Bem                              |                                 |
|                      | 78   | 20050120091        | 06/02/2005          | Casais                           |                                 |
|                      | 79   | 20050131762        | 06/16/2005          | Bharat et al.                    |                                 |
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|                      | 81   | 20050216336        | 09/29/2005          | Roberts et al.                   |                                 |
|                      | 82   | 20050216823        | 09/29/2005          | Petersen, et al.                 |                                 |
|                      | 83   | 20050222905        | 10/06/2005          | Wills                            |                                 |
|                      | 84   | 20050278443        | 12/15/2005          | Winner, et al.                   |                                 |
|                      | 85   | 20060020508        | 01/26/2006          | Gorti et al.                     |                                 |
|                      | 86   | 20060020510        | 01/26/2006          | Vest                             |                                 |
|                      | 87   | 20060053047        | 03/09/2006          | Garcia et al.                    |                                 |

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|----------------------|------|--------------------|---------------------|----------------------------------|---------------------------------|
| /K.K./               | 88   | 20060064351        | 03/23/2006          | Hamor, et al.                    |                                 |
|                      | 89   | 20060069614        | 03/30/2006          | Agarwal, et al.                  |                                 |
|                      | 90   | 20060095322        | 04/04/2006          | Dierks                           |                                 |
|                      | 91   | 20060106710        | 05/18/2006          | Meek, et al.                     |                                 |
|                      | 92   | 20060116924        | 06/01/2006          | Angles, et al.                   |                                 |
|                      | 93   | 20060161553        | 07/20/2006          | Woo                              |                                 |
|                      | 94   | 20060183467        | 08/17/2006          | Stewart                          |                                 |
|                      | 95   | 20060122879        | 06/08/2006          | O'Kelley                         |                                 |
|                      | 96   | 20070121843        | 05/31/2007          | Atazky et al.                    |                                 |
|                      | 97   | 20070198385        | 08/23/2007          | McGill et al.                    |                                 |
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|                      | 99   | 6832207            | 12/14/2004          | Shkedi                           |                                 |
|                      | 100  | 6925440            | 08/02/2005          | Shkedi                           |                                 |
|                      | 101  | 6973436            | 12/06/2005          | Shkedi                           |                                 |
|                      | 102  | 7072853            | 07/04/2006          | Shkedi                           |                                 |
|                      | 103  | 7428493            | 09/23/2008          | Shkedi                           |                                 |
|                      | 104  | 7454364            | 11/18/2008          | Shkedi                           |                                 |
|                      | 105  | 7822637            | 10/26/2010          | Shkedi                           |                                 |
|                      | 106  | 7822639            | 10/26/2010          | Shkedi                           |                                 |
|                      | 107  | 7861260            | 12/28/2010          | Shkedi                           |                                 |
|                      | 108  | 7890609            | 02/15/2011          | Shkedi                           |                                 |
|                      | 109  | 7979307            | 07/12/2011          | Shkedi                           |                                 |
|                      | 110  | 8051444            | 11/01/2011          | Shkedi                           |                                 |
|                      | 111  | 20050086112        | 04/21/2005          | Shkedi                           |                                 |
|                      | 112  | 20070294401        | 12/20/2007          | Shkedi                           |                                 |
|                      | 113  | 20090049468        | 02/19/2009          | Shkedi                           |                                 |
|                      | 114  | 20090172723        | 07/02/2009          | Shkedi et al.                    |                                 |
|                      | 115  | 20090172728        | 07/02/2009          | Shkedi et al.                    |                                 |
|                      | 116  | 20090299843        | 12/03/2009          | Shkedi                           |                                 |

Examiner: /Kostas Katsikis/

Date Considered: 08/25/2012

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**List of Patents and Publications For**  
**Information Disclosure Statement**

Serial No.: \_\_\_\_\_  
 Applicant: Shkedi, Roy  
 Filed: 06/07/2012  
 Art Unit: 2441 (in parent)  
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| Examiner<br>Initials | Item | Document<br>Number | Publication<br>Date | Name of Patentee or<br>Applicant | Filing Date<br>(if appropriate) |
|----------------------|------|--------------------|---------------------|----------------------------------|---------------------------------|
| /K.K./               | 117  | 20100325659        | 12/23/2010          | Shkedi                           |                                 |
| ↓                    | 118  | 20110035256        | 02/10/2011          | Shkedi et al.                    |                                 |
| ↓                    | 119  | 20110040607        | 02/17/2011          | Shkedi                           |                                 |
| ↓                    | 120  | 20110040620        | 02/17/2011          | Shkedi                           |                                 |
| ↓                    | 121  | 20110099576        | 04/28/2011          | Shkedi et al.                    |                                 |
| ↓                    | 122  | 20110131294        | 06/02/2011          | Shkedi                           |                                 |
| ↓                    | 123  | 20110225051        | 09/15/2011          | Shkedi                           |                                 |
| ↓                    | 124  | 20110246309        | 10/06/2011          | Shkedi                           |                                 |
| ↓                    | 125  | 20110246347        | 10/06/2011          | Shkedi                           |                                 |
| ↓                    | 126  | 20110252441        | 10/13/2011          | Shkedi                           |                                 |
| ↓                    | 127  | 20110258051        | 10/20/2011          | Shkedi                           |                                 |
| ↓                    | 128  | 20120017240        | 01/19/2012          | Shkedi                           |                                 |
| ↓                    | 129  | 20120047530        | 02/23/2012          | Shkedi                           |                                 |

FOREIGN PATENT DOCUMENTS

| Examiner<br>Initials |     | Document<br>Number | Publication<br>Date | Country | Name of<br>Patentee         | Translation<br>Yes / No |
|----------------------|-----|--------------------|---------------------|---------|-----------------------------|-------------------------|
| /K.K./               | 130 | WO2005/046237      | 5/19/2005           | WO      | Gutta et al.                | n/a                     |
| ↓                    | 131 | WO2004/084109      | 9/30/2004           | WO      | NHN Corp.                   | n/a                     |
| ↓                    | 132 | KR10-2004-0099222  | 11/26/2004          | Korea   | Echo Marketing<br>Co., Ltd. | Yes                     |
| ↓                    | 133 | KR10-2001-0096343  | 11/07/2001          | Korea   | MyOne Card<br>Corp.         | Yes                     |

Examiner: /Kostas Katsikis/

Date Considered: 08/25/2012

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.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.K./

Receipt date: 06/07/2012

13491454 - GAU: 2441

Form PTO-1449 (Modified)  
List of Patents and Publications For  
Information Disclosure Statement

Serial No.: \_\_\_\_\_  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441 (in parent)  
Conf. No.: \_\_\_\_\_

Page 6 of 6

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OTHER ART

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| Examiner<br><u>Initials</u> | <u>Item</u> | <u>Author Title Date Pertinent Pages Etc.</u>                                                                                                                   |
|-----------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>/K.K./</u>               | 134         | Engage Technologies, Inc.; Form S-1A; filed with the SEC; pp. 36-50; July 19, 1999.                                                                             |
| <u>/K.K./</u>               | 135         | The e-Marketing Report; Morgan Stanley Dean Whitter; May, 2000; portions.                                                                                       |
| <u>/K.K./</u>               | 136         | "ClickOver, Inc. introduces ClickWise, the first intelligent, high-performance ad management system for electronic advertising", Business Wire; March 24, 1997. |

Examiner: /Kostas Katsikis/ Date Considered: 08/25/2012

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.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.K./



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| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 13/491,454         | 06/07/2012            | Roy Shkedi            | 14-EP-CON3             |

**CONFIRMATION NO. 8741**

26362

LOUIS J. HOFFMAN, P.C.

14301 North 87th Street, Suite 312

Scottsdale, AZ 85260

## PUBLICATION NOTICE



\*OC000000056790121\*

**Title:**Media properties selection method and system based on expected profit from profile-based ad delivery

**Publication No.**US-2012-0246011-A1

**Publication Date:**09/27/2012

## NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at [www.uspto.gov](http://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](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

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

Form PTO-1449 (Modified)  
List of Patents and Publications For  
Information Disclosure Statement

Serial No.: 13/491,454  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441  
Examiner: Katsikis, Kostas J.  
Conf. No.: 8741

Page 1 of 1

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U.S. PATENT DOCUMENTS

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| Examiner<br><u>Initials</u> | <u>Item</u> | Document<br><u>Number</u> | Publication<br><u>Date</u> | Name of Patentee<br><u>or Applicant</u> | Filing Date<br><u>(if appropriate)</u> |
|-----------------------------|-------------|---------------------------|----------------------------|-----------------------------------------|----------------------------------------|
| _____                       | 1           | 20090106100               | 04/23/2009                 | Mashinsky                               |                                        |

Examiner: \_\_\_\_\_ Date Considered: \_\_\_\_\_

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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.

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 14340224                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 29-NOV-2012                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 15:00:35                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                        |    |
|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

### File Listing:

| Document Number | Document Description | File Name                              | File Size(Bytes)/<br>Message Digest               | Multi Part /.zip | Pages (if appl.) |
|-----------------|----------------------|----------------------------------------|---------------------------------------------------|------------------|------------------|
| 1               | Transmittal Letter   | 12-11-29-AN-EP-CON3-Supp_IDS_Cover.pdf | 40563<br>ba3a675e1b2a373d5bc96b86e7ad9b29f693b3f4 | no               | 2                |

### Warnings:

### Information:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                       |                                       |                                                           |    |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|----|---|
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Information Disclosure Statement (IDS)<br>Form (SB08) | 12-11-29-AN-EP-CON3-<br>Form_1449.pdf | 57944<br><br>5a884c17cf98dbe88400c3b9ec2990b6dd3<br>eba05 | no | 1 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                       |                                       |                                                           |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                       |                                       |                                                           |    |   |
| This is not an USPTO supplied IDS fillable form                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                       |                                       |                                                           |    |   |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                       |                                       | 98507                                                     |    |   |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                                                       |                                       |                                                           |    |   |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |                                                                                                      |           |   |                     |
|-------------|---|------------------------------------------------------------------------------------------------------|-----------|---|---------------------|
| Applicants  | : | Shkedi, Roy                                                                                          | Art Unit  | : | 2441                |
| Serial No.  | : | 13/491,454                                                                                           | Examiner  | : | Katsikis, Kostas J. |
| Filing Date | : | 06/07/2012                                                                                           | Conf. No. | : | 8741                |
| Title       | : | Media properties selection method and system based on expected profit from profile-based ad delivery |           |   |                     |

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

Filed via EFS – November 29, 2012

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Assignee discloses the references listed on forms PTO-1449 attached to this document.

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Assignee continues to direct the Examiner to the following applications, which share the same first inventor, as well as the references cited therein:

| Serial No. | Filing Date | Earliest Parent Filing Date |
|------------|-------------|-----------------------------|
| 11/968,117 | 12/31/2007  |                             |
| 12/131,798 | 06/02/2008  |                             |
| 12/536,451 | 08/05/2009  |                             |
| 12/906,007 | 10/15/2010  |                             |
| 12/912,726 | 10/26/2010  | 12/28/1999                  |
| 12/981,925 | 12/30/2010  |                             |
| 13/097,885 | 04/29/2011  | 04/17/2007                  |
| 13/167,605 | 06/23/2011  | 04/17/2007                  |
| 13/243,314 | 09/23/2011  | 06/02/2008                  |
| 13/274,242 | 10/14/2011  | 10/15/2010 (prov.)          |
| 61/655,951 | 06/05/2012  |                             |



| <b>Serial No.</b> | <b>Filing Date</b> | <b>Earliest Parent Filing Date</b> |
|-------------------|--------------------|------------------------------------|
| 13/524,409        | 06/15/2012         | 01/15/2009 (prov.)                 |
| 13/566,881        | 08/03/2012         | 08/03/2011 (prov.)                 |
| 13/585,765        | 08/14/2012         | 11/28/2000                         |
| 13/585,779        | 08/14/2012         | 06/14/2000                         |
| 13/631,244        | 09/28/2012         | 06/19/2006 (prov.)                 |

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

Respectfully submitted,  
 INTENT IQ, LLC  
 by its attorney

Dated: November 29, 2012

/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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                      |                                                                         |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--|
| <b>Doc Code: DIST.E.FILE</b><br><b>Document Description: Electronic Terminal Disclaimer - Filed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                      | PTO/SB/26<br>U.S. Patent and Trademark Office<br>Department of Commerce |  |
| Electronic Petition Request                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT</b>             |                                                                         |  |
| Application Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 13491454                                                                                             |                                                                         |  |
| Filing Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 07-Jun-2012                                                                                          |                                                                         |  |
| First Named Inventor                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Roy Shkedi                                                                                           |                                                                         |  |
| Attorney Docket Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 14-EP-CON3                                                                                           |                                                                         |  |
| Title of Invention                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Media properties selection method and system based on expected profit from profile-based ad delivery |                                                                         |  |
| <input checked="" type="checkbox"/> Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action<br><br><input checked="" type="checkbox"/> This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                      |                                                                         |  |
| Owner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                      | Percent Interest                                                        |  |
| ALMONDNET, INC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                      | 100%                                                                    |  |
| <p>The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s)</p> <p>7747745<br/>8200822</p> <p>as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:</p> <ul style="list-style-type: none"> <li>- expires for failure to pay a maintenance fee;</li> <li>- is held unenforceable;</li> <li>- is found invalid by a court of competent jurisdiction;</li> <li>- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;</li> <li>- has all claims canceled by a reexamination certificate;</li> <li>- is reissued; or</li> <li>- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</li> </ul> |                                                                                                      |                                                                         |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <input checked="" type="radio"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.<br><br><input type="radio"/> I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.                                                                                                                                                                                                                                                                                                                                                                                         |                    |
| <input type="radio"/> Applicant claims SMALL ENTITY status. See 37 CFR 1.27.<br><br><input type="radio"/> Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).<br><br><input checked="" type="radio"/> Applicant(s) status remains as SMALL ENTITY.<br><br><input type="radio"/> Applicant(s) status remains as other than SMALL ENTITY.                                                                                                                                                                                                                                                                                                                                                                                                    |                    |
| <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>                                                                                                                                                                                                                                               |                    |
| <p>THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES</p> <p>I certify, in accordance with 37 CFR 1.4(d)(4) that I am:</p> <input checked="" type="radio"/> An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application<br><br>Registration Number <u>38918</u><br><br><input type="radio"/> A sole inventor<br><br><input type="radio"/> A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors<br><br><input type="radio"/> A joint inventor; all of whom are signing this request<br><br><input type="radio"/> The assignee of record of the entire interest that has properly made itself of record pursuant to 37 <u>CFR 3.71</u> |                    |
| Signature                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | /Louis J. Hoffman/ |
| Name                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Louis J. Hoffman   |

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

| Electronic Patent Application Fee Transmittal  |          |                                                                                                      |        |                      |
|------------------------------------------------|----------|------------------------------------------------------------------------------------------------------|--------|----------------------|
| <b>Application Number:</b>                     |          | 13491454                                                                                             |        |                      |
| <b>Filing Date:</b>                            |          | 07-Jun-2012                                                                                          |        |                      |
| <b>Title of Invention:</b>                     |          | Media properties selection method and system based on expected profit from profile-based ad delivery |        |                      |
| <b>First Named Inventor/Applicant Name:</b>    |          | Roy Shkedi                                                                                           |        |                      |
| <b>Filer:</b>                                  |          | Louis J. Hoffman/Donald Hertz                                                                        |        |                      |
| <b>Attorney Docket Number:</b>                 |          | 14-EP-CON3                                                                                           |        |                      |
| Filed as Small Entity                          |          |                                                                                                      |        |                      |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |          |                                                                                                      |        |                      |
| Description                                    | Fee Code | Quantity                                                                                             | Amount | Sub-Total in USD(\$) |
| <b>Basic Filing:</b>                           |          |                                                                                                      |        |                      |
| Statutory or terminal disclaimer               | 2814     | 1                                                                                                    | 80     | 80                   |
| <b>Pages:</b>                                  |          |                                                                                                      |        |                      |
| <b>Claims:</b>                                 |          |                                                                                                      |        |                      |
| <b>Miscellaneous-Filing:</b>                   |          |                                                                                                      |        |                      |
| <b>Petition:</b>                               |          |                                                                                                      |        |                      |
| <b>Patent-Appeals-and-Interference:</b>        |          |                                                                                                      |        |                      |
| <b>Post-Allowance-and-Post-Issuance:</b>       |          |                                                                                                      |        |                      |
| <b>Extension-of-Time:</b>                      |          |                                                                                                      |        |                      |

| Description       | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-------------------|----------|----------|--------|----------------------|
| Miscellaneous:    |          |          |        |                      |
| Total in USD (\$) |          |          |        | 80                   |

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 13491454

Filing Date: 07-Jun-2012

Applicant/Patent under Reexamination: Shkedi et al.

Electronic Terminal Disclaimer filed on January 29, 2013

☒ APPROVED

**This patent is subject to a terminal disclaimer**

☐ DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 14824030                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 29-JAN-2013                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 18:02:06                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                                          |             |
|------------------------------------------|-------------|
| Submitted with Payment                   | yes         |
| Payment Type                             | Credit Card |
| Payment was successfully received in RAM | \$80        |
| RAM confirmation Number                  | 5261        |
| Deposit Account                          |             |
| Authorized User                          |             |

### File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/<br>Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|----------------------|-----------|-------------------------------------|------------------|------------------|
|-----------------|----------------------|-----------|-------------------------------------|------------------|------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                      |                          |                                                    |    |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------|----------------------------------------------------|----|---|
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Electronic Terminal Disclaimer-Filed | eTerminal-Disclaimer.pdf | 33685<br>5c54ba4057425ac81fbadffaca3128d8af0b5f5a3 | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                      |                          |                                                    |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                      |                          |                                                    |    |   |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Fee Worksheet (SB06)                 | fee-info.pdf             | 30181<br>2dlbc2fafb50ce0e1a7afe9b7722b2d391db6b598 | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                      |                          |                                                    |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                      |                          |                                                    |    |   |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                      |                          | 63866                                              |    |   |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> <b>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.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> <b>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.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> <b>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.</b></p> |                                      |                          |                                                    |    |   |



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |   |                                                                                                      |           |   |                     |
|-------------|---|------------------------------------------------------------------------------------------------------|-----------|---|---------------------|
| Applicant   | : | Shkedi, Roy                                                                                          | Art Unit  | : | 2441                |
| Serial No.  | : | 13/491,454                                                                                           | Examiner  | : | Katsikis, Kostas J. |
| Filing Date | : | 06/07/2012                                                                                           | Conf. No. | : | 8741                |
| Title       | : | Media properties selection method and system based on expected profit from profile-based ad delivery |           |   |                     |

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

Filed via EFS – January 29, 2013

**RESPONSE TO OFFICE ACTION**

Dear Sir:

In response to the Office Action dated August 30, 2012, assignee requests entry of the following amendments and consideration of the following remarks.

**Amendments to the claims** begin on page 2.

**Remarks** begin on page 13.

The fee under 37 C.F.R. §1.17(a)(1) for a two-month extension of time is submitted concurrently.

A terminal disclaimer is submitted concurrently.

An interview is requested on page 16 of this paper, per MPEP 713.01.

## Amendments

### IN THE CLAIMS:

Please amend the claims as follows:

1-36. (Canceled)

37. (Currently amended) A method of directing electronic advertisements, performed by a computer system comprised of one or more computers, the method comprising:

for each of a multitude of different electronic visitors to a first media property[[,]]:

based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property, automatically with the computer system electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to ~~a visitor-specific~~ the second media property determining that a condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer system.

38. (Currently amended) The method of claim 37 wherein the ~~visitor-specific~~ condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

39. (Currently amended) The method of claim 37:

(i) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the electronic visitor, only during a specified time period after receiving profile-attribute information about the electronic visitor, by arranging for placement of a tag readable by said at least one selected second media property.

40. (Currently amended) The method of claim 37 further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the electronic visitor.

41. (Currently amended) The method of claim 37 wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor.

42. (Currently amended) The method of claim 37 wherein authorizing comprises recognizing an action conducted on the first media property by the electronic visitor.

43. (Currently amended) The method of claim 37 wherein authorizing comprises authorizing based on a search request by the electronic visitor to the first media property.

44. (Currently amended) The method of claim 37 wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the electronic visitor.

45. (Currently amended) The method of claim 37 wherein authorizing comprises authorizing based on information about a profile attribute of the electronic visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

46. (Previously presented) The method of claim 37 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property.

47. (Currently amended) The method of claim 37 wherein authorizing comprises:

(i) responsive to receiving information via an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and

(ii) authorizing display of the advertisement only during a specified time period after receiving the information about the electronic visitor.

48. (Previously presented) The method of claim 37 wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property.

49. (Previously presented) The method of claim 37 wherein the second media property comprises equipment controlling ad space only temporarily.

50. (Previously presented) The method of claim 37 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property.

51. (Previously presented) The method of claim 50 wherein the condition is given to the second media property at the time arranging for placement of a tag takes place.

52. (Previously presented) The method of claim 51 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer.

53. (Previously presented) The method of claim 50 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the second media property for the second media property to place a tag on the electronic visitor readable by the second media property.

54. (Currently amended) The method of claim 37 wherein the condition is a specified time period after receiving profile-attribute information about the electronic visitor.

55. (Currently amended) A tangible computer-server device programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property[[,]]:

based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to ~~a visitor-specific~~ the second media property determining that a condition for display of the advertisement has been

met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer-server device.

56. (Currently amended) The server of claim 55 wherein the ~~visitor-specific~~ condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

57. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method:

(i) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the electronic visitor, only during a specified time period after receiving profile-attribute information about the electronic visitor, by arranging for placement of a tag readable by said at least one selected second media property.

58. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the electronic visitor.

59. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor.

60. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises recognizing an action conducted on the first media property by the electronic visitor.

61. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing based on a search request by the electronic visitor to the first media property.

62. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the electronic visitor.

63. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises authorizing based on information about a profile attribute of the electronic visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

64. (Previously presented) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property.

65. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises:

- (i) responsive to receiving information via an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and

(ii) authorizing display of the advertisement only during a specified time period after receiving information about the electronic visitor.

66. (Previously presented) The server of claim 55 wherein the server is programmed to implement a method wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property.

67. (Previously presented) The server of claim 55 wherein the server is programmed to implement a method wherein the second media property comprises equipment controlling ad space only temporarily.

68. (Previously presented) The server of claim 55 wherein the server is programmed to implement a method wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property.

69. (Previously presented) The server of claim 68 wherein the server is programmed to implement a method wherein the condition is given to the second media property at the time arranging for placement of a tag takes place.

70. (Previously presented) The server of claim 69 wherein the server is programmed to implement a method wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer.

71. (Previously presented) The server of claim 68 wherein the server is programmed to implement a method wherein arranging for placement of a tag comprises redirecting the electronic visitor to the second media property for the second media property to place a tag on the electronic visitor readable by the second media property.



72. (Currently amended) The server of claim 55 wherein the server is programmed to implement a method wherein the condition is a specified time period after receiving profile-attribute information about the electronic visitor.

73. (Currently amended) A system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property[[,]]:

based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to ~~a visitor-specific~~ the second media property determining that a condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the system comprising one or more computers.

74. (Currently amended) The system of claim 73 wherein the ~~visitor-specific~~ condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

75. (Currently amended) The system of claim 73 wherein the method:

(i) further comprises building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the electronic visitor, only during a specified time period after receiving profile-attribute information about the electronic visitor, by arranging for placement of a tag readable by said at least one selected second media property.

76. (Currently amended) The system of claim 73 wherein the method further comprises building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the electronic visitor.

77. (Currently amended) The system of claim 73 wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor.

78. (Currently amended) The system of claim 73 wherein authorizing comprises recognizing an action conducted on the first media property by the electronic visitor.

79. (Currently amended) The system of claim 73 wherein authorizing comprises authorizing based on a search request by the electronic visitor to the first media property.

80. (Currently amended) The system of claim 73 wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the electronic visitor.

81. (Currently amended) The system of claim 73 wherein authorizing comprises authorizing based on information about a profile attribute of the electronic

visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

82. (Previously presented) The system of claim 73 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property.

83. (Currently amended) The system of claim 73 wherein authorizing comprises: (i) responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property, and (ii) authorizing display of the advertisement only during a specified time period after receiving the information about the electronic visitor.

84. (Previously presented) The system of claim 73 wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property.

85. (Previously presented) The system of claim 73 wherein the second media property comprises equipment controlling ad space only temporarily.

86. (Previously presented) The system of claim 73 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property.

87. (Previously presented) The system of claim 86 wherein the condition is given to the second media property at the time arranging for placement of a tag takes place.

88. (Previously presented) The system of claim 89 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer.

89. (Previously presented) The system of claim 86 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the second media property for the second media property to place a tag on the electronic visitor readable by the second media property.

90. (Currently amended) The system of claim 73 wherein the condition is a specified time period after receiving profile-attribute information about the electronic visitor.

### Remarks

Claims 37-90 are pending in this application. Claims 37, 55, and 73 are independent claims.

Paragraph 5 of the Office Action contains an objection to the claims and a request to use consistent terminology by repeating the word “electronic” before “visitor” and a request to clarify the application of the method to “each” of the electronic visitors. Assignee presents amendments to repeat the word “electronic” as requested.

As to the word “each,” assignee believes that it would cause more confusion, not less, to insert the word “each” in the place suggested. Instead, assignee has clarified the claim by adding a colon and a carriage return after the preliminary phrase “for each of a multitude of different electronic visitors to a first media property,” thus indicating that the subsequent paragraph describes that actions are taken automatically with respect to each of the visitors in turn. However, the actions taken are described with respect to any given one of the visitors.

With regard to the same phrase, we wish the Office to understand that assignee is using the word “multitude” to refer to a large number of visitors, such as however many computers might visit a given website during a certain time period, or generally, not just a small number like two or three. The term “plurality,” which refers to just “two or more,” is not considered sufficient to express the desired concept of “many.” Beyond that concept, the precise number of visitors is not crucial to the invention.

All claims are rejected as obvious over U.S. Pub. No. 2006/0020510 to Vest, either alone, or with respect to certain claims, Vest in combination with certain other references. Assignee respectfully requests reconsideration.

Vest describes a system where Internet ads are delivered untargeted, such as on a wells Fargo website. Viewers who click on links associated with an ad visit the advertiser’s site (example, match.com) and have the opportunity to sign up. Each person who agrees enters a sign-in profile. Vest’s system correlates the manually entered data with the ad on which the visitor clicked, *i.e.*, the ad that brought the visitor to the advertiser’s site in the first place. According to Vest ¶30, if a particular

advertisement on a given website gets a “good response” from a certain demographic (e.g., females with incomes between \$50,000 and \$100,000), then the advertiser may wish to “shift resources toward those advertisements that best help them achieve their goal,” of signing up more customers from that demographic. In other words, Vest recommends that the advertiser (match.com) buy more ad space from the same web site (wellsfargo.com) and show the same ad that worked well.

On page 9, the Office Action seems to suggest that the purpose of Vest’s disclosure is to allow the ad to be displayed to the particular visitor who signed up on the advertiser (match.com) when the visitor later returns to the original website (wellsfargo.com). The method claimed by claim 37 includes “automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property ....” Vest has no teaching of a first site like match.com (or anyone else) authorizing a second site like wells Fargo.com to show the same ad to an electronic visitor who has signed up with match.com when “the electronic visitor” (i.e., the one who was on the first site) returns to the wells Fargo.com website.<sup>1</sup>

Regardless, the method of claim 37 further specifies authorizing the third-party second media property to show the ad to the visitor only “subject to the second media property determining that a condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer system.” There is no disclosure in Vest of a third-party second media property (which the Office Action considers

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<sup>1</sup> And, there is no reason to suppose that the advertiser will display the ad to people who have already become its customers. In reality, once a given visitor has signed up with the advertiser (match.com), there is no purpose in showing the same ad to the customer on another site. After all, people who have signed up have already become customers, and advertisers spend their money to try to acquire new customers. Vest’s “shift resources” comment in paragraph 30 simply teaches doing this by advertising in a fashion that has proven to work.

wellsfargo.com) having any condition that the third party (or an entity acting for it) must check on a visitor-by-visitor basis before showing the ad to the visitor computer.<sup>2</sup>

In attempting to apply Vest to the claimed invention, the Office Action (p. 10) refers to the condition being that the visitor has an income in a specified range. Vest does not teach any method describing such a condition being checked by Wells Fargo, though, and there is no explanation of how Wells Fargo would know, on a regular basis, income of its website visitors, so as to perform such a check.

In the invention for which a patent is sought here, by contrast, the “condition for display of the advertisement” is known and checked by the second media property. All claims further specify that the condition is directed to the second media property by the computer-server device or system of one or more computers claimed (claims 55 and 73, respectively) or by the computer system performing the method (claim 37).

Vest, does not disclose or suggest one site (which the Office Action considers as match.com) automatically directing (directly or indirectly) any condition to a third party second media property (which the Office Action considers as wellsfargo.com), to allow the third party to check that the condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, before causing the ad to be shown to the visitor’s computer.

The Office Action (p. 10) concedes that Vest does not disclose automatically authorizing the third-party second media site but argues that it would have been obvious to automate the authorization. Even if that argument is accepted (a question on which assignee offers no opinion for the moment), however, the Office Action does not demonstrate that Vest discloses any authorizing (automatic or manual) that is subject to any “condition” checked by the second media property, nor directing any such condition to the second media property.

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<sup>2</sup> For example, in the case specified by dependent claim 38, the “condition” is “that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.” For another example, the condition could be that no more than a certain time span has elapsed since the visitor visited the first media property. Compare, e.g., dependent claim 54.

Because there is no reason to extend Vest to meet the claim language of the claims as amended, the rejections of all claims should be withdrawn. As to the dependent claims, there is no reason to discuss them separately, given the plain distinction over the primary reference. The Office Action does not assert that the claim limitations that assignee argues here are missing from Vest are found in any of the supporting references. Accordingly, all claims should be allowed.

The Office Action (pp. 35-43) also contains an obviousness-type double-patenting rejection over sibling U.S. Patent 8,200,822, and grandparent U.S. Patent 7,747,745, in view of certain other references. Assignee files concurrently a terminal disclaimer to overcome the double-patenting rejection.

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.

Assignee respectfully requests prompt review and allowance. Please feel free to telephone the undersigned if the examiner has any questions.

Respectfully submitted,  
ALMONDNET, INC.  
by its attorney

Dated: January 29, 2013

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

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Scottsdale, Arizona 85260  
(480) 948-3295



| Electronic Patent Application Fee Transmittal  |          |                                                                                                      |        |                      |
|------------------------------------------------|----------|------------------------------------------------------------------------------------------------------|--------|----------------------|
| <b>Application Number:</b>                     |          | 13491454                                                                                             |        |                      |
| <b>Filing Date:</b>                            |          | 07-Jun-2012                                                                                          |        |                      |
| <b>Title of Invention:</b>                     |          | Media properties selection method and system based on expected profit from profile-based ad delivery |        |                      |
| <b>First Named Inventor/Applicant Name:</b>    |          | Roy Shkedi                                                                                           |        |                      |
| <b>Filer:</b>                                  |          | Louis J. Hoffman/Donald Hertz                                                                        |        |                      |
| <b>Attorney Docket Number:</b>                 |          | 14-EP-CON3                                                                                           |        |                      |
| Filed as Small Entity                          |          |                                                                                                      |        |                      |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |          |                                                                                                      |        |                      |
| Description                                    | Fee Code | Quantity                                                                                             | Amount | Sub-Total in USD(\$) |
| <b>Basic Filing:</b>                           |          |                                                                                                      |        |                      |
| <b>Pages:</b>                                  |          |                                                                                                      |        |                      |
| <b>Claims:</b>                                 |          |                                                                                                      |        |                      |
| <b>Miscellaneous-Filing:</b>                   |          |                                                                                                      |        |                      |
| <b>Petition:</b>                               |          |                                                                                                      |        |                      |
| <b>Patent-Appeals-and-Interference:</b>        |          |                                                                                                      |        |                      |
| <b>Post-Allowance-and-Post-Issuance:</b>       |          |                                                                                                      |        |                      |
| <b>Extension-of-Time:</b>                      |          |                                                                                                      |        |                      |
| Extension - 2 months with \$0 paid             | 2252     | 1                                                                                                    | 285    | 285                  |

| Description       | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-------------------|----------|----------|--------|----------------------|
| Miscellaneous:    |          |          |        |                      |
| Total in USD (\$) |          |          |        | 285                  |

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 14823952                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 29-JAN-2013                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 17:54:55                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                                          |             |
|------------------------------------------|-------------|
| Submitted with Payment                   | yes         |
| Payment Type                             | Credit Card |
| Payment was successfully received in RAM | \$285       |
| RAM confirmation Number                  | 5177        |
| Deposit Account                          |             |
| Authorized User                          |             |

### File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/ Message Digest | Multi Part /.zip | Pages (if appl.) |
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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|------------------------------------------|------------------------------------------------------------|----|----|
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Amendment/Req. Reconsideration-After<br>Non-Final Reject | 13-01-29-Almondnet-EP-CON3-<br>RTOA1.pdf | 136303<br><br>314db86bbcc15c43b245d53a346883fc1e7<br>d2187 | no | 16 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          |                                          |                                                            |    |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |                                          |                                                            |    |    |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Fee Worksheet (SB06)                                     | fee-info.pdf                             | 30399<br><br>4da8fad08ab1d70f9b5496a6ad96b416f71<br>ba6f3  | no | 2  |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          |                                          |                                                            |    |    |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |                                          |                                                            |    |    |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                          |                                          | 166702                                                     |    |    |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> <b>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.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> <b>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.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> <b>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.</b></p> |                                                          |                                          |                                                            |    |    |

|                                                      |                                                                                                                           |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------|--------------------------------------------------|-----------------------|---------------------------------------------|------------------------------------|---------------------------------------|-----------------------|--|
| <b>PATENT APPLICATION<br/>DETERMINATION RECORD</b>   |                                                                                                                           |  |                                           | Application or Docket Number<br><b>13/491454</b> |                       | Filing Date                                 |                                    | To be Mailed <input type="checkbox"/> |                       |  |
| <b>APPLICATION AS AMENDED – PART II</b>              |                                                                                                                           |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
|                                                      |                                                                                                                           |  |                                           |                                                  | <b>SMALL ENTITY</b>   |                                             | <b>OTHER THAN<br/>SMALL ENTITY</b> |                                       |                       |  |
| <b>AMENDMENT</b>                                     | <b>1. 29.13</b>                                                                                                           |  | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |                                                  |                       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR |                                    | PRESENT<br>EXTRA                      |                       |  |
|                                                      | Total                                                                                                                     |  | <b>54</b>                                 |                                                  | MINUS                 | <b>54</b>                                   |                                    | <b>0</b>                              |                       |  |
|                                                      | Independent                                                                                                               |  | <b>3</b>                                  |                                                  | MINUS                 | <b>3</b>                                    |                                    | <b>0</b>                              |                       |  |
|                                                      | <input type="checkbox"/> Application Size Fee<br><input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
|                                                      |                                                                                                                           |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
|                                                      |                                                                                                                           |  |                                           |                                                  | TOTAL<br>ADD'L<br>FEE |                                             | OR                                 |                                       | TOTAL<br>ADD'L<br>FEE |  |
|                                                      |                                                                                                                           |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
|                                                      |                                                                                                                           |  |                                           |                                                  | <b>SMALL ENTITY</b>   |                                             | <b>OTHER THAN<br/>SMALL ENTITY</b> |                                       |                       |  |
| <b>AMENDMENT</b>                                     |                                                                                                                           |  | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT |                                                  |                       | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID FOR |                                    | PRESENT<br>EXTRA                      |                       |  |
|                                                      | Total                                                                                                                     |  |                                           |                                                  | MINUS                 |                                             |                                    |                                       |                       |  |
|                                                      | Independent                                                                                                               |  |                                           |                                                  | MINUS                 |                                             |                                    |                                       |                       |  |
|                                                      | <input type="checkbox"/> Application Size Fee<br><input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
|                                                      |                                                                                                                           |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
|                                                      |                                                                                                                           |  |                                           |                                                  | TOTAL<br>ADD'L<br>FEE |                                             | OR                                 |                                       | TOTAL<br>ADD'L<br>FEE |  |
|                                                      |                                                                                                                           |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |
| LEGAL INSTRUMENT EXAMINER<br><b>/Vincent Butler/</b> |                                                                                                                           |  |                                           |                                                  |                       |                                             |                                    |                                       |                       |  |

| NO         | IND | DEP | NO         | IND | DEP | NO         | IND | DEP | NO         | IND | DEP | NO         | IND | DEP | NO         | IND | DEP |
|------------|-----|-----|------------|-----|-----|------------|-----|-----|------------|-----|-----|------------|-----|-----|------------|-----|-----|
| 1          |     |     | 21         |     |     | 41         |     |     | 61         |     |     | 81         |     |     | 101        |     |     |
| 2          |     |     | 22         |     |     | 42         |     |     | 62         |     |     | 82         |     |     | 102        |     |     |
| 3          |     |     | 23         |     |     | 43         |     |     | 63         |     |     | 83         |     |     | 103        |     |     |
| 4          |     |     | 24         |     |     | 44         |     |     | 64         |     |     | 84         |     |     | 104        |     |     |
| 5          |     |     | 25         |     |     | 45         |     |     | 65         |     |     | 85         |     |     | 105        |     |     |
| 6          |     |     | 26         |     |     | 46         |     |     | 66         |     |     | 86         |     |     | 106        |     |     |
| 7          |     |     | 27         |     |     | 47         |     |     | 67         |     |     | 87         |     |     | 107        |     |     |
| 8          |     |     | 28         |     |     | 48         |     |     | 68         |     |     | 88         |     |     | 108        |     |     |
| 9          |     |     | 29         |     |     | 49         |     |     | 69         |     |     | 89         |     |     | 109        |     |     |
| 10         |     |     | 30         |     |     | 50         |     |     | 70         |     |     | 90         |     |     | 110        |     |     |
| 11         |     |     | 31         |     |     | 51         |     |     | 71         |     |     | 91         |     |     | 111        |     |     |
| 12         |     |     | 32         |     |     | 52         |     |     | 72         |     |     | 92         |     |     | 112        |     |     |
| 13         |     |     | 33         |     |     | 53         |     |     | 73         |     |     | 93         |     |     | 113        |     |     |
| 14         |     |     | 34         |     |     | 54         |     |     | 74         |     |     | 94         |     |     | 114        |     |     |
| 15         |     |     | 35         |     |     | 55         |     |     | 75         |     |     | 95         |     |     | 115        |     |     |
| 16         |     |     | 36         |     |     | 56         |     |     | 76         |     |     | 96         |     |     | 116        |     |     |
| 17         |     |     | 37         |     |     | 57         |     |     | 77         |     |     | 97         |     |     | 117        |     |     |
| 18         |     |     | 38         |     |     | 58         |     |     | 78         |     |     | 98         |     |     | 118        |     |     |
| 19         |     |     | 39         |     |     | 59         |     |     | 79         |     |     | 99         |     |     | 119        |     |     |
| 20         |     |     | 40         |     |     | 60         |     |     | 80         |     |     | 100        |     |     | 120        |     |     |
| <b>TOT</b> |     |     | <b>TOT</b> |     |     | <b>TOT</b> |     |     | <b>TOT</b> |     |     | <b>TOT</b> |     |     | <b>TOT</b> |     |     |



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 13/491,454      | 06/07/2012  | Roy Shkedi           | 14-EP-CON3          | 8741             |

|                                                                                      |      |            |
|--------------------------------------------------------------------------------------|------|------------|
| 26362                                                                                | 7590 | 04/23/2013 |
| LOUIS J. HOFFMAN, P.C.<br>14301 North 87th Street, Suite 312<br>Scottsdale, AZ 85260 |      |            |

|                    |  |
|--------------------|--|
| EXAMINER           |  |
| KATSIKIS, KOSTAS J |  |

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
| 2441     |              |

|                   |               |
|-------------------|---------------|
| NOTIFICATION DATE | DELIVERY MODE |
| 04/23/2013        | 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

|                              |                                      |                                    |                                                  |
|------------------------------|--------------------------------------|------------------------------------|--------------------------------------------------|
| <b>Office Action Summary</b> | <b>Application No.</b><br>13/491,454 | <b>Applicant(s)</b><br>SHKEDI, ROY |                                                  |
|                              | <b>Examiner</b><br>KOSTAS KATSIKIS   | <b>Art Unit</b><br>2441            | <b>AIA (First Inventor to File) Status</b><br>No |

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

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 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 29 January 2013.  
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5) ☒ Claim(s) 37-90 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 37-90 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

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

**Application Papers**

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

**Priority under 35 U.S.C. § 119**

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

**Certified copies:**

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

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

**Interim copies:**

- a) ☐ All    b) ☐ Some    c) ☐ None of the: Interim copies of the priority documents have been received.

**Attachment(s)**

- |                                                                                        |                                                         |
|----------------------------------------------------------------------------------------|---------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 3) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | Paper No(s)/Mail Date. ____.                            |
| Paper No(s)/Mail Date <u>11/29/2012</u> .                                              | 4) <input type="checkbox"/> Other: ____.                |

### **DETAILED ACTION**

1. This communication is in response to the Amendment filed on January 29, 2013, in which claims 37-45, 47, 54-63, 65, 72-81, 83 and 90 have been amended.

Accordingly, claims 37-90 remain pending for examination.

### **Status of Claims**

2. Claims 37-90 are pending, of which claims 37, 41-46, 48-53, 55, 59-64, 66-71 and 73 are rejected under 35 U.S.C. 102(e). Claims 38-40, 47, 54, 56-58, 65 and 72 are rejected under 35 U.S.C. 103.

### ***Information Disclosure Statement***

3. The information disclosure statement, filed November 29, 2012 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, and the information referred to therein has been considered as to the merits.

4. **Examiner's Note:** Examiner has cited particular paragraphs and/or columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art



and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

***Claim Rejections - 35 USC § 102***

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

A person shall be entitled to a patent unless –

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

6. **Claims 37, 41-46, 48-53, 55, 59-64, 66-71, 73, 77-82 and 84-89 are rejected under 35 U.S.C. 102(e) as being anticipated by Haveliwala et al. (United States Patent Application Publication No. US 2010/0293057 A1), hereinafter “Haveliwala”.**

Regarding claim 73, **Haveliwala** discloses a system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising *(wherein targeted advertisements are provided to a consumer accessing a third-party website based on a user profile. See FIG. 1b, illustrating system 100 comprising a plurality of computers/servers)* (**Haveliwala, Abstract, FIG. 1b, paragraph [0043]**):

for each of a multitude of different electronic visitors to a first media property *(wherein **Haveliwala** discloses, teaches, or suggests, at least implicitly, that a user (advertisement consumer) has originally visited a first website and entered user information (attribute data) to build a profile. Specifically, as discussed in paragraphs [0061]-[0062], a user profile is derived from information explicitly provided by the user (e.g., designation of interests or topics in a directory), or at least information that is inferred from the user's online relationships (e.g., websites or web pages associated with the user's IP address). As given in [0071], web related information 219 (See FIG. 2) is derived from web pages and web sites associated with the user. Given that a user most usually accesses the system 100 from a relatively limited number of IP addresses and domains, the system 100 can automatically identify and access one or more websites (first media properties) associated with these IP addresses and extract information from them, such as their type (commercial, educational, organization, government, etc.), their geographic location, their size, and so forth. The system can further perform analyses of one or more of the pages on these sites (such as the home page), to extract relevant topics, key words, or other descriptive information)*

**(Haveliwala, FIG. 2, paragraphs [0061]-[0062] and [0071]):**

based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property *(wherein again, **Haveliwala** discloses that by gathering profile attributes when the user visits at least one from among multiple first web sites, creating a user profile 230 (See FIG. 2) from the various sources of user information includes several sub-processes. Each sub-process produces one type of user profile characterizing the user's interests or preferences from a particular perspective. A term-based profile 231 represents a user's search preferences with a plurality of terms, where each term is given a weight indicating the importance of the term to the user. A category-based profile 233 correlates a user's search preferences with a set of categories, which may be organized in a hierarchal fashion, with each category being given a weight indicating the extent of correlation between the user's search preferences and the category. A link-based profile 235 identifies a plurality of links that are directly or indirectly related to the user's search preferences, with each link being given a weight indicating the relevance between the user's search preferences and the link)* **(Haveliwala, FIG. 2, paragraphs [0072]-[0075])**, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to the second media property determining that a condition for display of the advertisement has been

met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the system comprising one or more computers *(wherein a third-party (second) website displays advertisements to the user when subsequently accessing the third-party website. Particularly, **Haveliwala** teaches that an advertisement request is made by a client 118 of the user when accessing a third party website 119, which has agreed to have the system 100 place advertisements on its pages (See FIG. 1b). The client 118 first makes a page request of the third party website 119, for example, loading the home page of the site, which page is returned by the site 119. The page may have, for example, both content provided by the third party and an iframe object that makes a request for advertisements from the system 100. When the client 118 loads the page, the ad request is passed to the front end server 102. The client 118 also passes a user ID, as before, in the form of a cookie, or a previous login. As before, the front end server 102 passes the user ID to the user profile server 108, which obtains the user profile for the user (having been previously created by accessing the first web page(s)) from the user profile database 110. A page profile from a content analysis module 112 and the user profile from the user profile server 108 are provided to the advertisement server 114, which determines which advertisers have offered a price with respect to the user profile (or portion thereof) and/or the page profile, and then determines the one or more advertisers offering a highest effective price for the user profile. This is done by evaluating the user profile in combination with the page profile against advertiser price information (or functions) provided by the advertisers. The advertiser price information for each advertiser can be retrieved from*

*the advertisement information database 116 or from any of the advertiser's price servers 111, as per the availability of the information on an advertiser-by-advertiser basis. **Haveliwala** teaches that the user profile information can be as described above, including any of the various levels or types of information) (**Haveliwala, FIG. 1b, paragraphs [0044]-[0045] and [0056]**).*

Claim 55 includes a tangible computer-server device programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:  
based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property, automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to the second media property determining that a condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer-server device.

**Haveliwala** discloses a tangible computer-server device programmed to implement a method of directing electronic advertisements, the method comprising

*(wherein **Haveliwala** at least discloses the advertisement server 114 (See FIG. 1b))*

**(Haveliwala, Abstract, FIG. 1b):**

for each of a multitude of different electronic visitors to a first media property  
*(wherein as discussed above, **Haveliwala** discloses, teaches, or suggests, at least implicitly, that a user (advertisement consumer) has originally visited a first website and entered user information (attribute data) to build a profile. Specifically, as discussed in paragraphs [0061]-[0062], a user profile is derived from information explicitly provided by the user (e.g., designation of interests or topics in a directory), or at least information that is inferred from the user's online relationships (e.g., websites or web pages associated with the user's IP address). As given in [0071], web related information 219 (See FIG. 2) is derived from web pages and web sites associated with the user. Given that a user most usually accesses the system 100 from a relatively limited number of IP addresses and domains, the system 100 can automatically identify and access one or more websites (first media properties) associated with these IP addresses and extract information from them, such as their type (commercial, educational, organization, government, etc.), their geographic location, their size, and so forth. The system can further perform analyses of one or more of the pages on these sites (such as the home page), to extract relevant topics, key words, or other descriptive information)*

**(Haveliwala, FIG. 2, paragraphs [0061]-[0062] and [0071]):**

based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property

(wherein again, **Haveliwala** discloses that by gathering profile attributes when the user visits at least one from among multiple first web sites, creating a user profile 230 (See FIG. 2) from the various sources of user information includes several sub-processes. Each sub-process produces one type of user profile characterizing the user's interests or preferences from a particular perspective. A term-based profile 231 represents a user's search preferences with a plurality of terms, where each term is given a weight indicating the importance of the term to the user. A category-based profile 233 correlates a user's search preferences with a set of categories, which may be organized in a hierarchal fashion, with each category being given a weight indicating the extent of correlation between the user's search preferences and the category. A link-based profile 235 identifies a plurality of links that are directly or indirectly related to the user's search preferences, with each link being given a weight indicating the relevance between the user's search preferences and the link) (**Haveliwala, FIG. 2, paragraphs [0072]-[0075]**), automatically electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to the second media property determining that a condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer-server device (wherein as given above, a third-party (second) website displays advertisements to the user when subsequently accessing the third-party website. Particularly,

**Haveliwala** teaches that an advertisement request is made by a client 118 of the user when accessing a third party website 119, which has agreed to have the system 100 place advertisements on its pages (See FIG. 1b). The client 118 first makes a page request of the third party website 119, for example, loading the home page of the site, which page is returned by the site 119. The page may have, for example, both content provided by the third party and an iframe object that makes a request for advertisements from the system 100. When the client 118 loads the page, the ad request is passed to the front end server 102. The client 118 also passes a user ID, as before, in the form of a cookie, or a previous login. As before, the front end server 102 passes the user ID to the user profile server 108, which obtains the user profile for the user (having been previously created by accessing the first web page(s)) from the user profile database 110. A page profile from a content analysis module 112 and the user profile from the user profile server 108 are provided to the advertisement server 114, which determines which advertisers have offered a price with respect to the user profile (or portion thereof) and/or the page profile, and then determines the one or more advertisers offering a highest effective price for the user profile. This is done by evaluating the user profile in combination with the page profile against advertiser price information (or functions) provided by the advertisers. The advertiser price information for each advertiser can be retrieved from the advertisement information database 116 or from any of the advertiser's price servers 111, as per the availability of the information on an advertiser-by-advertiser basis. **Haveliwala** teaches that the user profile information can be as described above, including any of the various levels or types of



*information*) (**Haveliwala, FIG. 1b, paragraphs [0044]-[0045] and [0056]**).

In addition, claim 37 recites a method that performs limitations substantially as described in claims 55 and 73 and is therefore rejected under the same rationale.

Regarding claim 41, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor (*wherein **Haveliwala** further teaches that the advertisement server 114 selects the targeted advertisement(s), returns the targeted advertisements to the front end server 102, and forwards (redirects) the targeted advertisements to the client 118 (which has also been redirected to the content/page of the third party website), which combines the advertisements into the page received from the third party website 119 for display to the user*) (**Haveliwala, paragraphs [0044] and [0058]**).

Regarding claim 42, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises recognizing an action conducted on the first media property by the visitor (*wherein as discussed above, **Haveliwala** discloses the term-based profile 231 representing a user's search preferences with a plurality of terms (user conducts a text-based search), where each term is given a weight indicating the importance of the term to the user*) (**Haveliwala, paragraph [0073]**).

Regarding claim 43, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises authorizing based on a search request by the visitor to the first media property (*wherein again, the user's client 118 searches the first website when deriving the user profile. As discussed above, the category-based profile 233 correlates the user's search preferences with a set of categories, which may be organized in a hierarchal fashion, with each category being given a weight indicating the extent of correlation between the user's search preferences and the category*) (**Haveliwala, paragraph [0074]**).

Regarding claim 44, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the visitor (*wherein again, the user profile server 108 retrieves the user profile for the user from the user profile database 110, which contains characteristics that are provided to the advertisement server 114*) (**Haveliwala, paragraphs [0045] and [0056]**).

Regarding claim 45, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises authorizing based on information about a profile attribute of the visitor and categorizing the profile attribute within at least one of a plurality of predefined categories (*wherein again, **Haveliwala** discloses authorizing based on information about attributes from the user profile database 110, which as discussed above, can include a category-based profile 233 that correlates the user's search preferences with*

*a set of categories, which may be organized in a hierarchal fashion, with each category being given a weight indicating the extent of correlation between the user's search preferences and the category) (Haveliwala, paragraphs [0045] and [0074]).*

Regarding claim 46, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the second media property *(wherein **Haveliwala** further discloses (as mentioned above) the user uses client 118, which loads the page of the third party website 119 and passes the ad request to the front end server 102. The client 118 also passes a user ID in the form of a cookie (previously stored thereon), or a previous login to the front end server 102, which passes the user ID to the user profile server 108, which obtains the user profile for the user from the user profile database 110) (Haveliwala, paragraph [0022]).*

Regarding claim 48, **Haveliwala** discloses the method of claim 37 wherein the second media property comprises media-property equipment controlling ad space that is in a different medium than the medium of the first media property *(wherein as disclosed in at least FIG. 1b, third party website 119 is separate from system 100, as well as other websites visited by user used to derive and generate user profile)* **(Haveliwala, at least FIG. 1b).**

Regarding claim 49, **Haveliwala** discloses the method of claim 37 wherein the second media property comprises equipment controlling ad space only temporarily (*wherein the advertisements on the third party website 119 are viewed for the duration the viewer views the third party website 119, under control of the front end server 102. Particularly, each user will see a set of advertisements that are targeted specifically to the page of the third party website that is being viewed*) (**Haveliwala, paragraphs [0058]-[0059]**).

Regarding claim 50, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the third party second media property (*wherein as discussed above, **Haveliwala** further discloses the client 118 of the user first makes a page request of the third party website 119, for example, loading the home page of the site, which page is returned by the site 119. **Haveliwala** further teaches that the page may have, for example, both content provided by the third party as well as an iframe object that makes a request for advertisements from the system 100*) (**Haveliwala, paragraph [0044]**).

Regarding claim 51, **Haveliwala** discloses the method of claim 50 wherein the condition is given to the second media property at the time arranging for placement of a tag takes place (*wherein **Haveliwala** further discloses that the advertisement server 114 can use both the user profile and a page profile (comprising information from the third party website) to determine each advertiser's price information (for the highest effective*

*price per advertisement(s)). Once the advertisement server 114 has determined which advertiser(s) have offered the highest effective price for the page profile (of the third party website) and user profile, the advertisement server 114 selects one or more advertisements associated with these advertisers. The targeted advertisements can be displayed next in side panel (e.g., in the iframe on the page) in a separate frame of the window, or in any other graphical format deemed appropriate) (Haveliwala, paragraphs [0057]-[0058]).*

Regarding claim 52, **Haveliwala** discloses the method of claim 51 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the second media property to enable the second media property to place a tag associated with the visitor's computer (*wherein exemplary third party website page information for the page profile describing the characteristics of the page/third party website include the URL of the page and any parameters included therein, anchor text referring to the page, inbound and outbound link structure, and domain, type, and keywords determined by the content analysis module and used to determine the advertisements with the highest effective price, as having evaluated the user profile in combination with the page profile the against advertiser price information (or functions) provided by the advertisers*) (**Haveliwala, paragraphs [0050]-[0056]**).

Regarding claim 53, **Haveliwala** discloses the method of claim 50 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the

second media property for the second media property to place a tag on the electronic visitor readable by the second media property (*wherein again, **Haveliwala** discloses that the targeted advertisements are displayed in the iframe on the page of the third party website*) (**Haveliwala, paragraphs [0044] and [0058]**).

Claims 59-64 and 66-71 are corresponding tangible computer server-device claims of method claims 41-46 and 48-53; therefore, they are rejected under the same rationale.

Claims 77-82 and 84-89 are corresponding system claims of method claims 41-46 and 48-53; therefore, they are rejected under the same rationale.

### ***Claim Rejections - 35 USC § 103***

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

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

**8. Claims 38, 56 and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haveliwala.**

Regarding claim 38, **Haveliwala** discloses the method of claim 37, but does not explicitly disclose that the condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

However it would be obvious to those of ordinary skill in the art, to modify **Haveliwala**, to include a condition that among the highest effective price offered by the advertisers, selecting only those advertisements that are below an amount charged by the third party web sites, with reasonable expectation that this would result in greater financial return to the advertisers in targeting ads to users that matched the users' interests based on their profiles. Therefore, it would be obvious to one of ordinary skill in the art to modify **Haveliwala** to obtain the invention as specified in claim 38.

Claims 56 and 74 are corresponding tangible computer server-device and system claims, respectively, of method claim 38; therefore, they are rejected under the same rationale.

**9. Claims 39-40, 57-58 and 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haveliwala, and further in view of Boubek et al. (United States**

**Patent Application Publication No. US 2004/0068436 A1), hereinafter “Boubek”.**

Regarding claim 39, **Haveliwala** discloses the method of claim 37:

(i) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties (*wherein again, **Haveliwala** discloses that a user profile is correlated with a potential source of information for the user profile is information 219 derived from web pages and web sites associated with the user. First, a given user often accesses the system 100 from a relatively limited number of IP addresses and domains. The system 100 can automatically identify and access one or more websites associated with these IP addresses and extract information from them, such as their type (commercial, educational, organization, government, etc.), their geographic location, their size, and so forth. The system can further perform analyses of one or more of the pages on these sites (such as the home page), to extract relevant topics, key words, or other descriptive information. **Haveliwala** further teaches that the user profile can be created and stored in a database (e.g., user profile database 110, or alternatively, created and stored on the user's client 118) associated with a search engine, enabling the user profile to be easily accessed by multiple computers, and since the user profile is stored on a server associated with (or part of the search engine 104, the user profile can be easily used by the search engine 104 to personalize the search results) (**Haveliwala**, paragraphs [0071] and [0077]). **Haveliwala** does not explicitly disclose*



(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property.

However **Boubek** discloses (ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the visitor, authorizing said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the visitor, only during a specified time period after receiving profile-attribute information about the visitor, by arranging for placement of a tag readable by said at least one selected second media property *(wherein information providers may influence position of information tags by auctioning directory search terms associated with information tag, then ranking the tags based upon bid amount from auction. Each information tag may be associated with a spending limit and based upon predetermined time period)* (**Boubek, Abstract, FIG. 4, paragraph [0055]**).

**Haveliwala** and **Boubek** are analogous art because they are from the same field of endeavor, namely, methods and systems for management of electronic advertisements.

At the time of the invention, it would have been obvious to one of ordinary skill in

the art, having the teachings of **Haveliwala** and **Boubek** before him or her, to modify the electronic advertisement system of **Haveliwala** to include the information tags of **Boubek** with reasonable expectation that this would result in a system that allowed consumers access to information maintained on the same websites as the information tags, allowing targeting of specific markets, thereby facilitating the means of marketing through a communications network such as the Internet and during set times as deemed most effective for receiving a positive margin at a faster return and maximize the efficiency of advertising campaigns. This method of improving the electronic advertisement system of **Haveliwala** was well within the ordinary ability of one of ordinary skill in the art based on the teachings of **Boubek**. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of **Haveliwala** with **Boubek** to obtain the invention as specified in claim 39.

Regarding claim 40, **Haveliwala-Boubek** discloses the method of claim 37 further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing those selected second media properties on the lookup data structure associated with the profile-attribute information received about the visitor (*wherein again, **Haveliwala** discloses the user profile is correlated with a potential source of information for the user profile is information 219 derived from web pages and web sites associated with the user. First, a given user often accesses the system 100 from a relatively limited number of IP*

*addresses and domains. The system 100 can automatically identify and access one or more websites associated with these IP addresses and extract information from them, such as their type (commercial, educational, organization, government, etc.), their geographic location, their size, and so forth. The system can further perform analyses of one or more of the pages on these sites (such as the home page), to extract relevant topics, key words, or other descriptive information. **Haveliwala** further teaches that the user profile can be created and stored in a database (e.g., user profile database 110, or alternatively, created and stored on the user's client 118) associated with a search engine, enabling the user profile to be easily accessed by multiple computers, and since the user profile is stored on a server associated with (or part of the search engine 104, the user profile can be easily used by the search engine 104 to personalize the search results. **Boubek** discloses the auctioning of directory search terms associated with information tag, then ranking the tags based upon bid amount from auction)*

**(Haveliwala, paragraphs [0071] and [0077], Boubek, Abstract, FIG. 4, paragraph [0055]).** The motivation regarding the obviousness of claim 39 is also applied to claim 40.

Claims 57-58 and 75-76 are corresponding tangible computer server-device and system claims, respectively, of method claims 39-40; therefore, they are rejected under the same rationale.

**10. Claims 47, 54, 65, 83, 72 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haveliwala, and further in view of Clarence H. Bandura (United States Patent Application Publication No. US 2002/0099603 A1), hereinafter “Bandura”.**

Regarding claim 47, **Haveliwala** discloses the method of claim 37 wherein authorizing comprises:

(i) responsive to receiving information via an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the second media property (*wherein again, **Haveliwala** teaches that the advertisement server 114 selects the targeted advertisement(s), returns the targeted advertisements to the front end server 102, and forwards (redirects) the targeted advertisements to the client 118 (which has also been redirected to the content/page of the third party website), which combines the advertisements into the page received from the third party website 119 for display to the user. **Haveliwala** further discloses (as mentioned above) the user uses client 118, which loads the page of the third party website 119 and passes the ad request to the front end server 102. The client 118 also passes a user ID in the form of a cookie (previously stored thereon), or a previous login to the front end server 102, which passes the user ID to the user profile server 108, which obtains the user profile for the user from the user profile database 110) (**Haveliwala, paragraphs [0022], [0044] and [0058]**), but does not*

explicitly disclose

(ii) authorizing comprises authorizing display of the advertisement only during a specified time period after receiving the information about the visitor.

However **Bandura** discloses (ii) authorizing comprises authorizing display of the advertisement only during a specified time period after receiving the information about the visitor (*wherein an advertiser or user uploads advertising data into a temporary network, customized demographic data is pre-selected and designed to suit the requirements of advertiser or user through programmed information consisting of specified time intervals of display being one time, synchronized, repeating or rotating throughout selected locations and regions*) (**Bandura, Abstract, paragraphs [0001], and [0006]-[0007]**).

**Haveliwala** and **Bandura** are analogous art because they are from the same field of endeavor, namely, methods and systems of managing electronic advertisements. At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of **Haveliwala** and **Bandura** before him or her, to modify the electronic advertisement system of **Haveliwala** to include the pre-determined-display-interval functionality of **Bandura** with reasonable expectation that this would result in a system that gave flexibility for interchanging or synchronizing customized display data. This method of improving the electronic advertisement system of **Haveliwala** was well within the ordinary ability of one of ordinary skill in the art based on the teachings of **Bandura**. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of **Haveliwala** with **Bandura** to obtain

the invention as specified in claim 47.

Regarding claim 54, **Haveliwala-Bandura** discloses the method of claim 37 wherein the condition is a specified time period after receiving profile-attribute information about the visitor (*wherein advertiser or user uploads advertising data into a temporary network, customized demographic data is pre-selected and designed to suit the requirements of advertiser or user through programmed information consisting of specified time intervals of display being one time, synchronized, repeating or rotating throughout selected locations and regions*) (**Bandura, Abstract, paragraphs [0001], and [0006]-[0007]**). The motivation regarding the obviousness of claim 47 is also applied to claim 54.

Claims 65 and 83 are corresponding tangible computer server-device and system claims, respectively, of method claim 47; therefore, they are rejected under the same rationale.

Claims 72 and 90 are corresponding tangible computer server-device and system claims, respectively, of method claim 54; therefore, they are rejected under the same rationale.

### ***Response to Arguments***

11. Applicant's arguments, see page 16, filed January 29, 2013, with respect to Obviousness-type Double Patenting Rejections have been fully considered and are persuasive. The Rejection of claims 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 55, 57, 58, 59, 63, 65, 66, 73, 76, 77, 78, 81, 82 and 84 has been withdrawn.

### ***Conclusion***

12. Applicant's arguments as well as request for reconsideration filed on January 29, 2013 have been fully considered but they are moot in view of new ground(s) of rejection.

13. Further references of interest are cited on Form PTO-892, which is an attachment to this Office Action.

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

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.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kostas Katsikis whose telephone number is (571)270-5434. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571)272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/Kostas Katsikis/  
Examiner  
Art Unit 2441

/WING F. CHAN/  
Supervisory Patent Examiner, Art Unit 2441

April 15, 2013



|                                   |                                       |                                                           |             |
|-----------------------------------|---------------------------------------|-----------------------------------------------------------|-------------|
| <b>Notice of References Cited</b> | Application/Control No.<br>13/491,454 | Applicant(s)/Patent Under<br>Reexamination<br>SHKEDI, ROY |             |
|                                   | Examiner<br>KOSTAS KATSIKIS           | Art Unit<br>2441                                          | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name              | Classification |
|---|---|--------------------------------------------------|-----------------|-------------------|----------------|
| * | A | US-2010/0293057 A1                               | 11-2010         | Haveliwala et al. | 705/14.66      |
|   | 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<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
|---|---|--------------------------------------------------|-----------------|---------|------|----------------|
|   | N |                                                  |                 |         |      |                |
|   | O |                                                  |                 |         |      |                |
|   | P |                                                  |                 |         |      |                |
|   | Q |                                                  |                 |         |      |                |
|   | R |                                                  |                 |         |      |                |
|   | S |                                                  |                 |         |      |                |
|   | T |                                                  |                 |         |      |                |

**NON-PATENT DOCUMENTS**

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

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

## EAST Search History

## EAST Search History (Prior Art)

| Ref # | Hits  | Search Query                                                   | DBs             | Default Operator | Plurals | Time Stamp       |
|-------|-------|----------------------------------------------------------------|-----------------|------------------|---------|------------------|
| S1    | 0     | "13491454"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:21 |
| S2    | 1     | "20060020510"                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:22 |
| S3    | 6     | "11763286"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:58 |
| S4    | 3     | (profile\$1dependent) with price                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:31 |
| S5    | 64    | (profile near4 depend\$3) with price                           | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S6    | 3     | (profile near4 depend\$3 near4 attribut\$2) with price         | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S7    | 29    | S5 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S8    | 28    | S5 same3 (advertisement or advertis\$3 or ad\$1)               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:33 |
| S9    | 13    | S8 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:34 |
| S10   | 10    | "7747745"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 23:23 |
| S11   | 1     | "8200822"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 10:26 |
| S12   | 18626 | ((advertis\$3 or market\$3 or advertisement\$1) near4 \$3line) | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:05 |
| S13   | 352   | profile same (social adj1 media\$1)                            | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S14   | 19    | S12 same3 S13                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S15   | 8     | S14 and "705"/\$                                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S16   | 2     | S14 and "709"/\$                                               | US-PGPUB;       | ADJ              | ON      | 2012/08/26 12:09 |

|     |      |                                                                                                                                                                                                                                                                                                           |                 |     |    |                  |
|-----|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----|----|------------------|
|     |      |                                                                                                                                                                                                                                                                                                           | USPAT           |     |    |                  |
| S17 | 691  | ((profile with (attribute or characteristic\$1)) same (social near network\$3)                                                                                                                                                                                                                            | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:10 |
| S18 | 3074 | ((advertisements or ad\$1 or advertis\$3) same \$3line).ab.                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:11 |
| S19 | 27   | S17 and S18                                                                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:12 |
| S20 | 1    | "20020099603"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:18 |
| S21 | 1    | "20040068436"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:19 |
| S22 | 62   | ((ROY) near2 (SHKEDI)).INV.                                                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:20 |
| S23 | 5    | ((profile with (attribute or characteristic\$1)) same (social near network\$3)                                                                                                                                                                                                                            | FPRS; EPO; JPO  | ADJ | ON | 2012/08/26 12:20 |
| S24 | 9    | ((profile or account) near4 (attribute\$1 or feature\$1 or trait\$1 or criteri\$2)) near20 (correspond\$4 or correlat\$4 or interrelationship or match\$3 or interdependence or relationship) near20 ((ad\$1 or advertisement\$1) near3 (placing or placement or arrangement or arranging or regulat\$3)) | US-PGPUB; USPAT | ADJ | ON | 2013/04/06 20:45 |
| S25 | 2    | "20100293057"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2013/04/06 20:54 |

4/ 16/ 2013 5:26:44 PM

C:\Users\kkatsikis1\Documents\EAST\Workspaces\13491454.wsp

|                                                                                                                    |                                            |                                                               |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          |            |            | <input type="checkbox"/> CPA |  | <input type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |
|----------------------------------------------------------------------------------------|----------|------------|------------|------------------------------|--|-------------------------------|--|---------------------------------|--|
| CLAIM                                                                                  |          | DATE       |            |                              |  |                               |  |                                 |  |
| Final                                                                                  | Original | 08/26/2012 | 04/16/2013 |                              |  |                               |  |                                 |  |
|                                                                                        | 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       | -          | -          |                              |  |                               |  |                                 |  |

|                                                                                                                    |                                            |                                                               |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          | <input type="checkbox"/> CPA |            | <input type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |  |  |
|----------------------------------------------------------------------------------------|----------|------------------------------|------------|-------------------------------|--|---------------------------------|--|--|--|
| CLAIM                                                                                  |          | DATE                         |            |                               |  |                                 |  |  |  |
| Final                                                                                  | Original | 08/26/2012                   | 04/16/2013 |                               |  |                                 |  |  |  |
|                                                                                        | 37       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 38       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 39       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 40       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 41       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 42       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 43       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 44       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 45       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 46       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 47       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 48       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 49       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 50       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 51       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 52       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 53       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 54       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 55       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 56       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 57       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 58       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 59       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 60       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 61       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 62       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 63       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 64       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 65       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 66       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 67       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 68       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 69       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 70       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 71       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 72       | ✓                            | ✓          |                               |  |                                 |  |  |  |

|                                                                                                                    |                                            |                                                               |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          | <input type="checkbox"/> CPA |            | <input type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |  |  |
|----------------------------------------------------------------------------------------|----------|------------------------------|------------|-------------------------------|--|---------------------------------|--|--|--|
| CLAIM                                                                                  |          | DATE                         |            |                               |  |                                 |  |  |  |
| Final                                                                                  | Original | 08/26/2012                   | 04/16/2013 |                               |  |                                 |  |  |  |
|                                                                                        | 73       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 74       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 75       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 76       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 77       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 78       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 79       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 80       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 81       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 82       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 83       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 84       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 85       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 86       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 87       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 88       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 89       | ✓                            | ✓          |                               |  |                                 |  |  |  |
|                                                                                        | 90       | ✓                            | ✓          |                               |  |                                 |  |  |  |

|                                                                                                          |                                            |                                                               |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b>Search Notes</b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                          | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

| CPC- SEARCHED |      |          |
|---------------|------|----------|
| Symbol        | Date | Examiner |
|               |      |          |

| CPC COMBINATION SETS - SEARCHED |      |          |
|---------------------------------|------|----------|
| Symbol                          | Date | Examiner |
|                                 |      |          |

| US CLASSIFICATION SEARCHED |          |      |          |
|----------------------------|----------|------|----------|
| Class                      | Subclass | Date | Examiner |
|                            |          |      |          |

| SEARCH NOTES                                           |                                        |          |
|--------------------------------------------------------|----------------------------------------|----------|
| Search Notes                                           | Date                                   | Examiner |
| Examiner conducted thorough EAST search.               | 8/25/2012-8/26/2012 (Updated 4/6/2013) | KK       |
| EAST (USPAT, US-PGPUBS) - see search history printout. | 8/25/2012-8/26/2012 (Updated 4/6/2013) | KK       |
| EAST (EPO, JPO, FPRS) - see search history printout.   | 8/26/2012                              | KK       |
| Examiner conducted Inventor Name search in EAST.       | 8/26/2012                              | KK       |
| 709 (text search only - see search history printout).  | 8/26/2012                              | KK       |
| 705 (text search only - see search history printout).  | 8/26/2012                              | KK       |
| Examiner conducted NPL search (Google).                | 8/25/2012                              | KK       |

| INTERFERENCE SEARCH     |                         |      |          |
|-------------------------|-------------------------|------|----------|
| US Class/<br>CPC Symbol | US Subclass / CPC Group | Date | Examiner |
|                         |                         |      |          |

|                                             |  |
|---------------------------------------------|--|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |  |
|---------------------------------------------|--|

Receipt date: 11/29/2012

13491454 - GAU: 2441

Form PTO-1449 (Modified)  
List of Patents and Publications For  
Information Disclosure Statement

Serial No.: 13/491,454  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441  
Examiner: Katsikis, Kostas J.  
Conf. No.: 8741

Page 1 of 1

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U.S. PATENT DOCUMENTS

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| Examiner<br><u>Initials</u> | <u>Item</u> | Document<br><u>Number</u> | Publication<br><u>Date</u> | Name of Patentee<br><u>or Applicant</u> | Filing Date<br><u>(if appropriate)</u> |
|-----------------------------|-------------|---------------------------|----------------------------|-----------------------------------------|----------------------------------------|
| <u>/K.K./</u>               | 1           | 20090106100               | 04/23/2009                 | Mashinsky                               |                                        |

Examiner: /Kostas Katsikis/

Date Considered: 04/15/2013

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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.



Form PTO-1449 (Modified)  
List of Patents and Publications For  
Information Disclosure Statement

Serial No.: 13/491,454  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441  
Examiner: Katsikis, Kostas J.  
Conf. No.: 8741

Page 1 of 1

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U.S. PATENT DOCUMENTS

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| <u>Examiner</u><br><u>Initials</u> | <u>Item</u> | <u>Document</u><br><u>Number</u> | <u>Publication</u><br><u>Date</u> | <u>Name of Patentee</u><br><u>or Applicant</u> | <u>Filing Date</u><br><u>(if appropriate)</u> |
|------------------------------------|-------------|----------------------------------|-----------------------------------|------------------------------------------------|-----------------------------------------------|
| _____                              | 1           | 20070157228                      | 07/05/2007                        | Bayer et al.                                   |                                               |

Examiner: \_\_\_\_\_ Date Considered: \_\_\_\_\_

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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.

| Electronic Patent Application Fee Transmittal  |                 |                                                                                                      |               |                             |
|------------------------------------------------|-----------------|------------------------------------------------------------------------------------------------------|---------------|-----------------------------|
| <b>Application Number:</b>                     |                 | 13491454                                                                                             |               |                             |
| <b>Filing Date:</b>                            |                 | 07-Jun-2012                                                                                          |               |                             |
| <b>Title of Invention:</b>                     |                 | Media properties selection method and system based on expected profit from profile-based ad delivery |               |                             |
| <b>First Named Inventor/Applicant Name:</b>    |                 | Roy Shkedi                                                                                           |               |                             |
| <b>Filer:</b>                                  |                 | Louis J. Hoffman/Donald Hertz                                                                        |               |                             |
| <b>Attorney Docket Number:</b>                 |                 | 14-EP-CON3                                                                                           |               |                             |
| Filed as Small Entity                          |                 |                                                                                                      |               |                             |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |                 |                                                                                                      |               |                             |
| <b>Description</b>                             | <b>Fee Code</b> | <b>Quantity</b>                                                                                      | <b>Amount</b> | <b>Sub-Total in USD(\$)</b> |
| <b>Basic Filing:</b>                           |                 |                                                                                                      |               |                             |
| <b>Pages:</b>                                  |                 |                                                                                                      |               |                             |
| <b>Claims:</b>                                 |                 |                                                                                                      |               |                             |
| <b>Miscellaneous-Filing:</b>                   |                 |                                                                                                      |               |                             |
| <b>Petition:</b>                               |                 |                                                                                                      |               |                             |
| <b>Patent-Appeals-and-Interference:</b>        |                 |                                                                                                      |               |                             |
| <b>Post-Allowance-and-Post-Issuance:</b>       |                 |                                                                                                      |               |                             |
| <b>Extension-of-Time:</b>                      |                 |                                                                                                      |               |                             |

| Description                             | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-----------------------------------------|----------|----------|--------|----------------------|
| <b>Miscellaneous:</b>                   |          |          |        |                      |
| Submission- Information Disclosure Stmt | 2806     | 1        | 90     | 90                   |
| <b>Total in USD (\$)</b>                |          |          |        | <b>90</b>            |

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 16075605                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 18-JUN-2013                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 17:22:22                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                                          |             |
|------------------------------------------|-------------|
| Submitted with Payment                   | yes         |
| Payment Type                             | Credit Card |
| Payment was successfully received in RAM | \$90        |
| RAM confirmation Number                  | 5002        |
| 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 Letter                                 | 13-06-18-Almondnet-EP-CON3-Supp_IDS_Cover.pdf | 83457<br>2da6c98fcd3a267f4126d6fb62a6af58078386d  | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                               |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               |                                                   |    |   |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Information Disclosure Statement (IDS) Form (SB08) | 13-06-18-AN-EP-CON3-Form_1449.pdf             | 56168<br>1a5c27db840ed57f1b216eae916bf606288ed844 | no | 1 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                               |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               |                                                   |    |   |
| This is not an USPTO supplied IDS fillable form                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                    |                                               |                                                   |    |   |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Fee Worksheet (SB06)                               | fee-info.pdf                                  | 30297<br>fe729e97024cdad3b6e75449d5880ad8ccb8774c | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                               |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               |                                                   |    |   |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               | 169922                                            |    |   |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                                                    |                                               |                                                   |    |   |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |                                                                                                        |           |                       |
|-------------|--------------------------------------------------------------------------------------------------------|-----------|-----------------------|
| Applicant   | : Shkedi, Roy                                                                                          | Art Unit  | : 2441                |
| Serial No.  | : 13/491,454                                                                                           | Examiner  | : Katsikis, Kostas J. |
| Filing Date | : 06/07/2012                                                                                           | Conf. No. | : 8741                |
| Title       | : Media properties selection method and system based on expected profit from profile-based ad delivery |           |                       |

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

Filed via EFS – June 18, 2013

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Assignee discloses the reference listed on form PTO-1449 attached to this document.

To the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was either (1) cited in a communication from a foreign patent office in a counterpart foreign application, or (2) known to any individual designated in 37 CFR § 1.56(c), more than three months ago. The fee set forth in 37 C.F.R. § 1.17(p) accompanies this submission.

Assignee continues to direct the Examiner to the applications listed in the following table (updated), which share the same first inventor, as well as the references cited therein:

| Serial No. | Filing Date | Earliest Parent Filing Date |
|------------|-------------|-----------------------------|
| 11/968,117 | 12/31/2007  |                             |
| 12/131,798 | 06/02/2008  |                             |
| 12/536,451 | 08/05/2009  |                             |
| 12/906,007 | 10/15/2010  |                             |
| 12/912,726 | 10/26/2010  | 12/28/1999                  |
| 12/981,925 | 12/30/2010  |                             |
| 13/097,885 | 04/29/2011  | 04/17/2007                  |
| 13/167,605 | 06/23/2011  |                             |
| 13/243,314 | 09/23/2011  | 06/02/2008                  |
| 13/274,242 | 10/14/2011  | 10/15/2010 (prov.)          |

|            |            |                    |
|------------|------------|--------------------|
| 13/566,881 | 08/03/2012 | 08/03/2011 (prov.) |
| 13/585,765 | 08/14/2012 | 11/28/2000         |
| 13/585,779 | 08/14/2012 | 06/14/2000         |
| 13/631,244 | 09/28/2012 | 06/19/2006 (prov.) |
| 13/725,309 | 12/21/2012 | 01/15/2009 (prov.) |
| 13/754,639 | 01/30/2013 |                    |
| 13/906,211 | 05/30/2013 | 06/05/2012 (prov.) |

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: June 18, 2013

/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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |                                                                                                      |           |   |                     |
|-------------|---|------------------------------------------------------------------------------------------------------|-----------|---|---------------------|
| Applicant   | : | Shkedi, Roy                                                                                          | Art Unit  | : | 2441                |
| Serial No.  | : | 13/491,454                                                                                           | Examiner  | : | Katsikis, Kostas J. |
| Filing Date | : | 06/07/2012                                                                                           | Conf. No. | : | 8741                |
| Title       | : | Media properties selection method and system based on expected profit from profile-based ad delivery |           |   |                     |

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

Filed via EFS – September 16, 2013

**AFTER FINAL – EXPEDITED TREATMENT**

**RESPONSE TO FINAL OFFICE ACTION**

Dear Sir:

In response to the Office Action dated April 23, 2013, which has been made final, assignee requests consideration of the following remarks. Following the request for an interview in the Response to First Office Action, assignee looks forward to the interview scheduled for 2pm on September 17, 2013.

**Remarks** begin on page 2.

The fee under 37 C.F.R. §1.17(a)(1) for a two-month extension of time is submitted concurrently.



### Remarks

Claims 37-90 are pending in this application. Claims 37, 55, and 73 are independent claims.

The Office Action rejects all pending claims as anticipated by Haveliwala (U.S. Pat. Pub. 2010/0293057) or obvious over Haveliwala, alone or in combination with secondary references (called Boubek or Bandera). All Section 112 rejections have been withdrawn, as has the double-patenting rejection, and there are no other rejections.

Assignee respectfully requests reconsideration of the rejections. Please note that this is the first time that assignee has had an opportunity to comment on Haveliwala, which is a reference apparently located by the examiner in the last supplemental search.

The Office Action relies on the disclosure in Haveliwala of a standard scenario where a website redirects a visitor's computer to a third-party ad server, which selects the highest-paying ad for the site's ad space based on the visitor profile (the profile having been built by information about past online behavior). In such a standard scenario, the equipment involved consists of (1) the visitor's computer, (2) the server for the website that has the ad space to fill, which the visitor is currently visiting, and (3) the ad server that picks one of several profile-dependent ads to fill an ad slot on the website. (There might be more than one computer for the servers, of course.)

Claim 37 pending here describes a method (and other independent claims describe machines) that refers to the following equipment: (1) the visitor's computer, (2) the server that has "information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor" of the "first media property," (3) the "computer system" practicing the method of claim 37, and (4) the server for the "second media property" (which is, for example, a server selecting an ad for a website that the visitor might access after visiting the first media property). (Likewise, there might be more than one computer for the computer system or any of the servers.)

Claim 37 says that the "computer system" (item (3) in the list above) authorizes the "second media property" (item (4) in the list above) "to cause display ... of an advertisement correlated with the indicated profile attributes" at a time "when the

electronic visitor visits the second media property.” Importantly, claim 37 says that the “computer system” authorizes display of the profile-dependent ad only “subject to the second media property determining that a *condition* for display of the advertisement has been met,” and that the “condition is directed to the second media property by the computer system.” So, the computer system must have directed to the second media property a condition that, if met, will result in displaying a profile-dependent ad.

Haveliwala nowhere discloses a computer system (or ad server) that instructs a second media property’s ad server to decide whether or not to cause display of the profile-dependent ad originating from the computer system based on meeting a condition given to the second media property’s ad server by the computer system. There is no disclosure in Haveliwala of a third-party second media property receiving from the computer system any condition that the third party must check on a visitor-by-visitor basis before causing display of a profile-dependent ad to the visitor computer.<sup>1</sup>

In attempting to apply Haveliwala to the claims, the Office Action (p. 6) quotes the claim language referring to the “condition” and describes Haveliwala, but the Office Action does not say what disclosure of Haveliwala is thought to meet the “condition.” Upon checking the reference, Haveliwala does not appear to teach any condition checked by the “third party website,” which condition has been supplied by the “ad server” (which the Office Action tries to correspond with the “computer system”).

In the invention for which a patent is sought here, by contrast, the “condition for display of the advertisement” is known to the second media property, “relates specifically to the electronic visitor,” and is checked by the second media property. All claims further specify that the condition is directed to the second media property by the computer-server device or system of one or more computers claimed (claims 55 and 73, respectively) or by the computer system performing the method (claim 37).

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<sup>1</sup> For example, in the case specified by dependent claim 38, the “condition” is “that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.” For another example, the condition could be that no more than a certain time span has elapsed since the visitor visited the first media property. Compare, e.g., dependent claim 54.

Haveliwala does not disclose or suggest one computer system (which the Office Action considers as the ad server) automatically directing (directly or indirectly) any condition to a third party second media property (which the Office Action considers as the website), to allow the third party to check that the condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, before causing the profile-dependent ad to be shown to the visitor's computer.

Because there is no reason to extend Haveliwala to meet the claim language of the claims as amended, the rejections of all claims should be withdrawn. As to the dependent claims, there is no reason to discuss them separately, given the plain distinction over the primary reference. The Office Action does not assert that the claim limitations that assignee argues here are missing from Haveliwala are found in any of the supporting references. Accordingly, all claims should be allowed.

Assignee's representative thanks the examiner for his agreement to conduct a telephone interview, so the undersigned and examiner can determine how best to proceed procedurally. Assignee's representative also thanks the examiner for having agreed to perform a supplemental search as part of that discussion. Assignee hopes that the application can be passed to allowance and issue most efficiently and is open to cooperating to that end.

Assignee respectfully requests prompt review and allowance. Please feel free to telephone the undersigned if the examiner has any questions.

Respectfully submitted,

ALMONDNET, INC.

by its attorney

Dated: September 16, 2013

/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

| Electronic Patent Application Fee Transmittal  |          |                                                                                                      |        |                      |
|------------------------------------------------|----------|------------------------------------------------------------------------------------------------------|--------|----------------------|
| <b>Application Number:</b>                     |          | 13491454                                                                                             |        |                      |
| <b>Filing Date:</b>                            |          | 07-Jun-2012                                                                                          |        |                      |
| <b>Title of Invention:</b>                     |          | Media properties selection method and system based on expected profit from profile-based ad delivery |        |                      |
| <b>First Named Inventor/Applicant Name:</b>    |          | Roy Shkedi                                                                                           |        |                      |
| <b>Filer:</b>                                  |          | Louis J. Hoffman/Donald Hertz                                                                        |        |                      |
| <b>Attorney Docket Number:</b>                 |          | 14-EP-CON3                                                                                           |        |                      |
| Filed as Small Entity                          |          |                                                                                                      |        |                      |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |          |                                                                                                      |        |                      |
| Description                                    | Fee Code | Quantity                                                                                             | Amount | Sub-Total in USD(\$) |
| <b>Basic Filing:</b>                           |          |                                                                                                      |        |                      |
| <b>Pages:</b>                                  |          |                                                                                                      |        |                      |
| <b>Claims:</b>                                 |          |                                                                                                      |        |                      |
| <b>Miscellaneous-Filing:</b>                   |          |                                                                                                      |        |                      |
| <b>Petition:</b>                               |          |                                                                                                      |        |                      |
| <b>Patent-Appeals-and-Interference:</b>        |          |                                                                                                      |        |                      |
| <b>Post-Allowance-and-Post-Issuance:</b>       |          |                                                                                                      |        |                      |
| <b>Extension-of-Time:</b>                      |          |                                                                                                      |        |                      |
| Extension - 2 months with \$0 paid             | 2252     | 1                                                                                                    | 300    | 300                  |

| Description       | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-------------------|----------|----------|--------|----------------------|
| Miscellaneous:    |          |          |        |                      |
| Total in USD (\$) |          |          |        | 300                  |

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 16862166                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 16-SEP-2013                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 14:43:34                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                                          |             |
|------------------------------------------|-------------|
| Submitted with Payment                   | yes         |
| Payment Type                             | Credit Card |
| Payment was successfully received in RAM | \$ 300      |
| RAM confirmation Number                  | 1133        |
| Deposit Account                          |             |
| Authorized User                          |             |

### File Listing:

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

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| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Letter Requesting Interview with Examiner | 13-09-16-AlmondNet-EP-CON3-Interview_Request.pdf | 202089<br>57ce21eb9e51e33f999617f9f6d1dd4f0671d3e | no | 1 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                           |                                                  |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                           |                                                  |                                                   |    |   |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Response After Final Action               | 13-09-16-Almondnet-EP-CON3-RTOAF.pdf             | 88971<br>ab76d2325422c148625081ae147736fc2223c799 | no | 4 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                           |                                                  |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                           |                                                  |                                                   |    |   |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Fee Worksheet (SB06)                      | fee-info.pdf                                     | 30128<br>367b63ebf6beeb11b0c7a596f6edd8d0be4a92ad | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                           |                                                  |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                           |                                                  |                                                   |    |   |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                           |                                                  | 321188                                            |    |   |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                                           |                                                  |                                                   |    |   |

**Applicant Initiated Interview Request Form**

Application No.: 13/491,454 First Named Applicant: Shkedi, Roy  
 Examiner: Katsikis, Kostas J. Art Unit: 2441 Status of Application: After Final Office Action

**Tentative Participants:**

(1) Examiner Katsikis (2) Louis J. Hoffman

(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 09/17/2013 Proposed Time: 2:00 EDT (AM/PM)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

| Issues<br>(Rej., Obj., etc) | Claims/<br>Fig. #s | Prior<br>Art      | Discussed                | Agreed                   | Not Agreed               |
|-----------------------------|--------------------|-------------------|--------------------------|--------------------------|--------------------------|
| (1) <u>Rej.</u>             | <u>37-90</u>       | <u>Haveliwala</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (2) _____                   | _____              | _____             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (3) _____                   | _____              | _____             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (4) _____                   | _____              | _____             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Continuation Sheet Attached ☒ Proposed Amendment or Arguments Attached

Brief Description of Arguments to be Presented: See accompanying response to Final Office Action

An interview was conducted on the above-identified application on \_\_\_\_\_

**NOTE:** This form should be completed and filed by applicant in advance of the interview (see MPEP § 713.01). If this form is signed by a registered practitioner not of record, the Office will accept this as an indication that he or she is authorized to conduct an interview on behalf of the principal (37 CFR 1.32(a)(3)) pursuant to 37 CFR 1.34. This is not a power of attorney to any above named practitioner. See the Instruction Sheet for this form, which is incorporated by reference. By signing this form, applicant or practitioner is certifying that he or she has read the Instruction Sheet. After the interview is conducted, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible. This application will not be delayed from issue because of applicant's failure to submit a written record of this interview.

/Louis J. Hoffman/

Applicant/Applicant's Representative Signature

Louis J. Hoffman

Typed/Printed Name of Applicant or Representative

38918

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. 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 24 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.*



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.

|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------|-------|------------------------------------|---------------|---------------------------------------|--|
| <b>PATENT APPLICATION FEE DETERMINATION RECORD</b><br>Substitute for Form PTO-875                                                                                                                                                                                                                                                                                                                                                    |                                                                                          |                                                                                                                                                                                                                               |                                  | Application or Docket Number<br><b>13/491,454</b> |       | Filing Date<br><b>06/07/2012</b>   |               | <input type="checkbox"/> To be Mailed |  |
| ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
| <b>APPLICATION AS FILED – PART I</b>                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          | (Column 1)                                                                                                                                                                                                                    |                                  | (Column 2)                                        |       |                                    |               |                                       |  |
| FOR                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                          | NUMBER FILED                                                                                                                                                                                                                  |                                  | NUMBER EXTRA                                      |       | RATE (\$)                          |               | FEE (\$)                              |  |
| <input type="checkbox"/> BASIC FEE<br>(37 CFR 1.16(a), (b), or (c))                                                                                                                                                                                                                                                                                                                                                                  |                                                                                          | N/A                                                                                                                                                                                                                           |                                  | N/A                                               |       | N/A                                |               |                                       |  |
| <input type="checkbox"/> SEARCH FEE<br>(37 CFR 1.16(k), (i), or (m))                                                                                                                                                                                                                                                                                                                                                                 |                                                                                          | N/A                                                                                                                                                                                                                           |                                  | N/A                                               |       | N/A                                |               |                                       |  |
| <input type="checkbox"/> EXAMINATION FEE<br>(37 CFR 1.16(o), (p), or (q))                                                                                                                                                                                                                                                                                                                                                            |                                                                                          | N/A                                                                                                                                                                                                                           |                                  | N/A                                               |       | N/A                                |               |                                       |  |
| TOTAL CLAIMS<br>(37 CFR 1.16(i))                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                          | minus 20 =                                                                                                                                                                                                                    |                                  | *                                                 |       | X \$ =                             |               |                                       |  |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(h))                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                          | minus 3 =                                                                                                                                                                                                                     |                                  | *                                                 |       | X \$ =                             |               |                                       |  |
| <input type="checkbox"/> APPLICATION SIZE FEE<br>(37 CFR 1.16(s))                                                                                                                                                                                                                                                                                                                                                                    |                                                                                          | If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). |                                  |                                                   |       |                                    |               |                                       |  |
| <input type="checkbox"/> 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                              |               |                                       |  |
| <b>APPLICATION AS AMENDED – PART II</b>                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          | (Column 1)                                                                                                                                                                                                                    |                                  | (Column 2)                                        |       | (Column 3)                         |               |                                       |  |
| AMENDMENT                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>09/16/2013</b>                                                                        |                                                                                                                                                                                                                               | CLAIMS REMAINING AFTER AMENDMENT |                                                   |       | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | Total (37 CFR 1.16(i))                                                                   |                                                                                                                                                                                                                               | * 54                             |                                                   | Minus | ** 54                              | = 0           |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | Independent (37 CFR 1.16(h))                                                             |                                                                                                                                                                                                                               | * 3                              |                                                   | Minus | ***3                               | = 0           |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))                           |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               | TOTAL ADD'L FEE                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               | <b>0</b>                              |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          | (Column 1)                                                                                                                                                                                                                    |                                  | (Column 2)                                        |       | (Column 3)                         |               |                                       |  |
| AMENDMENT                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                          |                                                                                                                                                                                                                               | CLAIMS REMAINING AFTER AMENDMENT |                                                   |       | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | Total (37 CFR 1.16(i))                                                                   |                                                                                                                                                                                                                               | *                                |                                                   | Minus | **                                 | =             |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | Independent (37 CFR 1.16(h))                                                             |                                                                                                                                                                                                                               | *                                |                                                   | Minus | ***                                | =             |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))                           |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j)) |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               | TOTAL ADD'L FEE                       |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |
| <p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p> |                                                                                          |                                                                                                                                                                                                                               |                                  |                                                   |       |                                    |               |                                       |  |

LIE  
/JAMES MASON/

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.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |   |                                                                                                      |           |   |                     |
|-------------|---|------------------------------------------------------------------------------------------------------|-----------|---|---------------------|
| Applicant   | : | Shkedi, Roy                                                                                          | Art Unit  | : | 2441                |
| Serial No.  | : | 13/491,454                                                                                           | Examiner  | : | Katsikis, Kostas J. |
| Filing Date | : | 06/07/2012                                                                                           | Conf. No. | : | 8741                |
| Title       | : | Media properties selection method and system based on expected profit from profile-based ad delivery |           |   |                     |

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

Filed via EFS – September 20, 2013

**AUTHORIZATION TO E-MAIL**

Dear Sir:

Pursuant to MPEP 502.03, “COMMUNICATIONS VIA THE INTERNET AND AUTHORIZATION,” the Office recognizes (as the Examiner advised in the ongoing interview) the following: *“Communications via Internet e-mail are at the discretion of the applicant. Without a written authorization by applicant in place, the USPTO will not respond via Internet e-mail to any Internet correspondence which contains information subject to the confidentiality requirement as set forth in 35 U.S.C. 122.”* During the interview, the Examiner agreed that assignee might wish to provide an instruction and authorization stating the conditions under which assignee would authorize email communication, in both directions. (An interview summary will follow concerning substantive issues.)

Assignee has assumed prosecution of this application, so assignee is filing this paper in reply to the Examiner’s request.

Assignee advises the Office that it recognizes that Internet communications are not secure but nevertheless would like to send email to the Office, as such practice could assist the Examiner. Emails may arrive from the email address of assignee’s attorney, as part of the discussion in the current interview or thereafter. The Office is authorized to consider such materials, and if there is any question of authenticity or assignee’s intent, the Examiner can feel free to phone the undersigned attorney.

Assignee may send materials that are not intended for the case file but rather for discussion purposes with the Examiner, and documents will be marked individually as to whether that is the case. Of course, the Examiner can follow usual practices concerning interviews and record-keeping in connection with interviews.

Regarding email *responses from* the Office, assignee authorizes the Examiner to communicate via email with the undersigned attorney (1) for any scheduling matters, or (2) in any instance in which the attorney and Examiner agree by phone in the interview that having an emailed document from the Examiner would be helpful.

Otherwise, the Office's usual delivery of official papers (which by the way includes transmission of copies via email) would appear to suffice.

Please telephone the undersigned if there is any question about this authorization.

Respectfully submitted,  
ALMONDNET, INC.  
by its attorney

Dated: September 20, 2013

/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

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 16912257                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 20-SEP-2013                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 13:45:26                                                                                             |
| <b>Application Type:</b>                    | 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               | Miscellaneous Incoming Letter | 13-09-20-Almondnet-EP-CON3-Email_Auth.pdf | 55140<br>4aa9b83db76371e842af542a1eff014875ff9483 | no               | 2                |

### Warnings:

### Information:

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

**New Applications Under 35 U.S.C. 111**

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

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

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

**New International Application Filed with the USPTO as a Receiving Office**

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



# UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

| APPLICATION NO.                                                                                               | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|---------------------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------------------|-----------------------------|
| 13/491,454                                                                                                    | 06/07/2012  | Roy Shkedi           | 14-EP-CON3                      | 8741                        |
| 26362 7590 09/23/2013<br>LOUIS J. HOFFMAN, P.C.<br>14301 North 87th Street, Suite 312<br>Scottsdale, AZ 85260 |             |                      | EXAMINER<br>KATSIKIS, KOSTAS J  |                             |
|                                                                                                               |             |                      | ART UNIT<br>2441                | PAPER NUMBER                |
|                                                                                                               |             |                      | NOTIFICATION DATE<br>09/23/2013 | DELIVERY MODE<br>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

|                                                                       |                                      |                                    |                                                  |
|-----------------------------------------------------------------------|--------------------------------------|------------------------------------|--------------------------------------------------|
| <b>Advisory Action</b><br><b>Before the Filing of an Appeal Brief</b> | <b>Application No.</b><br>13/491,454 | <b>Applicant(s)</b><br>SHKEDI, ROY |                                                  |
|                                                                       | <b>Examiner</b><br>KOSTAS KATSIKIS   | <b>Art Unit</b><br>2441            | <b>AIA (First Inventor to File) Status</b><br>No |

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

THE REPLY FILED 16 September 2013 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  
**NO NOTICE OF APPEAL FILED**

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:

a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires \_\_\_\_\_ months from the mailing date of the prior Advisory Action or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.

*Examiner Note:* If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANT'S FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because

a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

b) ☐ They raise the issue of new matter (see NOTE below);

c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.

6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): (a) ☐ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.

9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

12. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.

13. ☒ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). 06/18/2013

14. ☐ Other: \_\_\_\_\_.

**STATUS OF CLAIMS**

15. The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 37-90.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

|                                              |  |
|----------------------------------------------|--|
| /Kostas Katsikis/<br>Examiner, Art Unit 2441 |  |
|----------------------------------------------|--|

Continuation of 11. does NOT place the application in condition for allowance because:

(A) Applicants argued on pages 2-3 of Remarks, "Claim 37 pending here describes a method (and other independent claims describe machines) that refers to the following equipment: (1) the visitor's computer, (2) the server that has "information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor" of the "first media property," (3) the "computer system" practicing the method of claim 37, and (4) the server for the "second media property" (which is, for example, a server selecting an ad for a website that the visitor might access after visiting the first media property). (Likewise, there might be more than one computer for the computer system or any of the servers) (Recited from page 2 of Remarks).

"Claim 37 says that the "computer system" (item (3) in the list above) authorizes the "second media property" (item (4) in the list above) "to cause display ... of an advertisement correlated with the indicated profile attributes" at a time "when the electronic visitor visits the second media property." Importantly, claim 37 says that the "computer system" authorizes display of the profile-dependent ad only "subject to the second media property determining that a condition for display of the advertisement has been met," and that the "condition is directed to the second media property by the computer system." So, the computer system must have directed to the second media property a condition that, if met, will result in displaying a profile-dependent ad (Recited from pages 2-3 of Remarks).

"Haveliwala nowhere discloses a computer system (or ad server) that instructs a second media property's ad server to decide whether or not to cause display of the profile-dependent ad originating from the computer system based on meeting a condition given to the second media property's ad server by the computer system. There is no disclosure in Haveliwala of a third-party second media property receiving from the computer system any condition that the third party must check on a visitor-by- visitor basis before causing display of a profile-dependent ad to the visitor computer (Recited from page 3 of Remarks).

As to point (A), Examiner respectfully disagrees. To begin with, Examiner respectfully submits that Applicant has imparted non-recited limitations into the claim. In response to Applicant's argument that the reference fails to show certain features of Applicant's invention, it is noted that the features upon which Applicant relies (i.e., "the visitor's computer," "the server that has information indicating at least one...", and "the server for the second media property") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Examiner respectfully submits that claim 37 says nothing to the effect anywhere of any server at all, let alone a server having information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor. Likewise, claim 37 fails to recite that the second media property is that of a server, nor that the visitor has a computer (although Examiner admits that a "computer" can be gleaned from the claimed environment and the context of the instant Specification, given that the visitor is electronic and "visiting" a "media property"). While the claim language does recite that the "computer system" of item 3 authorizes the "second media property," Examiner urges, "the second media property" is absolutely not recited in the above claim as being item 4, namely a server. The claim language merely states that "based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property, automatically with the computer system electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to the second media property determining that a condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer system". This can be simply mapped as follows:

Given the broadest reasonable interpretation, commensurate in scope with the instant Specification, "based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property" (a user of a computer system visits a first media property - or online store/website (i.e. walmart.com, nordstrom.com, bloomingdales.com, roadrunnersports.com) and builds a profile by either searching for products of interest to the user or making a purchase of a product of interest to the user. The limitation continues with "automatically with the computer system electronically authorizing a third-party second media property to cause display, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes" (the user then visits a third-party second media property, such as thesaurus.com, or reference.com, to lookup a word. Automatically thereafter (somehow/some way with the use of the recited computer system) thesaurus.com/reference.com is authorized to display advertisements correlated with the user's interests based on one of the given built profiles (user has already visited roadrunnersports.com and bought a pair of running shoes). Continuing with "subject to the second media property determining that a condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer system," again, given the BRI, it is determined that a certain condition has been met in order to allow display of the ads, of which the condition must somehow relate specifically to the user, and also directed by the computer system to thesaurus.com/reference.com.

As discussed in the Final Office Action dated 04/23/2013, hereinafter "Final Action," Examiner pointed to FIG. 1b (in combination with FIG. 1a, as paragraph [0043] discloses that many elements of FIG. 1a are also in 1b). After having already built up a user profile (by making a purchase as in paragraph [0003], or other user behavior specifically as taught in [0061]-[0063], and [0071], the user accesses a third-party website (such as reference.com to lookup a word). As disclosed in paragraph [0044] (also as discussed in the Final Action), when the user of the client 118 (electronic visitor) accesses the third party website 119 (i.e. second media property/thesaurus.com), which has agreed to have system 100 (computer system) to place advertisements on its pages, the client 118 first makes a page request of the third party website 119, for example, loading the home page of the site, which page is returned by the site 119. The page may have, for example, both content provided by the third party (thesaurus content) and an iframe object that makes a request for advertisements from the system 100. When the client 118 loads the page, the ad request is passed to the front end server 102. The client 118 also passes a user ID, as before, in the form of a cookie, or a previous login. As before, the front end server 102 passes the user ID to the user profile server 108, which obtains the user profile for the user from the user profile database 110, in the manner explained above (See Haveliwala,



paragraphs [0044]-[0045]). Examiner is mapping the recited "condition," which examiner respectfully submits is substantially broad, to the highest effective price that an advertiser is willing to pay with respect to the given profile. Thus, the computer system 100 automatically and electronically allows advertisements to be placed on the third-party website 119 (thesaurus.com) after having built a profile (from visiting a first website) of an ad correlated with the user's interests, subject to the condition that the price is within the given range (high enough - or highest effective per user profile) that the advertiser is willing to pay.

Therefore, Examiner respectfully submits, Haveliwala does disclose, teach, and suggest the limitations of independent claim 37. Due to the response however, Examiner has elaborated on the interpretation of the claims as well as the reference and has updated citations to more accurately reflect claim mappings and assist Applicant in understanding the rejection.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |   |                                                                                                      |           |   |                     |
|-------------|---|------------------------------------------------------------------------------------------------------|-----------|---|---------------------|
| Applicant   | : | Shkedi, Roy                                                                                          | Art Unit  | : | 2441                |
| Serial No.  | : | 13/491,454                                                                                           | Examiner  | : | Katsikis, Kostas J. |
| Filing Date | : | 06/07/2012                                                                                           | Conf. No. | : | 8741                |
| Title       | : | Media properties selection method and system based on expected profit from profile-based ad delivery |           |   |                     |

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

Filed via EFS – September 16, 2013

**AFTER FINAL – EXPEDITED TREATMENT**

**RESPONSE TO FINAL OFFICE ACTION**

Dear Sir:

In response to the Office Action dated April 23, 2013, which has been made final, assignee requests consideration of the following remarks. Following the request for an interview in the Response to First Office Action, assignee looks forward to the interview scheduled for 2pm on September 17, 2013.

**Remarks** begin on page 2.

The fee under 37 C.F.R. §1.17(a)(1) for a two-month extension of time is submitted concurrently.

Receipt date: 06/18/2013

13491454 - GAU: 2441

Form PTO-1449 (Modified)  
List of Patents and Publications For  
Information Disclosure Statement

Serial No.: 13/491,454  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441  
Examiner: Katsikis, Kostas J.  
Conf. No.: 8741

Page 1 of 1

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U.S. PATENT DOCUMENTS

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| <u>Examiner</u><br><u>Initials</u> | <u>Item</u> | <u>Document</u><br><u>Number</u> | <u>Publication</u><br><u>Date</u> | <u>Name of Patentee</u><br><u>or Applicant</u> | <u>Filing Date</u><br><u>(if appropriate)</u> |
|------------------------------------|-------------|----------------------------------|-----------------------------------|------------------------------------------------|-----------------------------------------------|
| /K.K./                             | 1           | 20070157228                      | 07/05/2007                        | Bayer et al.                                   |                                               |

Examiner: /Kostas Katsikis/ Date Considered: 09/17/2013

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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.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |   |                                                                                                      |           |   |                     |
|-------------|---|------------------------------------------------------------------------------------------------------|-----------|---|---------------------|
| Applicant   | : | Shkedi, Roy                                                                                          | Art Unit  | : | 2441                |
| Serial No.  | : | 13/491,454                                                                                           | Examiner  | : | Katsikis, Kostas J. |
| Filing Date | : | 06/07/2012                                                                                           | Conf. No. | : | 8741                |
| Title       | : | Media properties selection method and system based on expected profit from profile-based ad delivery |           |   |                     |

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

Filed via EFS – September 25, 2013

**INTERVIEW REPORT**

Dear Sir:

Following the Response to Final Office Action dated September 16, 2013, assignee's undersigned representative held an interview by phone with the Examiner, starting on September 17, 2013, and continuing on September 18, 20, 23, and 25, 2013.

The Examiner indicated on September 18 that he had approved an Advisory Action but, upon reflection, thought that the Haveliwala reference did not contain teaching of a "second media property." The Examiner said that he had done yet another supplemental search, had found another new reference, namely U.S. Pub. 2007/0179845 (Jain), and was considering its disclosure to see if he could use it in combination with Haveliwala. After some discussion, the Examiner agreed, though, that the pending claims contain reference to the "computer system" of claim 37 directing a "condition" to the "second media property" (at the end of the claim as pending), and he stated that he may have interpreted the "condition" too broadly and that he was not inclined to make any obviousness rejection.

The Examiner advised, however, that it would improve claim readability to move the part about directing the "condition" to a separate subpart. He suggested an examiner's amendment for that purpose. Also, he suggested clarifying that the "second media property" involved a "server computer."

Assignee agreed to those clarifications and authorized an examiner's amendment on September 20 to the independent claims, and further authorized conforming

amendments to certain dependent claims on September 23. On September 25, assignee authorized changing claim 88 so it depends on claim 87 (instead of 89 as stated).

As to separating the act of directing the “condition,” the undersigned pointed out to the Examiner (and the Examiner agreed) that the specification gives at least one example (at page 16, lines 3-12) of a case where both the directing of the “condition” and the “authorizing” are implemented through a single electronic communication; in that example, placement of a tag readable by the second media property allow the second media property to interpret the tag as an indicia of both the authorization and the condition. Accordingly, separation of the acts into two separate parts (part (a) and (b) in claim 37) is *not* intended to require two *separate* communications. The Examiner replied that he understood and had examined the claim with that understanding. Assignee notes that moving the new language to a separate subpart is not narrowing, as the previous language contained the concept of the “condition” being directed by the “computer system” to the “second media property.” Additional changes to move the first part to a “wherein” clause at the end also improve claim readability without altering substance materially. Conforming changes were also approved.

As to the clarifying change related to the “second media property,” assignee pointed out in the interview that the proposed reference to “a third-party server computer controlling advertising space on a second media property” corresponds to the specification particularly at page 4, line 30 to page 5, line 23 and Figure 3 (showing two cases of second media properties, A and B). Consistent with the specification explanation, the way the clarified claim language now uses the term “media property” is as the web site, ad network’s site, or TV program, etc. (or their site servers or the like), and not the servers controlling advertising space in them (if separate), which are now being called explicitly “server computer[s] controlling” the ad space.

Note that, in some instances in the *specification*, the term “media property” is used in a more general sense and can refer to what the claims now call the “server computer.” The Examiner said that he understood that alternative usages existed in the specification (as the specification (at pages 4-5) states was being done) but that he did

not believe that the clarified claim language, separating the ad-controlling equipment from the websites, etc., would introduce confusion.

In sum, because the new language merely supplies better definition to “second media property” already in the meaning of that term, the new language does not introduce new matter. Likewise, assignee points out that the new language does not narrow the claim and thus was acceptable to assignee.

The Examiner asked about the term “directing,” and assignee responded that such a broad term was appropriate and was intended to cover instances both of *direct* communication from the computer system to the server computer controlling the ad space and of *indirect* communication, such as through the tag as indicated in the example above.

The Examiner asked about the word “condition” explicitly, and assignee responded by referring to two examples (mentioned in certain dependent claims), one where the “condition” involved a price cap, and the other where the “condition” involved a time cap. Assignee has pointed to those disclosures before, and also notes that those are not the only possible conditions.

In connection with claim 55, the second independent claim, the Examiner suggested inclusion of “a processor and a memory” in the preamble. The parties discussed specification support in the interview and agreed that Figure 3, for example, shows those elements. For better clarity, the parties agreed to amend those claims depending on claim 55 to refer to the “device” (as a machine) and avoid confusion with the “server computer” of the “second media property.” No scope change is made.

The parties reached agreement that the claims are distinct from the art of record and that the amendments are appropriate to clarify the meaning and have specification support. Accordingly, the Examiner indicated he would enter the examiner’s amendment and issue a notice of allowance.

Assignee’s representative again thanks the examiner for the productive telephone interview and for performing the supplemental search. Assignee is glad that

the application can be passed to allowance and issue, and the undersigned remains available if there are any further questions.

Respectfully submitted,  
ALMONDNET, INC.  
by its attorney

Dated: September 25, 2013

/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

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 16952143                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | Media properties selection method and system based on expected profit from profile-based ad delivery |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 25-SEP-2013                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 14:19:35                                                                                             |
| <b>Application Type:</b>                    | 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 summary of interview with examiner | 13-09-25-Almondnet-EP-CON3-InterviewReport.pdf | 57490<br>9d9756f965161c80942f57e8f8e9d71c4d9f021 | no               | 4                |

### Warnings:

### Information:



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

**New Applications Under 35 U.S.C. 111**

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

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

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

**New International Application Filed with the USPTO as a Receiving Office**

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



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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## NOTICE OF ALLOWANCE AND FEE(S) DUE

26362 7590 10/09/2013  
LOUIS J. HOFFMAN, P.C.  
14301 North 87th Street, Suite 312  
Scottsdale, AZ 85260

EXAMINER

KATSIKIS, KOSTAS J

ART UNIT

PAPER NUMBER

2441

DATE MAILED: 10/09/2013

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 13/491,454      | 06/07/2012  | Roy Shkedi           | 14-EP-CON3          | 8741             |

TITLE OF INVENTION: MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY

| APPLN. TYPE    | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|---------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | SMALL         | \$890         | \$300               | \$0                  | \$1190           | 01/09/2014 |

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

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

### HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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

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

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

**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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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 10/09/2013  
LOUIS J. HOFFMAN, P.C.  
14301 North 87th Street, Suite 312  
Scottsdale, AZ 85260

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

**Certificate of Mailing or Transmission**

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

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

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 13/491,454      | 06/07/2012  | Roy Shkedi           | 14-EP-CON3          | 8741             |

TITLE OF INVENTION: MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY

| APPLN. TYPE    | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|---------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | SMALL         | \$890         | \$300               | \$0                  | \$1190           | 01/09/2014 |

| EXAMINER           | ART UNIT | CLASS-SUBCLASS |
|--------------------|----------|----------------|
| KATSIKIS, KOSTAS J | 2441     | 709-203000     |

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, 1 \_\_\_\_\_
- (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. 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 \_\_\_\_\_

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- ☐ 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)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

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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.

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Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

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

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| APPLICATION NO.                    | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------------|-------------|----------------------|---------------------|------------------|
| 13/491,454                         | 06/07/2012  | Roy Shkedi           | 14-EP-CON3          | 8741             |
| 26362                              | 7590        | 10/09/2013           | EXAMINER            |                  |
| LOUIS J. HOFFMAN, P.C.             |             |                      | KATSIKIS, KOSTAS J  |                  |
| 14301 North 87th Street, Suite 312 |             |                      | ART UNIT            | PAPER NUMBER     |
| Scottsdale, AZ 85260               |             |                      | 2441                |                  |

DATE MAILED: 10/09/2013

## 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 0 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 0 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.

**Notices of Allowance and Fee(s) Due mailed between October 1, 2013 and  
December 31, 2013**

(Addendum to PTOL-85)

If the “Notice of Allowance and Fee(s) Due” has a mailing date on or after October 1, 2013 and before January 1, 2014, the following information is applicable to this application.

If the issue fee is being timely paid on or after January 1, 2014, the amount due is the issue fee and publication fee in effect January 1, 2014. On January 1, 2014, the issue fees set forth in 37 CFR 1.18 decrease significantly and the publication fee set forth in 37 CFR 1.18(d)(1) decreases to \$0.

If an issue fee or publication fee has been previously paid in this application, applicant is not entitled to a refund of the difference between the amount paid and the amount in effect on January 1, 2014.





Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner discussed the claims with Applicant, and indicated that upon a closer look at Haveliwala, the limitation of "subject to the second media property determining that a condition for display of the advertisement has been met," and "which condition is directed to the second media property" is absent from Haveliwala, as it is not the third-party website 119 (formerly mapped to the claimed second media property), but rather the advertisement server 114 that determines the condition. Particularly, the advertisement server 114 uses both the user profile and the page profile to determine each advertiser's price, and once the advertisement server 114 has determined which advertiser or advertisers have offered the highest effective price for the page profile and user profile, the advertisement server 114 then selects one or more advertisements associated with these advertisers. These targeted advertisements are returned to the front end server 102, which forwards the targeted advertisements to the client 118, which in turn combines the advertisements into the page received from the third party website 119 for display to the user (Haveliwala, paragraphs [0057]-[0058]). Examiner further directed Applicant's attention to the newly cited reference to Jain, which teaches a mechanism that facilitates a new advertising ranking architecture in Internet advertising spaces. Particularly, a consumer and visitor can rank a given website/merchant in terms of faction with the merchant and/or the underlying transaction. The ranking can then can be employed to determine a particular advertisement to be displayed upon access to a search engine website (FIG. 2 - SEW 202). The consumer ranking 214 can be based upon past purchases, past clicks on ads 204, whether the consumer 210 is a new or frequent customer, the percentage of clicks-throughs 218 that resulted in a purchase, demographics information, and the like (Jain, FIG. 2, paragraph [0043]). In light of the above, Examiner and Applicant reached an agreement to amend the claims to specify that an advertisement is automatically displayed to the electronic visitor only when a given condition has been met, and specifically that 1., "automatically with the computer system directing to a third-party server computer controlling advertising space on a second media property," and 2. "indicia of a condition for display of an advertisement". Support for the amendment can be found on Page 15, lines 12-27 of Applicant's instant Specification. Final authorization was received on Friday, September 20, 2013.

|                               |                                      |                                    |                                                  |
|-------------------------------|--------------------------------------|------------------------------------|--------------------------------------------------|
| <b>Notice of Allowability</b> | <b>Application No.</b><br>13/491,454 | <b>Applicant(s)</b><br>SHKEDI, ROY |                                                  |
|                               | <b>Examiner</b><br>KOSTAS KATSIKIS   | <b>Art Unit</b><br>2441            | <b>AIA (First Inventor to File) Status</b><br>No |

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

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

1. ☒ This communication is responsive to Interview on 09/20/2013.  
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are 37-90. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
**Certified copies:**  
a) ☐ All    b) ☐ Some    \*c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\* Certified copies not received: \_\_\_\_\_.

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

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

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

**Attachment(s)**

|                                                                                                                |                                                                                      |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                    | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____        | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material     | 7. <input type="checkbox"/> Other _____                                              |
| 4. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>09/20/2013</u> . |                                                                                      |

|                                              |  |
|----------------------------------------------|--|
| /Kostas Katsikis/<br>Examiner, Art Unit 2441 |  |
|----------------------------------------------|--|

### **Interview Summary**

1. A proposed amendment was submitted for applicant's consideration. Examiner suggested the Applicant to amend claims as shown in the Examiner's amendment below in order to place the application in condition for allowance.

### **Examiner's Amendment**

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

3. Authorization for this examiner's amendment was given in a telephone interview with the Applicant's Representative, Mr. Louis J. Hoffman (Reg. No. 38,918), on September 20, 2013.

4. Please amend claims 37, 39-40, 46-53, 55-73, 75-76 and 82-89 as below:

Claim 37. **(Currently amended)** A method of directing electronic advertisements, performed by a computer system comprised of one or more computers, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

~~based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property;~~

(a) automatically with the computer system directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically with the computer system electronically authorizing a third-party second media property the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to the second media property determining that [[a]] the condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer system;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the computer system as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes.

Claim 39. **(Currently amended)** The method of claim 37:

(i) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing the server computers controlling advertising space on said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the electronic visitor, only during a specified time period after receiving profile-attribute information about the electronic visitor, by arranging for placement of a tag readable by the server computers controlling advertising space on said at least one selected second media property.

Claim 40. **(Currently amended)** The method of claim 37 further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing the server computers controlling advertising space on those selected second media properties on the lookup data structure associated with the profile-attribute information received about the

electronic visitor.

Claim 46. **(Currently amended)** The method of claim 37 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the ~~second media property server~~ computer.

Claim 47. **(Currently amended)** The method of claim 37 wherein authorizing comprises:

(i) responsive to receiving information via an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the ~~second media property server computer~~, and

(ii) authorizing display of the advertisement only during a specified time period after receiving the information about the electronic visitor.

Claim 48. **(Currently amended)** The method of claim 37 wherein the ~~second media property comprises media property equipment controlling~~ server computer controls ad space that is in a different medium than the medium of the first media property.

Claim 49. **(Currently amended)** The method of claim 37 wherein the ~~second media property comprises equipment controlling~~ server computer controls the ad space only temporarily.

Claim 50. **(Currently amended)** The method of claim 37 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the ~~third party second media property~~ server computer.

Claim 51. **(Currently amended)** The method of claim 50 wherein the condition is given to the ~~second media property~~ server computer at the time arranging for placement of a tag takes place.

Claim 52. **(Currently amended)** The method of claim 51 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the ~~second media property~~ server computer to enable the ~~second media property~~ server computer to place a tag associated with the visitor's computer.

Claim 53. **(Currently amended)** The method of claim 50 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the ~~second media property~~ server computer for the ~~second media property~~ server computer to place a tag on the electronic visitor readable by the ~~second media property~~ server computer.

Claim 55. **(Currently amended)** A tangible computer-server device comprising a processor and a memory and programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

~~based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property;~~

(a) automatically with the device directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing a third-party second media property the third-party server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, ~~of an advertisement correlated with the indicated profile attributes;~~ subject to the second media property determining that ~~[[a]] the condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the computer system;~~

(c) wherein the act of authorizing in part (b) is based on information



indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the device as a result of the electronic visitor visiting the first media property; and  
(d) wherein the advertisement is correlated with the indicated profile attribute or attributes.

Claim 56. **(Currently amended)** The ~~server~~ device of claim 55 wherein the condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.

Claim 57. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method:

(i) further comprising building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) wherein the method comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing the server computers controlling advertising space on said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the electronic visitor, only during a specified time period after receiving profile-attribute information about the

electronic visitor, by arranging for placement of a tag readable by the server computers controlling advertising space on said at least one selected second media property.

Claim 58. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method further comprising building a lookup data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties, and wherein the method comprises authorizing the server computers controlling advertising space on those selected second media properties on the lookup data structure associated with the profile-attribute information received about the electronic visitor.

Claim 59. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein authorizing comprises authorizing responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor.

Claim 60. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein authorizing comprises recognizing an action conducted on the first media property by the electronic visitor.

Claim 61. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein authorizing comprises

authorizing based on a search request by the electronic visitor to the first media property.

Claim 62. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein authorizing comprises authorizing responsive to receiving information about a characteristic of the electronic visitor.

Claim 63. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein authorizing comprises authorizing based on information about a profile attribute of the electronic visitor and categorizing the profile attribute within at least one of a plurality of predefined categories.

Claim 64. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the ~~second media property~~ server computer.

Claim 65. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein authorizing comprises:

- (i) responsive to receiving information via an electronic redirect of a

visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the ~~second media property~~ server computer, and

(ii) authorizing display of the advertisement only during a specified time period after receiving information about the electronic visitor.

Claim 66. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server device~~ is programmed to implement a method wherein the ~~second media property comprises media property equipment controlling~~ server computer controls ad space that is in a different medium than the medium of the first media property.

Claim 67. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server device~~ is programmed to implement a method wherein the ~~second media property comprises equipment controlling~~ server computer controls the ad space only temporarily.

Claim 68. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server device~~ is programmed to implement a method wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the ~~third party~~ second media property server computer.

Claim 69. **(Currently amended)** The ~~server~~ device of claim 68 wherein the ~~server~~ device is programmed to implement a method wherein the condition is given to the ~~second media property~~ server computer at the time arranging for placement of a tag takes place.

Claim 70. **(Currently amended)** The ~~server~~ device of claim 69 wherein the ~~server~~ device is programmed to implement a method wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the ~~second media property~~ server computer to enable the ~~second media property~~ server computer to place a tag associated with the visitor's computer.

Claim 71. **(Currently amended)** The ~~server~~ device of claim 68 wherein the ~~server~~ device is programmed to implement a method wherein arranging for placement of a tag comprises redirecting the electronic visitor to the ~~second media property~~ server computer for the ~~second media property~~ server computer to place a tag on the electronic visitor readable by the ~~second media property~~ server computer.

Claim 72. **(Currently amended)** The ~~server~~ device of claim 55 wherein the ~~server~~ device is programmed to implement a method wherein the condition is a specified time period after receiving profile-attribute information about the electronic visitor.

Claim 73. **(Currently amended)** A system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

~~based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which profile attribute was received by the computer system as a result of the electronic visitor visiting the first media property;~~

(a) automatically directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing a third-party second media property the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, of an advertisement correlated with the indicated profile attributes, subject to the second media property determining that [[a]] the condition for display of the advertisement has been met, which condition relates specifically to the electronic visitor, and which condition is directed to the second media property by the system comprising one or more computers;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the

electronic visitor, which indicated profile attribute or attributes was received by the system comprising one or more computers as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes.

Claim 75. **(Currently amended)** The system of claim 73 wherein the method:

(i) further comprises building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second media properties; and

(ii) comprises, responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing the server computers controlling advertising space on said at least one selected second media property on the lookup data structure associated with the profile-attribute information received about the electronic visitor, only during a specified time period after receiving profile-attribute information about the electronic visitor, by arranging for placement of a tag readable by the server computers controlling advertising space on said at least one selected second media property.

Claim 76. **(Currently amended)** The system of claim 73 wherein the method further comprises building a look-up data structure associating at least one selected of a plurality of possible profile attributes with at least one selected of a plurality of second

media properties, and wherein the method comprises authorizing the server computers controlling advertising space on those selected second media properties on the lookup data structure associated with the profile-attribute information received about the electronic visitor.

Claim 82. **(Currently amended)** The system of claim 73 wherein authorizing comprises placing a tag on the electronic visitor, wherein the electronic visitor is a computer, and wherein the tag is readable by the ~~second media property~~ server computer.

Claim 83. **(Currently amended)** The system of claim 73 wherein authorizing comprises: (i) responsive to receiving an electronic redirect of a visitor computer accompanied by profile-attribute information about the electronic visitor, authorizing display of the advertisement by arranging for placement of a tag readable by the ~~second media property~~ server computer, and (ii) authorizing display of the advertisement only during a specified time period after receiving the information about the electronic visitor.

Claim 84. **(Currently amended)** The system of claim 73 wherein the ~~second media property~~ comprises media property equipment controlling server computer controls ad space that is in a different medium than the medium of the first media property.



Claim 85. **(Currently amended)** The system of claim 73 wherein the ~~second media property comprises equipment controlling~~ server computer controls the ad space only temporarily.

Claim 86. **(Currently amended)** The system of claim 73 wherein authorizing comprises arranging for placement of a tag associated with the electronic visitor by the ~~third party second media property~~ server computer.

Claim 87. **(Currently amended)** The system of claim 86 wherein the condition is given to the ~~second media property~~ server computer at the time arranging for placement of a tag takes place.

Claim 88. **(Currently amended)** The system of claim ~~[[89]]~~ 87 wherein the condition is given by incorporating it in a URL used to redirect the electronic visitor to the ~~second media property~~ server computer to enable the ~~second media property~~ server computer to place a tag associated with the visitor's computer.

Claim 89. **(Currently amended)** The system of claim 86 wherein arranging for placement of a tag comprises redirecting the electronic visitor to the ~~second media property~~ server computer for the ~~second media property~~ server computer to place a tag on the electronic visitor readable by the ~~second media property~~ server computer.

5. Claims 37-90 are allowed.

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

In interpreting the currently allowed claims, in light of the specification, the Examiner finds the claimed invention to be patentably distinct from the closest prior art of record.

**Haveliwala et al. (United States Patent Application Publication No. US 2010/0293057 A1), hereinafter "Haveliwala,"** discloses providing targeted advertisements to an advertisement consumer based on a user profile, a page profile, or a combination thereof. In embodiments where a user of a search engine is an advertisement consumer, the user utilizes a search engine to obtain search results relevant to a search query. A user profile of the user's interests is used to select advertisements for inclusion with search results. The user profile is evaluated by an advertisement server which determines which advertiser(s) offers a highest price for the user profile. Advertisements from these advertisers are then selected. In another embodiment, where the user is accessing a page on a third party website, the page may include a request for advertisements. A page profile is evaluated by an advertisement server that determines which advertiser(s) offers a highest price for the page profile. Advertisements from these advertisers are then selected, and provided to the user, where they are included in the retrieved page (**See Haveliwala, Abstract**).

More particularly, **Haveliwala** teaches that a system 100 (See FIG. 1b) provides

targeted advertisements in response to an advertisement request. The advertisement request is made by a client 118 when accessing a third party website 119, which has agreed to have system 100 to place advertisements on its pages. The client 118 first makes a page request of the third party website 119, for example, loading the home page of the site, of which a webpage is returned by the site 119. The webpage may have, for example, both content provided by the third party and an iframe object that makes a request for advertisements from the system 100. The page request will include information associated with the page of the third party website 119, for example, the URL of the page, or other metadata (**See Haveliwala, FIG. 1b, paragraphs [0043]-[0044]**).

In addition, **Haveliwala** teaches that in one embodiment, the advertisement server 114 uses both the user profile and the page profile to determine each advertiser's price, but any advertiser may individually discard or weight either of these components as it so desires. For example, one advertiser may only consider the page profile of the current page when providing a price, while another advertiser may consider both the user profile and the page profile, but weight them separately (e.g., weighting the page profile at 70% and the user profile at 30% to determine a price). Once the advertisement server 114 has determined which advertiser or advertisers have offered the highest effective price for the page profile and the user profile, the server 114 selects one or more advertisements associated with those advertisers. These targeted advertisements are returned to the front end server 102, which forwards the targeted advertisements to the client 118. The client 118 combines the

advertisements into the page received from the third party website 119 for display to the user. The front end server 102 may determine how many of the targeted advertisements are to appear on the page, their order, and their placement. The targeted advertisements can be displayed next in side panel (e.g., in the iframe on the page) in a separate frame of the window, or in any other graphical format deemed appropriate (**See Haveliwala, paragraphs [0057]-[0058]**).

**Kamal Jain (United States Patent Application Publication No. US 2007/0179845 A1), hereinafter “Jain,”** discloses a mechanism that facilitates a new advertising ranking architecture in Internet advertising spaces, e.g., for advertising on search engine web pages and/or on content web pages. Particularly, a mechanism is provided to confirm transactions even without monitoring them e.g., and, once verified, the customer can rank the merchant based upon the customer’s satisfaction with the merchant and/or the underlying transaction. The merchant ranking can be calculated in a variety of ways, and utilized to modify the pricing of an ad for that merchant, as well as which customers will be presented the ad, or even if the ad not be display (e.g., due to a low ranking). Merchants with high rankings can be attracted with incentives, improving the overall quality of the ads, which can attract more consumers (**See Jain, Abstract**).

More specifically, **Jain** discloses a computer implemented system 200 (See FIG. 2) that ranks advertisers and/or consumers and facilitates equitable use of advertising space. Generally, the system 200 can include a search engine provider website (SEW) 202 coupled to the Internet 106 that can host an ad 204 for an advertiser 206 at a price

that varies according to an advertiser ranking 208. Also depicted is the search engine provider (SEP) 104 that hosts and/or maintains the SEW 202 and that can compute the advertiser ranking 208 based at least in part upon a rating from a consumer 210 who clicked on the ad 204 and completed a purchase from the advertiser 206. **Jain** further discloses that the consumer 210 and a visitor 212 access the SEW 202 by way of the Internet 106. The SEP 104 can provide a consumer ranking 214 to the consumer 210 and/or the visitor 212, which can be employed to determine a particular ad 204 to be displayed upon access to the SEW 202. The consumer ranking 214 can be based upon past purchases, past clicks on ads 204, whether the consumer 210 is a new or frequent customer, the percentage of click-throughs 218 that resulted in a purchase, demographics information, and the like. One distinction between the consumer 210 and the visitor is that the consumer 210 is typically considered to have clicked on the ad 204 and redirected to the advertiser website 216 by way of the click-through path 218 (shown in FIG. 2 with broken lines with longer dashes) and subsequently completed a purchase from the advertiser 206. In contrast, the visitor 212 has merely been exposed to the ad 204, but has not clicked on the ad 204 (although visitor 212 may do so at a later time or may have clicked on other ads 204) (**See Jain, FIG. 2, paragraphs [0042]-[0043]**).

**Jain** notes that the rankings 208, 214 can have an impact on the behavior of both the consumers 210 and the advertisers 214. For example, in addition to being a multiplier for conventional rankings (e.g., auction-style bid for ad space and/or click-through rate (CTR)), the advertiser ranking 208 can be used to set “cut-off” levels.

Thus, if it is determined (e.g., due to consumer 210 feedback) that an advertiser 206 satisfies less than, e.g., 80% of consumers 210, then the SEP 104 can choose to forbid the advertiser 206 from placing an ad 204 on the SEW 202, regardless of how much the advertiser 206 is willing to pay for the ad space (**See Jain, paragraph [0048]**).

The closest prior art of record, **Neal et al. (United States Patent Application Publication No. US 2006/0282327 A1)**, hereinafter “**Neal**,” discloses advertisement servers (adservers) with the ability to access advertiser cookies and vice versa when both are serving from an advertiser’s domain, thereby avoiding the overhead and delay in backend cookie synchronization efforts. Further, **Neal** teaches that advertising cookie data can be gathered regardless of whether a user is browsing a publisher’s web site with an advertisement served by an adserver, or browsing the advertiser’s web site, because the cookies were previously set when the user visited the advertiser’s web site in the context of a first-party cookie. Even if the user has configured his or her browser to limit the setting of third-party cookies, the cookies can still be read by the adserver. By making cookie and advertising data immediately available in real time to both the advertiser and the adserver, **Neal** teaches that the solution also provides for instantaneous and accurate targeting of web advertising to allow an educated ad selection process by either party (**See Neal, Abstract**).

More specifically, **Neal** discloses that a web site 106 (See FIG. 1) includes a banner advertisement 110 served by an adserver 112. The adserver 112 is associated with at least one advertiser 114 and provides advertisements in the banner 110 on

behalf of at least one advertiser 114. One or more other components of the web site may be served by a content provider other than the publisher 108, such as another advertiser or other content provider. The adserver 112 shares a domain 116 (“advertiser.com”) with the advertiser 114, and the adserver 112 is assigned a sub-domain of the advertiser’s domain, i.e., “ads.advertiser.com”. Since the adserver 112 shares the domain of the advertiser 114, the adserver 112 has first party access to a cookie that has been previously been set by the advertiser 114. Thus, if the user has previously made a purchase on a web site published by the advertiser 114, the advertiser site may have set a cookie on the user’s browser 102 identifying the user as a customer. The user’s browser 102 then sends a copy of the cookie set by the advertiser 114 to the adserver 112 along with a request for content for the banner advertisement 110 (**See Neal, FIG. 1, paragraphs [0028]-[0029]**).

In addition, **Neal** discloses that when an adserver DNS server receives a redirect, it takes the logical name of a sub-domain sent from the advertiser DNS server (e.g., “ads.companyname.com”) and resolves it into an adserver IP address. For example, “ads.companyname.com” would be resolved into an IP address, such as “216.150.209.230”. A user’s browser request for the web site “ads.companyname.com” would thus travel to the advertiser DNS server and then to the adserver DNS server. The adserver DNS server would then return the IP address “216.150.209.230” to the user’s browser. After receiving the associated IP address, the user’s browser sends any cookies associated with the domain “.advertiser.com” along with the web page request to the associated IP address. One advantage of DNS delegation noted by

**Neal**, is that it can seamlessly integrate with an adserver's existing proprietary solutions for load-balancing and fail-over of advertisement serving (**See Neal, paragraph [0031]**).

Moreover, **Neal** discloses that the adserver 112 receives the request to serve the advertiser banner 110 and determines an appropriate advertisement for displaying in the banner 110. The adserver 112, for example, may determine an appropriate content for the advertising banner 110 depending upon at least one value of a cookie received from the browser 102. When the adserver 112 receives and reads a cookie 104 accompanying a browser request, for example, the adserver 112 may recognize cookie values identified for advertisement selection that the advertiser's web server originally placed in the cookie. For example, if an advertiser's web server recognizes that a particular customer who is visiting the advertiser's web site is a high value customer, the web server sets a cookie 104 to the customer's browser 102 containing the domain ".advertiser.com" and the data "Target=high\_value". **Neal** teaches that the advertiser 114 previously communicated with an adserver 112 to convey the rule that whenever the adserver 112 encounters cookie data with "Target=high\_value", the adserver 112 should recognize that it is dealing with a high value customer of the advertiser 114 and should serve advertising appropriate to such a customer. Each time the customer visits the "www.advertiser.com" web site, the "Target" cookie value can be reset by the advertiser's web server to reflect the customer's current value status. For instance, the customer may be a "medium\_value" customer when he first accesses the advertiser's web site, but then makes a large purchase. The advertiser's web server can then update the customer's status to "high\_value" and then reset the cookie information



accordingly. If the customer's browser 102 subsequently interacts with the adserver's web server, the updated cookie value will instantaneously cause a "high\_value" advertisement to be returned from the adserver's web server to the customer's browser 102 (**See Neal, paragraph [0032]**).

However, the prior art of records, individually or in combination, fail to explicitly teach or render obvious a method of directing electronic advertisements, performed by a computer system comprised of one or more computers, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically with the computer system directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically with the computer system electronically authorizing the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the

computer system as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes, as set forth in independent claim 37.

Likewise, the prior art of records, individually or in combination, fail to explicitly teach or render obvious a tangible computer-server device comprising a processor and a memory and programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically with the device directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing the third-party server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the

device as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes, as set forth in independent claim 55.

Furthermore, the prior art of records, individually or in combination, fail to explicitly teach or render obvious a system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the system comprising one or more computers as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes, as set forth in independent claim 73.

The Examiner finds the combination of prior art of records fail to disclose the features of the invention including

*for each of a multitude of different electronic visitors to a first media property:*

(a) *automatically directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and*

(b) *automatically electronically authorizing-the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;*

(c) *wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the computer system as a result of the electronic visitor visiting the first media property; and*

(d) *wherein the advertisement is correlated with the indicated profile attribute or attributes, as recited the independent claims.*

Dependent claims 38-54, 56-72 and 74-90 further limit the allowed independent claims 37, 55 and 73; therefore, they are also allowed.

7. 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."

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kostas Katsikis whose telephone number is (571)270-5434. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571)272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

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system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kostas Katsikis/

Examiner

Art Unit 2441

September 24, 2013



Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Examiner discussed the claims with Applicant, and indicated that upon a closer look at Haveliwala, the limitation of "subject to the second media property determining that a condition for display of the advertisement has been met," and "which condition is directed to the second media property" is absent from Haveliwala, as it is not the third-party website 119 (formerly mapped to the claimed second media property), but rather the advertisement server 114 that determines the condition. Particularly, the advertisement server 114 uses both the user profile and the page profile to determine each advertiser's price, and once the advertisement server 114 has determined which advertiser or advertisers have offered the highest effective price for the page profile and user profile, the advertisement server 114 then selects one or more advertisements associated with these advertisers. These targeted advertisements are returned to the front end server 102, which forwards the targeted advertisements to the client 118, which in turn combines the advertisements into the page received from the third party website 119 for display to the user (Haveliwala, paragraphs [0057]-[0058]). Examiner further directed Applicant's attention to the newly cited reference to Jain, which teaches a mechanism that facilitates a new advertising ranking architecture in Internet advertising spaces. Particularly, a consumer and visitor can rank a given website/merchant in terms of faction with the merchant and/or the underlying transaction. The ranking can then can be employed to determine a particular advertisement to be displayed upon access to a search engine website (FIG. 2 - SEW 202). The consumer ranking 214 can be based upon past purchases, past clicks on ads 204, whether the consumer 210 is a new or frequent customer, the percentage of clicks-throughs 218 that resulted in a purchase, demographics information, and the like (Jain, FIG. 2, paragraph [0043]). In light of the above, Examiner and Applicant reached an agreement to amend the claims to specify that an advertisement is automatically displayed to the electronic visitor only when a given condition has been met, and specifically that 1., "automatically with the computer system directing to a third-party server computer controlling advertising space on a second media property," and 2. "indicia of a condition for display of an advertisement". Support for the amendment can be found on Page 15, lines 12-27 of Applicant's instant Specification. Final authorization was received on Friday, September 20, 2013.



|                                   |                                       |                                                           |             |
|-----------------------------------|---------------------------------------|-----------------------------------------------------------|-------------|
| <b>Notice of References Cited</b> | Application/Control No.<br>13/491,454 | Applicant(s)/Patent Under<br>Reexamination<br>SHKEDI, ROY |             |
|                                   | Examiner<br>KOSTAS KATSIKIS           | Art Unit<br>2441                                          | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name        | Classification |
|---|---|--------------------------------------------------|-----------------|-------------|----------------|
| * | A | US-2006/0282327 A1                               | 12-2006         | Neal et al. | 705/014        |
| * | B | US-2007/0179845 A1                               | 08-2007         | Jain, Kamal | 705/014        |
|   | C | US-                                              |                 |             |                |
|   | D | US-                                              |                 |             |                |
|   | E | US-                                              |                 |             |                |
|   | F | US-                                              |                 |             |                |
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|   | L | US-                                              |                 |             |                |
|   | M | US-                                              |                 |             |                |

**FOREIGN PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
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**NON-PATENT DOCUMENTS**

| * |   | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
|---|---|-------------------------------------------------------------------------------------------|
|   | U |                                                                                           |
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\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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| <b>Issue Classification</b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |  |
|                                                                                                                  | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |  |

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| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |                      | <b>Total Claims Allowed:</b><br>54 |                   |
| (Assistant Examiner)                        | (Date)               |                                    |                   |
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |                      | O.G. Print Claim(s)                | O.G. Print Figure |
| (Primary Examiner)                          | 09/26/2013<br>(Date) | 1                                  | 3                 |

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| <b>Issue Classification</b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                  | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

| US ORIGINAL CLASSIFICATION |                                   |          |  |  |  | INTERNATIONAL CLASSIFICATION |   |   |   |                      |             |  |  |  |  |  |
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| CLASS                      |                                   | SUBCLASS |  |  |  | CLAIMED                      |   |   |   |                      | NON-CLAIMED |  |  |  |  |  |
| 709                        |                                   | 203      |  |  |  | G                            | 0 | 6 | F | 15 / 16 (2006.01.01) |             |  |  |  |  |  |
| CROSS REFERENCE(S)         |                                   |          |  |  |  |                              |   |   |   |                      |             |  |  |  |  |  |
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|                                             |        |                                    |                        |
|---------------------------------------------|--------|------------------------------------|------------------------|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |        | <b>Total Claims Allowed:</b><br>54 |                        |
| (Assistant Examiner)                        | (Date) |                                    |                        |
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |        | 09/26/2013                         |                        |
| (Primary Examiner)                          | (Date) | O.G. Print Claim(s)<br>1           | O.G. Print Figure<br>3 |

|                                                                                                                  |                                            |                                                               |
|------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b>Issue Classification</b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                  | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

| <input type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b> <input type="checkbox"/> <b>CPA</b> <input checked="" type="checkbox"/> <b>T.D.</b> <input type="checkbox"/> <b>R.1.47</b> |          |       |          |       |          |       |          |       |          |       |          |       |          |       |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|
| Final                                                                                                                                                                                                                    | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original |
|                                                                                                                                                                                                                          | 1        |       | 17       |       | 33       | 13    | 49       | 29    | 65       | 45    | 81       |       |          |       |          |
|                                                                                                                                                                                                                          | 2        |       | 18       |       | 34       | 14    | 50       | 30    | 66       | 46    | 82       |       |          |       |          |
|                                                                                                                                                                                                                          | 3        |       | 19       |       | 35       | 15    | 51       | 31    | 67       | 47    | 83       |       |          |       |          |
|                                                                                                                                                                                                                          | 4        |       | 20       |       | 36       | 16    | 52       | 32    | 68       | 48    | 84       |       |          |       |          |
|                                                                                                                                                                                                                          | 5        |       | 21       | 1     | 37       | 17    | 53       | 33    | 69       | 49    | 85       |       |          |       |          |
|                                                                                                                                                                                                                          | 6        |       | 22       | 2     | 38       | 18    | 54       | 34    | 70       | 50    | 86       |       |          |       |          |
|                                                                                                                                                                                                                          | 7        |       | 23       | 3     | 39       | 19    | 55       | 35    | 71       | 51    | 87       |       |          |       |          |
|                                                                                                                                                                                                                          | 8        |       | 24       | 4     | 40       | 20    | 56       | 36    | 72       | 52    | 88       |       |          |       |          |
|                                                                                                                                                                                                                          | 9        |       | 25       | 5     | 41       | 21    | 57       | 37    | 73       | 53    | 89       |       |          |       |          |
|                                                                                                                                                                                                                          | 10       |       | 26       | 6     | 42       | 22    | 58       | 38    | 74       | 54    | 90       |       |          |       |          |
|                                                                                                                                                                                                                          | 11       |       | 27       | 7     | 43       | 23    | 59       | 39    | 75       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 12       |       | 28       | 8     | 44       | 24    | 60       | 40    | 76       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 13       |       | 29       | 9     | 45       | 25    | 61       | 41    | 77       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 14       |       | 30       | 10    | 46       | 26    | 62       | 42    | 78       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 15       |       | 31       | 11    | 47       | 27    | 63       | 43    | 79       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 16       |       | 32       | 12    | 48       | 28    | 64       | 44    | 80       |       |          |       |          |       |          |

|                                                                                |  |                                        |                        |
|--------------------------------------------------------------------------------|--|----------------------------------------|------------------------|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441<br><br>(Assistant Examiner) (Date) |  | <b>Total Claims Allowed:</b><br>54     |                        |
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441<br><br>(Primary Examiner) (Date)   |  | 09/26/2013<br>O.G. Print Claim(s)<br>1 | O.G. Print Figure<br>3 |

|                                                                                                              |                                                |                                                                   |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------------------|
| <b>Search Notes</b><br><br> | <b>Application/Control No.</b><br><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>SHKEDI, ROY |
|                                                                                                              | <b>Examiner</b><br><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br><br>2441                                       |

| CPC- SEARCHED |      |          |
|---------------|------|----------|
| Symbol        | Date | Examiner |
|               |      |          |

| CPC COMBINATION SETS - SEARCHED |      |          |
|---------------------------------|------|----------|
| Symbol                          | Date | Examiner |
|                                 |      |          |

| US CLASSIFICATION SEARCHED |                                                 |           |          |
|----------------------------|-------------------------------------------------|-----------|----------|
| Class                      | Subclass                                        | Date      | Examiner |
| 709                        | 203                                             | 9/24/2013 | KK       |
| 705                        | 14.49, 14.51, 14.52, 14.53, 14.66, 14.67, 14.73 | 9/24/2013 | KK       |

| SEARCH NOTES                                           |                                                                                                |          |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------|----------|
| Search Notes                                           | Date                                                                                           | Examiner |
| Examiner conducted thorough EAST search.               | 8/25/2012-<br>8/26/2012<br>(Updated<br>4/6/2013)<br>(Further<br>updated 9/18<br>and 9/24/2013) | KK       |
| EAST (USPAT, US-PGPUBS) - see search history printout. | 8/25/2012-<br>8/26/2012<br>(Updated<br>4/6/2013)<br>(Further<br>updated 9/18<br>and 9/24/2013) | KK       |
| EAST (EPO, JPO, FPRS) - see search history printout.   | 8/26/2012<br>(Updated<br>9/24/2013)                                                            | KK       |

|                                             |  |
|---------------------------------------------|--|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |  |
|---------------------------------------------|--|

| SEARCH NOTES                                           |                                     |          |
|--------------------------------------------------------|-------------------------------------|----------|
| Search Notes                                           | Date                                | Examiner |
| Examiner conducted Inventor Name search in EAST.       | 8/26/2012<br>(Updated<br>9/24/2013) | KK       |
| 709 (text search only - see search history printout).  | 8/26/2012                           | KK       |
| 705 (text search only - see search history printout).  | 8/26/2012                           | KK       |
| Examiner conducted NPL search (Google).                | 8/25/2012                           | KK       |
| 709/203 (text search - see search history printout).   | 9/24/2013                           | KK       |
| 705/14.49 (text search - see search history printout). | 9/24/2013                           | KK       |
| 705/14.51 (text search - see search history printout). | 9/24/2013                           | KK       |
| 705/14.52 (text search - see search history printout). | 9/24/2013                           | KK       |
| 705/14.53 (text search - see search history printout). | 9/24/2013                           | KK       |
| 705/14.66 (text search - see search history printout). | 9/24/2013                           | KK       |
| 705/14.67 (text search - see search history printout). | 9/24/2013                           | KK       |
| 705/14.73 (text search - see search history printout). | 9/24/2013                           | KK       |

| INTERFERENCE SEARCH     |                                           |           |          |
|-------------------------|-------------------------------------------|-----------|----------|
| US Class/<br>CPC Symbol | US Subclass / CPC Group                   | Date      | Examiner |
|                         | See Interference Search History Printout. | 9/24/2013 | KK       |

/KOSTAS KATSIKIS/  
Examiner.Art Unit 2441

**EAST Search History****EAST Search History (Interference)**

| Ref # | Hits | Search Query                                                                                                                                                                                             | DBs            | Default Operator | Plurals | Time Stamp          |
|-------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------|---------|---------------------|
| S52   | 2    | ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition and visitor\$1 and property and time and after).clm.                 | USPAT;<br>UPAD | ADJ              | ON      | 2013/09/24<br>17:21 |
| S53   | 2    | ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition and visitor\$1 and property and time and after and correlat\$3).clm. | USPAT;<br>UPAD | ADJ              | ON      | 2013/09/24<br>17:21 |
| S54   | 2    | ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition and visitor\$1 and property and time).clm.                           | USPAT;<br>UPAD | ADJ              | ON      | 2013/09/24<br>17:22 |
| S55   | 2    | ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition and visitor\$1 and property).clm.                                    | USPAT;<br>UPAD | ADJ              | ON      | 2013/09/24<br>17:22 |
| S56   | 2    | ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition and visitor\$1).clm.                                                 | USPAT;<br>UPAD | ADJ              | ON      | 2013/09/24<br>17:22 |
| S57   | 4    | ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition).clm.                                                                | USPAT;<br>UPAD | ADJ              | ON      | 2013/09/24<br>17:22 |

**9/ 26/ 2013 11:57:37 AM****C:\ Users\ kkatsikis1\ Documents\ EAST\ Workspaces\ 13491454.wsp**



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## BIB DATA SHEET

CONFIRMATION NO. 8741

|                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                   |                                                          |                               |                                                              |                           |                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------|--------------------------------------------------------------|---------------------------|--------------------------------|
| <b>SERIAL NUMBER</b><br>13/491,454                                                                                                                                                                                                                                                                                                                                                                                                              | <b>FILING or 371(c)<br/>DATE</b><br>06/07/2012<br><b>RULE</b>                                                     | <b>CLASS</b><br>709                                      | <b>GROUP ART UNIT</b><br>2441 | <b>ATTORNEY DOCKET NO.</b><br>14-EP-CON3                     |                           |                                |
| <b>APPLICANTS</b><br>Roy Shkedi, New York, NY;<br><b>** CONTINUING DATA *****</b><br>This application is a CON of 12/823,709 06/25/2010 PAT 8204783<br>which is a CON of 11/763,286 06/14/2007 PAT 7747745<br>which claims benefit of 60/804,937 06/16/2006<br>and claims benefit of 60/805,119 06/19/2006<br><b>** FOREIGN APPLICATIONS *****</b><br><b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY **</b><br>06/18/2012 |                                                                                                                   |                                                          |                               |                                                              |                           |                                |
| Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Verified and /KOSTAS J<br>Acknowledged KATSIKIS/<br>Examiner's Signature                                                                                                                                                                  |                                                                                                                   | <input type="checkbox"/> Met after Allowance<br>Initials | <b>STATE OR COUNTRY</b><br>NY | <b>SHEETS DRAWINGS</b><br>3                                  | <b>TOTAL CLAIMS</b><br>54 | <b>INDEPENDENT CLAIMS</b><br>3 |
| <b>ADDRESS</b><br>LOUIS J. HOFFMAN, P.C.<br>14301 North 87th Street, Suite 312<br>Scottsdale, AZ 85260<br>UNITED STATES                                                                                                                                                                                                                                                                                                                         |                                                                                                                   |                                                          |                               |                                                              |                           |                                |
| <b>TITLE</b><br>Media properties selection method and system based on expected profit from profile-based ad delivery                                                                                                                                                                                                                                                                                                                            |                                                                                                                   |                                                          |                               |                                                              |                           |                                |
| <b>FILING FEE RECEIVED</b><br>1550                                                                                                                                                                                                                                                                                                                                                                                                              | FEES: Authority has been given in Paper<br>No. _____ to charge/credit DEPOSIT ACCOUNT<br>No. _____ for following: |                                                          |                               | <input type="checkbox"/> All Fees                            |                           |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                   |                                                          |                               | <input type="checkbox"/> 1.16 Fees (Filing)                  |                           |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                   |                                                          |                               | <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) |                           |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                   |                                                          |                               | <input type="checkbox"/> 1.18 Fees (Issue)                   |                           |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                   |                                                          |                               | <input type="checkbox"/> Other _____                         |                           |                                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                   |                                                          |                               | <input type="checkbox"/> Credit                              |                           |                                |



## EAST Search History

## EAST Search History (Prior Art)

| Ref # | Hits  | Search Query                                                   | DBs             | Default Operator | Plurals | Time Stamp       |
|-------|-------|----------------------------------------------------------------|-----------------|------------------|---------|------------------|
| S1    | 0     | "13491454"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:21 |
| S2    | 1     | "20060020510"                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:22 |
| S3    | 6     | "11763286"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:58 |
| S4    | 3     | (profile\$1dependent) with price                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:31 |
| S5    | 64    | (profile near4 depend\$3) with price                           | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S6    | 3     | (profile near4 depend\$3 near4 attribut\$2) with price         | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S7    | 29    | S5 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S8    | 28    | S5 same3 (advertisement or advertis\$3 or ad\$1)               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:33 |
| S9    | 13    | S8 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:34 |
| S10   | 10    | "7747745"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 23:23 |
| S11   | 1     | "8200822"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 10:26 |
| S12   | 18626 | ((advertis\$3 or market\$3 or advertisement\$1) near4 \$3line) | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:05 |
| S13   | 352   | profile same (social adj1 media\$1)                            | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S14   | 19    | S12 same3 S13                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S15   | 8     | S14 and "705"/\$                                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S16   | 2     | S14 and "709"/\$                                               | US-PGPUB;       | ADJ              | ON      | 2012/08/26 12:09 |

|     |      |                                                                                                                                                                                                                                                                                                           |                 |     |    |                  |
|-----|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----|----|------------------|
|     |      |                                                                                                                                                                                                                                                                                                           | USPAT           |     |    |                  |
| S17 | 691  | (profile with (attribute or characteristic\$1)) same (social near network\$3)                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:10 |
| S18 | 3074 | ((advertisements or ad\$1 or advertis\$3) same \$3line).ab.                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:11 |
| S19 | 27   | S17 and S18                                                                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:12 |
| S20 | 1    | "20020099603"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:18 |
| S21 | 1    | "20040068436"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:19 |
| S22 | 62   | ((ROY) near2 (SHKEDI)).INV.                                                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:20 |
| S23 | 5    | (profile with (attribute or characteristic\$1)) same (social near network\$3)                                                                                                                                                                                                                             | FPRS; EPO; JPO  | ADJ | ON | 2012/08/26 12:20 |
| S24 | 9    | ((profile or account) near4 (attribute\$1 or feature\$1 or trait\$1 or criteri\$2)) near20 (correspond\$4 or correlat\$4 or interrelationship or match\$3 or interdependence or relationship) near20 ((ad\$1 or advertisement\$1) near3 (placing or placement or arrangement or arranging or regulat\$3)) | US-PGPUB; USPAT | ADJ | ON | 2013/04/06 20:45 |
| S25 | 2    | "20100293057"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2013/04/06 20:54 |
| S26 | 1353 | (third\$1party or (third adj1 party)) near20 (verif\$4 or check\$3 or determin\$3) near20 (condition\$1 or provision\$1 or requirement\$1 or term\$1 or stipulation\$1 or limitation\$1)                                                                                                                  | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:32 |
| S27 | 16   | ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page)) near20 (verif\$4 or check\$3 or determin\$3) near20 (condition\$1 or provision\$1 or requirement\$1 or term\$1 or stipulation\$1 or limitation\$1)                                                                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:33 |
| S28 | 21   | ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page)) near20 (verif\$4 or check\$3 or determin\$3) near20 (advertisement\$1 or ads or ad or advertising)                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:36 |
| S29 | 45   | ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page)) near20 ((advertisement\$1 or ads or ad or advertising) near4 server\$1)                                                                                                                                                          | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:49 |
| S30 | 1114 | (condition or requirement) near6 (display\$3 or view\$1 or provid\$3) near6 (ads or ad or advertisement\$1)                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:50 |
| S31 | 0    | S29 same3 S30                                                                                                                                                                                                                                                                                             | US-PGPUB;       | ADJ | ON | 2013/09/18 13:50 |

|     |        |                                                                                                                                                  |                      |     |    |                     |
|-----|--------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----|----|---------------------|
|     |        |                                                                                                                                                  | USPAT                |     |    |                     |
| S32 | 1      | S29 and S30                                                                                                                                      | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>13:50 |
| S33 | 1137   | (behavior\$2 adj2 target\$3) and<br>(third\$1party or (third adj1 party))                                                                        | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>14:49 |
| S34 | 206    | (behavior\$2 adj2 target\$3) and<br>(((third\$1party or (third adj1 party)) near4<br>(web\$1site or web\$1page))                                 | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>14:49 |
| S35 | 1      | S30 and S34                                                                                                                                      | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>14:50 |
| S36 | 206    | (behavior\$2 adj2 target\$3) and<br>(((third\$1party or (third adj1 party)) near4<br>(web\$1site or web\$1page))                                 | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>16:13 |
| S37 | 120    | S36 and (price near2 (cap or minimum or<br>maximum))                                                                                             | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>16:13 |
| S38 | 26     | (behavior\$2 adj2 target\$3) same3<br>(((third\$1party or (third adj1 party)) near4<br>(web\$1site or web\$1page))                               | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>16:26 |
| S39 | 0      | S38 and (price near2 (cap or minimum or<br>maximum))                                                                                             | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>16:27 |
| S40 | 1      | "20070157228"                                                                                                                                    | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/18<br>17:07 |
| S41 | 103239 | (direct\$3 or send\$3 or transmit\$3 or plac\$3)<br>near3 (tag or indicia or cookie or flag)                                                     | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/24<br>16:39 |
| S42 | 10     | third\$1party near4 (server or web\$1site or<br>web\$1page or (web adj1 site) or (web adj1<br>page)) near20 ((ad or advertis\$6) near4<br>space) | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/24<br>16:41 |
| S43 | 30198  | (associat\$3 or correlat\$3) near20<br>((attribute\$1 or profile) near3 (user or<br>member))                                                     | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/24<br>16:42 |
| S44 | 383    | S41 same3 S43                                                                                                                                    | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/24<br>16:43 |
| S45 | 0      | S42 and S44                                                                                                                                      | US-PGPUB;<br>USPAT   | ADJ | ON | 2013/09/24<br>16:43 |
| S46 | 4111   | (direct\$3 or send\$3 or transmit\$3 or plac\$3)<br>near3 (tag or indicia or cookie or flag)                                                     | FPRS;<br>EPO;<br>JPO | ADJ | ON | 2013/09/24<br>17:12 |
| S47 | 501    | (associat\$3 or correlat\$3) near20<br>((attribute\$1 or profile) near3 (user or<br>member))                                                     | FPRS;<br>EPO;<br>JPO | ADJ | ON | 2013/09/24<br>17:13 |
| S48 | 1      | S46 same3 S47                                                                                                                                    | FPRS;<br>EPO;<br>JPO | ADJ | ON | 2013/09/24<br>17:13 |
| S49 | 0      | third\$1party near4 (server or web\$1site or<br>web\$1page or (web adj1 site) or (web adj1<br>page)) near20 ((ad or advertis\$6) near4<br>space) | FPRS;<br>EPO;<br>JPO | ADJ | ON | 2013/09/24<br>17:13 |

|     |       |                                                                                                                                                   |                    |     |    |                     |
|-----|-------|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----|----|---------------------|
| S50 | 74    | ((ROY) near2 (SHKEDI)).INV.                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>17:23 |
| S51 | 4     | S50 and ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition).clm. | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>17:24 |
| S58 | 43960 | 709/203\$                                                                                                                                         | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:19 |
| S59 | 1560  | 705/14.49\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S60 | 322   | 705/14.51\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S61 | 477   | 705/14.52\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S62 | 989   | 705/14.53\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S63 | 1213  | 705/14.66\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S64 | 221   | 705/14.67\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S65 | 1069  | 705/14.73\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S66 | 73    | (profile near4 depend\$3) with price                                                                                                              | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:27 |
| S67 | 34    | S66 same3 (advertisement or advertis\$3 or ad\$1)                                                                                                 | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:27 |
| S68 | 0     | S58 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:27 |
| S69 | 0     | S59 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S70 | 0     | S60 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S71 | 0     | S61 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S72 | 2     | S62 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S73 | 4     | S63 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S74 | 0     | S64 and S67                                                                                                                                       | US-PGPUB;          | ADJ | ON | 2013/09/24<br>18:28 |

EAST Search History

|     |   |             |                        |     |    |                     |
|-----|---|-------------|------------------------|-----|----|---------------------|
|     |   |             | USPAT                  |     |    |                     |
| S75 | 0 | S65 and S67 | US-<br>PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |

**9/ 26/ 2013 11:57:21 AM**

**C:\ Users\ kkatsikis1\ Documents\ EAST\ Workspaces\ 13491454.wsp**

|                                                                                                                    |                                            |                                                               |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          |            |            |            |  | <input type="checkbox"/> CPA |  | <input checked="" type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |
|----------------------------------------------------------------------------------------|----------|------------|------------|------------|--|------------------------------|--|------------------------------------------|--|---------------------------------|--|
| CLAIM                                                                                  |          | DATE       |            |            |  |                              |  |                                          |  |                                 |  |
| Final                                                                                  | Original | 08/26/2012 | 04/16/2013 | 09/26/2013 |  |                              |  |                                          |  |                                 |  |
|                                                                                        | 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       | -          | -          | -          |  |                              |  |                                          |  |                                 |  |

|                                                                                                                        |                                                |                                                                   |
|------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br><br> | <b>Application/Control No.</b><br><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>SHKEDI, ROY |
|                                                                                                                        | <b>Examiner</b><br><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

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

| CLAIM |          | DATE       |            |            |  |  |  |  |  |  |
|-------|----------|------------|------------|------------|--|--|--|--|--|--|
| Final | Original | 08/26/2012 | 04/16/2013 | 09/26/2013 |  |  |  |  |  |  |
| 1     | 37       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 2     | 38       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 3     | 39       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 4     | 40       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 5     | 41       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 6     | 42       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 7     | 43       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 8     | 44       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 9     | 45       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 10    | 46       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 11    | 47       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 12    | 48       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 13    | 49       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 14    | 50       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 15    | 51       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 16    | 52       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 17    | 53       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 18    | 54       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 19    | 55       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 20    | 56       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 21    | 57       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 22    | 58       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 23    | 59       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 24    | 60       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 25    | 61       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 26    | 62       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 27    | 63       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 28    | 64       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 29    | 65       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 30    | 66       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 31    | 67       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 32    | 68       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 33    | 69       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 34    | 70       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 35    | 71       | ✓          | ✓          | =          |  |  |  |  |  |  |
| 36    | 72       | ✓          | ✓          | =          |  |  |  |  |  |  |

|                                                                                                                    |                                            |                                                               |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          | <input type="checkbox"/> CPA |            | <input checked="" type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |  |  |
|----------------------------------------------------------------------------------------|----------|------------------------------|------------|------------------------------------------|--|---------------------------------|--|--|--|
| CLAIM                                                                                  |          | DATE                         |            |                                          |  |                                 |  |  |  |
| Final                                                                                  | Original | 08/26/2012                   | 04/16/2013 | 09/26/2013                               |  |                                 |  |  |  |
| 37                                                                                     | 73       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 38                                                                                     | 74       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 39                                                                                     | 75       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 40                                                                                     | 76       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 41                                                                                     | 77       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 42                                                                                     | 78       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 43                                                                                     | 79       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 44                                                                                     | 80       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 45                                                                                     | 81       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 46                                                                                     | 82       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 47                                                                                     | 83       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 48                                                                                     | 84       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 49                                                                                     | 85       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 50                                                                                     | 86       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 51                                                                                     | 87       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 52                                                                                     | 88       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 53                                                                                     | 89       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |
| 54                                                                                     | 90       | ✓                            | ✓          | =                                        |  |                                 |  |  |  |



Form PTO-1449 (Modified)  
List of Patents and Publications For  
Information Disclosure Statement

Serial No.: 13/491,454  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441  
Examiner: Katsikis, Kostas J.  
Conf. No.: 8741

Page 1 of 1

| U.S. PATENT DOCUMENTS       |             |                           |                                |                                         |
|-----------------------------|-------------|---------------------------|--------------------------------|-----------------------------------------|
| Examiner<br><u>Initials</u> | <u>Item</u> | Document<br><u>Number</u> | Publication Date<br>MM/DD/YYYY | Name of Patentee<br><u>or Applicant</u> |
| _____                       | 1           | 20060212350               | 09/21/2006                     | Ellis et al.                            |
| _____                       | 2           | 20070027850               | 02/01/2007                     | Chan et al.                             |

Examiner: \_\_\_\_\_ 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.

| Electronic Patent Application Fee Transmittal  |  |                                                                                                      |                 |                             |
|------------------------------------------------|--|------------------------------------------------------------------------------------------------------|-----------------|-----------------------------|
| <b>Application Number:</b>                     |  | 13491454                                                                                             |                 |                             |
| <b>Filing Date:</b>                            |  | 07-Jun-2012                                                                                          |                 |                             |
| <b>Title of Invention:</b>                     |  | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |                 |                             |
| <b>First Named Inventor/Applicant Name:</b>    |  | Roy Shkedi                                                                                           |                 |                             |
| <b>Filer:</b>                                  |  | Louis J. Hoffman/Donald Hertz                                                                        |                 |                             |
| <b>Attorney Docket Number:</b>                 |  | 14-EP-CON3                                                                                           |                 |                             |
| Filed as Small Entity                          |  |                                                                                                      |                 |                             |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |  |                                                                                                      |                 |                             |
| <b>Description</b>                             |  | <b>Fee Code</b>                                                                                      | <b>Quantity</b> | <b>Sub-Total in USD(\$)</b> |
| <b>Basic Filing:</b>                           |  |                                                                                                      |                 |                             |
| <b>Pages:</b>                                  |  |                                                                                                      |                 |                             |
| <b>Claims:</b>                                 |  |                                                                                                      |                 |                             |
| <b>Miscellaneous-Filing:</b>                   |  |                                                                                                      |                 |                             |
| <b>Petition:</b>                               |  |                                                                                                      |                 |                             |
| <b>Patent-Appeals-and-Interference:</b>        |  |                                                                                                      |                 |                             |
| <b>Post-Allowance-and-Post-Issuance:</b>       |  |                                                                                                      |                 |                             |
| <b>Extension-of-Time:</b>                      |  |                                                                                                      |                 |                             |

| Description                             | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-----------------------------------------|----------|----------|--------|----------------------|
| <b>Miscellaneous:</b>                   |          |          |        |                      |
| Submission- Information Disclosure Stmt | 2806     | 1        | 90     | 90                   |
| <b>Total in USD (\$)</b>                |          |          |        | <b>90</b>            |

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 17461194                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 20-NOV-2013                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 20:25:46                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                                          |             |
|------------------------------------------|-------------|
| Submitted with Payment                   | yes         |
| Payment Type                             | Credit Card |
| Payment was successfully received in RAM | \$90        |
| RAM confirmation Number                  | 9512        |
| Deposit Account                          |             |
| Authorized User                          |             |

### File Listing:

| Document Number | Document Description | File Name | File Size(Bytes)/<br>Message Digest | Multi Part /.zip | Pages (if appl.) |
|-----------------|----------------------|-----------|-------------------------------------|------------------|------------------|
|-----------------|----------------------|-----------|-------------------------------------|------------------|------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                    |                                               |                                                   |    |   |
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| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Transmittal Letter                                 | 13-11-20-Almondnet-EP-CON3-Supp_IDS_Cover.pdf | 66072<br>66abaf69498a697730ddbd80e64de71ba585dc73 | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                               |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               |                                                   |    |   |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Information Disclosure Statement (IDS) Form (SB08) | 13-11-20-AN-EP-CON3-Form_1449.pdf             | 59035<br>5f5fe48fa79f30dff8b16a3238c158aaf19b3fe3 | no | 1 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                               |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               |                                                   |    |   |
| This is not an USPTO supplied IDS fillable form                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                    |                                               |                                                   |    |   |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Fee Worksheet (SB06)                               | fee-info.pdf                                  | 30479<br>eae596cd2c0fb8bf3d47b6c90db140134f948d09 | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                    |                                               |                                                   |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               |                                                   |    |   |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                    |                                               | 155586                                            |    |   |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                                                    |                                               |                                                   |    |   |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |                                                                                                        |           |                       |
|-------------|--------------------------------------------------------------------------------------------------------|-----------|-----------------------|
| Applicants  | : Shkedi, Roy                                                                                          | Art Unit  | : 2441                |
| Serial No.  | : 13/491,454                                                                                           | Examiner  | : Katsikis, Kostas J. |
| Filing Date | : 06/07/2012                                                                                           | Conf. No. | : 8741                |
| Title       | : Media properties selection method and system based on expected profit from profile-based ad delivery |           |                       |

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

Filed via EFS – November 20, 2013

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Assignee discloses the references listed on form PTO-1449 attached to this document.

To the knowledge of the undersigned attorney after making reasonable inquiry, no new item of information contained in this Information Disclosure Statement was either (1) cited in a communication from a foreign patent office in a counterpart foreign application, or (2) known to any individual designated in 37 CFR § 1.56(c), more than three months ago. The fee set forth in 37 C.F.R. § 1.17(p) accompanies this submission.

Assignee continues to direct the Examiner to the following applications, which share the same first inventor, as well as the references cited therein:

| Serial No. | Filing Date | Earliest Parent Filing Date |
|------------|-------------|-----------------------------|
| 12/131,798 | 06/02/2008  |                             |
| 12/536,451 | 08/05/2009  |                             |
| 12/906,007 | 10/15/2010  |                             |
| 12/912,726 | 10/26/2010  | 12/28/1999                  |
| 13/097,885 | 04/29/2011  | 04/17/2007                  |
| 13/167,605 | 06/23/2011  | 04/17/2007                  |
| 13/243,314 | 09/23/2011  | 06/02/2008                  |
| 13/274,242 | 10/14/2011  | 10/15/2010 (prov.)          |
| 13/566,881 | 08/03/2012  | 08/03/2011 (prov.)          |
| 13/585,765 | 08/14/2012  | 11/28/2000                  |
| 13/725,309 | 12/21/2012  | 01/15/2009 (prov.)          |
| 13/754,639 | 01/30/2013  |                             |
| 13/906,211 | 05/30/2013  | 06/05/2012 (prov.)          |

| Serial No. | Filing Date | Earliest Parent Filing Date |
|------------|-------------|-----------------------------|
| 13/948,661 | 07/23/2013  | 06/14/2000                  |
| 14/080,999 | 11/15/2013  | 12/20/2007 (prov.)          |

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: November 20, 2013

/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

**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 10/09/2013  
LOUIS J. HOFFMAN, P.C.  
14301 North 87th Street, Suite 312  
Scottsdale, AZ 85260

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 is Fee(s) Transmittal is being filed with the USPTO via EFS, on the date indicated below.

|                |                    |
|----------------|--------------------|
| Donald Hertz   | (Depositor's name) |
| /Donald Hertz/ | (Signature)        |
| 01/07/2014     | (Date)             |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 13/491,454      | 06/07/2012  | Roy Shkedi           | 14-EP-CON3          | 8741             |

TITLE OF INVENTION: MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY

| APPLN. TYPE    | ENTITY STATUS | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|---------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | SMALL         | \$890         | \$300               | \$0                  | \$1190           | 01/09/2014 |

| EXAMINER           | ART UNIT | CLASS-SUBCLASS |
|--------------------|----------|----------------|
| KATSIKIS, KOSTAS J | 2441     | 709-203000     |

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 David S. Alavi

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

ALMONDNET, INC.

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

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 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. (through USPTO-EFS)
- ☐ 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)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☒ Applicant changing to regular undiscounted fee status.

**NOTE:** Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

**NOTE:** If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

**NOTE:** Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: 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 01/07/2014

Typed or printed name Louis J. Hoffman

Registration No. 38918

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  |          |                                                                                                      |        |                      |
|------------------------------------------------|----------|------------------------------------------------------------------------------------------------------|--------|----------------------|
| <b>Application Number:</b>                     |          | 13491454                                                                                             |        |                      |
| <b>Filing Date:</b>                            |          | 07-Jun-2012                                                                                          |        |                      |
| <b>Title of Invention:</b>                     |          | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |        |                      |
| <b>First Named Inventor/Applicant Name:</b>    |          | Roy Shkedi                                                                                           |        |                      |
| <b>Filer:</b>                                  |          | Louis J. Hoffman/Donald Hertz                                                                        |        |                      |
| <b>Attorney Docket Number:</b>                 |          | 14-EP-CON3                                                                                           |        |                      |
| Filed as Large Entity                          |          |                                                                                                      |        |                      |
| <b>Utility under 35 USC 111(a) Filing Fees</b> |          |                                                                                                      |        |                      |
| Description                                    | Fee Code | Quantity                                                                                             | Amount | Sub-Total in USD(\$) |
| <b>Basic Filing:</b>                           |          |                                                                                                      |        |                      |
| <b>Pages:</b>                                  |          |                                                                                                      |        |                      |
| <b>Claims:</b>                                 |          |                                                                                                      |        |                      |
| <b>Miscellaneous-Filing:</b>                   |          |                                                                                                      |        |                      |
| <b>Petition:</b>                               |          |                                                                                                      |        |                      |
| <b>Patent-Appeals-and-Interference:</b>        |          |                                                                                                      |        |                      |
| <b>Post-Allowance-and-Post-Issuance:</b>       |          |                                                                                                      |        |                      |
| Utility Appl Issue Fee                         | 1501     | 1                                                                                                    | 960    | 960                  |
| Publ. Fee- Early, Voluntary, or Normal         | 1504     | 1                                                                                                    | 0      | 0                    |

| Description        | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|--------------------|----------|----------|--------|----------------------|
| Extension-of-Time: |          |          |        |                      |
| Miscellaneous:     |          |          |        |                      |
| Total in USD (\$)  |          |          |        | 960                  |

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 17845610                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 07-JAN-2014                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 18:12:34                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                                          |             |
|------------------------------------------|-------------|
| Submitted with Payment                   | yes         |
| Payment Type                             | Credit Card |
| Payment was successfully received in RAM | \$ 960      |
| RAM confirmation Number                  | 4963        |
| Deposit Account                          |             |
| Authorized User                          |             |

### File Listing:

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

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| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Issue Fee Payment (PTO-85B) | 14-01-07-Almondnet-EP-CON3-Issue_Fee_Trans.pdf | 131052<br>a4ec07d4fd30fd9defc63201be5cce30e7fd1481 | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                             |                                                |                                                    |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                             |                                                |                                                    |    |   |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Fee Worksheet (SB06)        | fee-info.pdf                                   | 32172<br>cd8f6a3b53873abefad50f4729d6afb840155d16  | no | 2 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                             |                                                |                                                    |    |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                             |                                                |                                                    |    |   |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                             |                                                | 163224                                             |    |   |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> <b>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.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> <b>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.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> <b>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.</b></p> |                             |                                                |                                                    |    |   |

Receipt date: 11/20/2013

13491454 - GAU: 2441

Form PTO-1449 (Modified)  
List of Patents and Publications For  
Information Disclosure Statement

Serial No.: 13/491,454  
Applicant: Shkedi, Roy  
Filed: 06/07/2012  
Art Unit: 2441  
Examiner: Katsikis, Kostas J.  
Conf. No.: 8741

Page 1 of 1

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U.S. PATENT DOCUMENTS

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| <u>Examiner</u><br><u>Initials</u> | <u>Item</u> | <u>Document</u><br><u>Number</u> | <u>Publication Date</u><br>MM/DD/YYYY | <u>Name of Patentee</u><br><u>or Applicant</u> |
|------------------------------------|-------------|----------------------------------|---------------------------------------|------------------------------------------------|
| <u>/K.K./</u>                      | 1           | 20060212350                      | 09/21/2006                            | Ellis et al.                                   |
| <u>/K.K./</u>                      | 2           | 20070027850                      | 02/01/2007                            | Chan et al.                                    |

Examiner: /Kostas Katsikis/ Date Considered: 01/09/2014

---

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.

## EAST Search History

## EAST Search History (Prior Art)

| Ref # | Hits  | Search Query                                                   | DBs             | Default Operator | Plurals | Time Stamp       |
|-------|-------|----------------------------------------------------------------|-----------------|------------------|---------|------------------|
| S1    | 0     | "13491454"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:21 |
| S2    | 1     | "20060020510"                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:22 |
| S3    | 6     | "11763286"                                                     | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 19:58 |
| S4    | 3     | (profile\$1dependent) with price                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:31 |
| S5    | 64    | (profile near4 depend\$3) with price                           | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S6    | 3     | (profile near4 depend\$3 near4 attribut\$2) with price         | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S7    | 29    | S5 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:32 |
| S8    | 28    | S5 same3 (advertisement or advertis\$3 or ad\$1)               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:33 |
| S9    | 13    | S8 and "705"/\$                                                | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 21:34 |
| S10   | 10    | "7747745"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/25 23:23 |
| S11   | 1     | "8200822"                                                      | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 10:26 |
| S12   | 18626 | ((advertis\$3 or market\$3 or advertisement\$1) near4 \$3line) | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:05 |
| S13   | 352   | profile same (social adj1 media\$1)                            | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S14   | 19    | S12 same3 S13                                                  | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S15   | 8     | S14 and "705"/\$                                               | US-PGPUB; USPAT | ADJ              | ON      | 2012/08/26 12:06 |
| S16   | 2     | S14 and "709"/\$                                               | US-PGPUB;       | ADJ              | ON      | 2012/08/26 12:09 |

|     |      |                                                                                                                                                                                                                                                                                                           |                 |     |    |                  |
|-----|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----|----|------------------|
|     |      |                                                                                                                                                                                                                                                                                                           | USPAT           |     |    |                  |
| S17 | 691  | (profile with (attribute or characteristic\$1)) same (social near network\$3)                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:10 |
| S18 | 3074 | ((advertisements or ad\$1 or advertis\$3) same \$3line).ab.                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:11 |
| S19 | 27   | S17 and S18                                                                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:12 |
| S20 | 1    | "20020099603"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:18 |
| S21 | 1    | "20040068436"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:19 |
| S22 | 62   | ((ROY) near2 (SHKEDI)).INV.                                                                                                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2012/08/26 12:20 |
| S23 | 5    | (profile with (attribute or characteristic\$1)) same (social near network\$3)                                                                                                                                                                                                                             | FPRS; EPO; JPO  | ADJ | ON | 2012/08/26 12:20 |
| S24 | 9    | ((profile or account) near4 (attribute\$1 or feature\$1 or trait\$1 or criteri\$2)) near20 (correspond\$4 or correlat\$4 or interrelationship or match\$3 or interdependence or relationship) near20 ((ad\$1 or advertisement\$1) near3 (placing or placement or arrangement or arranging or regulat\$3)) | US-PGPUB; USPAT | ADJ | ON | 2013/04/06 20:45 |
| S25 | 2    | "20100293057"                                                                                                                                                                                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2013/04/06 20:54 |
| S26 | 1353 | (third\$1party or (third adj1 party)) near20 (verif\$4 or check\$3 or determin\$3) near20 (condition\$1 or provision\$1 or requirement\$1 or term\$1 or stipulation\$1 or limitation\$1)                                                                                                                  | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:32 |
| S27 | 16   | ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page)) near20 (verif\$4 or check\$3 or determin\$3) near20 (condition\$1 or provision\$1 or requirement\$1 or term\$1 or stipulation\$1 or limitation\$1)                                                                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:33 |
| S28 | 21   | ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page)) near20 (verif\$4 or check\$3 or determin\$3) near20 (advertisement\$1 or ads or ad or advertising)                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:36 |
| S29 | 45   | ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page)) near20 ((advertisement\$1 or ads or ad or advertising) near4 server\$1)                                                                                                                                                          | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:49 |
| S30 | 1114 | (condition or requirement) near6 (display\$3 or view\$1 or provid\$3) near6 (ads or ad or advertisement\$1)                                                                                                                                                                                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:50 |
| S31 | 0    | S29 same3 S30                                                                                                                                                                                                                                                                                             | US-PGPUB;       | ADJ | ON | 2013/09/18 13:50 |



|     |        |                                                                                                                                         |                 |     |    |                  |
|-----|--------|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----|----|------------------|
|     |        |                                                                                                                                         | USPAT           |     |    |                  |
| S32 | 1      | S29 and S30                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 13:50 |
| S33 | 1137   | (behavior\$2 adj2 target\$3) and (third\$1party or (third adj1 party))                                                                  | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 14:49 |
| S34 | 206    | (behavior\$2 adj2 target\$3) and ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page))                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 14:49 |
| S35 | 1      | S30 and S34                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 14:50 |
| S36 | 206    | (behavior\$2 adj2 target\$3) and ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page))                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 16:13 |
| S37 | 120    | S36 and (price near2 (cap or minimum or maximum))                                                                                       | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 16:13 |
| S38 | 26     | (behavior\$2 adj2 target\$3) same3 ((third\$1party or (third adj1 party)) near4 (web\$1site or web\$1page))                             | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 16:26 |
| S39 | 0      | S38 and (price near2 (cap or minimum or maximum))                                                                                       | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 16:27 |
| S40 | 1      | "20070157228"                                                                                                                           | US-PGPUB; USPAT | ADJ | ON | 2013/09/18 17:07 |
| S41 | 103239 | (direct\$3 or send\$3 or transmit\$3 or plac\$3) near3 (tag or indicia or cookie or flag)                                               | US-PGPUB; USPAT | ADJ | ON | 2013/09/24 16:39 |
| S42 | 10     | third\$1party near4 (server or web\$1site or web\$1page or (web adj1 site) or (web adj1 page)) near20 ((ad or advertis\$6) near4 space) | US-PGPUB; USPAT | ADJ | ON | 2013/09/24 16:41 |
| S43 | 30198  | (associat\$3 or correlat\$3) near20 ((attribute\$1 or profile) near3 (user or member))                                                  | US-PGPUB; USPAT | ADJ | ON | 2013/09/24 16:42 |
| S44 | 383    | S41 same3 S43                                                                                                                           | US-PGPUB; USPAT | ADJ | ON | 2013/09/24 16:43 |
| S45 | 0      | S42 and S44                                                                                                                             | US-PGPUB; USPAT | ADJ | ON | 2013/09/24 16:43 |
| S46 | 4111   | (direct\$3 or send\$3 or transmit\$3 or plac\$3) near3 (tag or indicia or cookie or flag)                                               | FPRS; EPO; JPO  | ADJ | ON | 2013/09/24 17:12 |
| S47 | 501    | (associat\$3 or correlat\$3) near20 ((attribute\$1 or profile) near3 (user or member))                                                  | FPRS; EPO; JPO  | ADJ | ON | 2013/09/24 17:13 |
| S48 | 1      | S46 same3 S47                                                                                                                           | FPRS; EPO; JPO  | ADJ | ON | 2013/09/24 17:13 |
| S49 | 0      | third\$1party near4 (server or web\$1site or web\$1page or (web adj1 site) or (web adj1 page)) near20 ((ad or advertis\$6) near4 space) | FPRS; EPO; JPO  | ADJ | ON | 2013/09/24 17:13 |

|     |       |                                                                                                                                                   |                    |     |    |                     |
|-----|-------|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----|----|---------------------|
| S50 | 74    | ((ROY) near2 (SHKEDI)).INV.                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>17:23 |
| S51 | 4     | S50 and ((third\$1party or (third adj1 party)) and electronic\$4 and advertisement\$1 and server and profile and attribute\$1 and condition).clm. | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>17:24 |
| S58 | 43960 | 709/203\$                                                                                                                                         | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:19 |
| S59 | 1560  | 705/14.49\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S60 | 322   | 705/14.51\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S61 | 477   | 705/14.52\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S62 | 989   | 705/14.53\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S63 | 1213  | 705/14.66\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S64 | 221   | 705/14.67\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S65 | 1069  | 705/14.73\$                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:26 |
| S66 | 73    | (profile near4 depend\$3) with price                                                                                                              | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:27 |
| S67 | 34    | S66 same3 (advertisement or advertis\$3 or ad\$1)                                                                                                 | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:27 |
| S68 | 0     | S58 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:27 |
| S69 | 0     | S59 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S70 | 0     | S60 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S71 | 0     | S61 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S72 | 2     | S62 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S73 | 4     | S63 and S67                                                                                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S74 | 0     | S64 and S67                                                                                                                                       | US-PGPUB;          | ADJ | ON | 2013/09/24<br>18:28 |

|     |       |                                                                                         |                    |     |    |                     |
|-----|-------|-----------------------------------------------------------------------------------------|--------------------|-----|----|---------------------|
|     |       |                                                                                         | USPAT              |     |    |                     |
| S75 | 0     | S65 and S67                                                                             | US-PGPUB;<br>USPAT | ADJ | ON | 2013/09/24<br>18:28 |
| S76 | 1     | "20060212350"                                                                           | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>13:21 |
| S77 | 1     | "20070027850"                                                                           | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>13:35 |
| S78 | 37214 | (media near3 (venue\$1 or propert\$3))                                                  | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>16:32 |
| S79 | 12867 | willing near3 pay                                                                       | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>16:32 |
| S80 | 38    | S78 same3 S79                                                                           | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>16:32 |
| S81 | 157   | S78 and S79                                                                             | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>16:34 |
| S82 | 99    | S81 and "705"/\$                                                                        | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>16:34 |
| S83 | 80    | S81 and (profile near3 (user or information<br>or data or attribute\$1 or paramter\$1)) | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>16:36 |
| S84 | 42    | S83 and (third\$1party or (third near party))                                           | US-PGPUB;<br>USPAT | ADJ | ON | 2014/01/09<br>16:39 |

1/ 9/ 2014 5:03:25 PM

C:\Users\kkatsikis1\Documents\EAST\Workspaces\13491454.wsp

|                                                                                                                    |                                            |                                                               |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          |            |            |            |            | <input type="checkbox"/> CPA |  | <input checked="" type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |
|----------------------------------------------------------------------------------------|----------|------------|------------|------------|------------|------------------------------|--|------------------------------------------|--|---------------------------------|--|
| CLAIM                                                                                  |          | DATE       |            |            |            |                              |  |                                          |  |                                 |  |
| Final                                                                                  | Original | 08/26/2012 | 04/16/2013 | 09/26/2013 | 01/09/2014 |                              |  |                                          |  |                                 |  |
|                                                                                        | 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       | -          | -          | -          | -          |                              |  |                                          |  |                                 |  |

|                                                                                                                    |                                            |                                                               |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                    | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

| <input type="checkbox"/> Claims renumbered in the same order as presented by applicant |          |            |            |            |            | <input type="checkbox"/> CPA |  | <input checked="" type="checkbox"/> T.D. |  | <input type="checkbox"/> R.1.47 |  |
|----------------------------------------------------------------------------------------|----------|------------|------------|------------|------------|------------------------------|--|------------------------------------------|--|---------------------------------|--|
| CLAIM                                                                                  |          | DATE       |            |            |            |                              |  |                                          |  |                                 |  |
| Final                                                                                  | Original | 08/26/2012 | 04/16/2013 | 09/26/2013 | 01/09/2014 |                              |  |                                          |  |                                 |  |
| 1                                                                                      | 37       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 2                                                                                      | 38       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 3                                                                                      | 39       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 4                                                                                      | 40       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 5                                                                                      | 41       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 6                                                                                      | 42       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 7                                                                                      | 43       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 8                                                                                      | 44       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 9                                                                                      | 45       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 10                                                                                     | 46       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 11                                                                                     | 47       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 12                                                                                     | 48       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 13                                                                                     | 49       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 14                                                                                     | 50       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 15                                                                                     | 51       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 16                                                                                     | 52       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 17                                                                                     | 53       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 18                                                                                     | 54       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 19                                                                                     | 55       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 20                                                                                     | 56       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 21                                                                                     | 57       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 22                                                                                     | 58       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 23                                                                                     | 59       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 24                                                                                     | 60       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 25                                                                                     | 61       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 26                                                                                     | 62       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 27                                                                                     | 63       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 28                                                                                     | 64       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 29                                                                                     | 65       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 30                                                                                     | 66       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 31                                                                                     | 67       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 32                                                                                     | 68       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 33                                                                                     | 69       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 34                                                                                     | 70       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 35                                                                                     | 71       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |
| 36                                                                                     | 72       | ✓          | ✓          | =          | =          |                              |  |                                          |  |                                 |  |

|                                                                                                                        |                                                |                                                                   |
|------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------------------|
| <b><i>Index of Claims</i></b><br><br> | <b>Application/Control No.</b><br><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>SHKEDI, ROY |
|                                                                                                                        | <b>Examiner</b><br><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br><br>2441                                       |

|   |                 |   |                   |   |                     |   |                 |
|---|-----------------|---|-------------------|---|---------------------|---|-----------------|
| ✓ | <b>Rejected</b> | - | <b>Cancelled</b>  | N | <b>Non-Elected</b>  | A | <b>Appeal</b>   |
| = | <b>Allowed</b>  | ÷ | <b>Restricted</b> | I | <b>Interference</b> | O | <b>Objected</b> |

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

| CLAIM |          | DATE       |            |            |            |  |  |  |  |  |
|-------|----------|------------|------------|------------|------------|--|--|--|--|--|
| Final | Original | 08/26/2012 | 04/16/2013 | 09/26/2013 | 01/09/2014 |  |  |  |  |  |
| 37    | 73       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 38    | 74       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 39    | 75       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 40    | 76       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 41    | 77       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 42    | 78       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 43    | 79       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 44    | 80       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 45    | 81       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 46    | 82       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 47    | 83       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 48    | 84       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 49    | 85       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 50    | 86       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 51    | 87       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 52    | 88       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 53    | 89       | ✓          | ✓          | =          | =          |  |  |  |  |  |
| 54    | 90       | ✓          | ✓          | =          | =          |  |  |  |  |  |



# UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 13/491,454      | 06/07/2012  | Roy Shkedi           | 14-EP-CON3          | 8741             |

|                                                                                      |      |            |
|--------------------------------------------------------------------------------------|------|------------|
| 26362                                                                                | 7590 | 01/16/2014 |
| LOUIS J. HOFFMAN, P.C.<br>14301 North 87th Street, Suite 312<br>Scottsdale, AZ 85260 |      |            |

|                    |  |
|--------------------|--|
| EXAMINER           |  |
| KATSIKIS, KOSTAS J |  |

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
| 2441     |              |

|                   |               |
|-------------------|---------------|
| NOTIFICATION DATE | DELIVERY MODE |
| 01/16/2014        | ELECTRONIC    |

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

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

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

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

|                                             |                                                                                |                                                                   |                                                  |
|---------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------|
| <b>Corrected<br/>Notice of Allowability</b> | <b>Application No.</b><br>13/491,454<br><br><b>Examiner</b><br>KOSTAS KATSIKIS | <b>Applicant(s)</b><br>SHKEDI, ROY<br><br><b>Art Unit</b><br>2441 | <b>AIA (First Inventor to File) Status</b><br>No |
|---------------------------------------------|--------------------------------------------------------------------------------|-------------------------------------------------------------------|--------------------------------------------------|

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

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

1. ☒ This communication is responsive to the IDS filed 11/20/2013.  
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.

3. ☒ The allowed claim(s) is/are 37-90. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [FPHfeedback@uspto.gov](mailto:FPHfeedback@uspto.gov).

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

**Certified copies:**  
 a) ☐ All    b) ☐ Some    \*c) ☐ None of the:  
     1. ☐ Certified copies of the priority documents have been received.  
     2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* Certified copies not received: \_\_\_\_\_.

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

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

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

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

**Attachment(s)**

|                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)<br>2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>11/20/2013</u><br>3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material<br>4. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. | 5. <input type="checkbox"/> Examiner's Amendment/Comment<br>6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance<br>7. <input type="checkbox"/> Other _____. |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                              |  |
|----------------------------------------------|--|
| /KOSTAS KATSIKIS/<br>Examiner, Art Unit 2441 |  |
|----------------------------------------------|--|



***Information Disclosure Statement***

1. The information disclosure statement filed November 20, 2013 is in compliance with the provisions of CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file, and the information referred to therein has been considered as to the merits.

**REASONS FOR ALLOWANCE**

2. Claims 37-90 are allowed.

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

In interpreting the currently allowed claims, in light of the specification, the Examiner finds the claimed invention to be patentably distinct from the prior art of record in the IDS filed 11/20/2013.

**Chan et al. (United States Patent Application Publication No. US 2007/0027850 A1), hereinafter "Chan,"** discloses a method and system for creating a production sheet for a media venue, whereby content pertaining to one or more of a product and a service may be received, and one or more assets may be automatically generated based on the content. The assets may include, for example, a keyword and a creative, such as an advertising copy and may include placeholders for information

pertaining to the keyword. Pricing information related to the keyword may also be accessed from a database, and a bid price may be determined for the keyword based on the pricing information. A production sheet may then be generated including the keyword and the creative, and may delimit the terms of an advertising and/or marketing campaign. The production sheet is then submitted to a media venue (**See Chan, Abstract**).

More particularly, **Chan** teaches extracting and organizing content to generate advertising and/or marketing campaign assets from real-time and near real-time content feeds for submission to media venues, and automatically generating production sheets based on the extracted content (**See Chan, paragraphs [0006]-[0007]**). A media venue may include a search engine, a directory listing, an Internet publication, a network of Internet sites, or any other Internet Web site or portion of an Internet Web site, or any other outlet for an advertising or marketing campaign, such as broadcast media, including a media player, a WiFi network, and/or interactive television, print media, such as a print publication, a classified listing, a newspaper, a public computer terminal, a kiosk, a direct mailing, and a telephone directory. Assets may be extracted, created and/or assembled in real-time or near real-time by, for example, bypassing the Web site structure and accessing the content publishing system directly. The process may determine a minimum price to bid for particular keywords for advertisements in the particular media venue based upon data received, for example, from each media venue at which the advertisement is placed. **Chan** further notes that because the advertising content and search terms are provided to the Web site in a real-time or near real-time

fashion in advance of competing advertisements, the competitive forces that inflate bid prices may be avoided (**See Chan, paragraphs [0012]-[0013]**).

In addition, **Chan** teaches that assets may include text, graphics, sound, and/or any other information pertaining to an advertising and/or marketing campaign or included in a production sheet. Typical assets can include a keyword or search phrase, a creative, a bid price, a file locator, such as a Uniform Resource Locator (URL) or a file Transfer Protocol (FTP) locator, a keyword category, a rule used to determine when to display the creative on the media venue (or how to display the creative), a campaign title, a product description, a graphic image, a sound file, and/or a video clip. A keyword may include one or more search terms, one or more search term queries, one or more directory pages, one or more advertisement network categories, one or more sub-channels and/or the like. Likewise, a creative may include one or more text messages written to a media venue's specifications and/or attributes of a broader brand strategy including text, a slogan, a jingle, a video clip, a sound clip, an image and/or the like. Moreover, **Chan** discloses that publicly available information regarding the advertiser, its products and/or its services may be provided and particularly relevant in determining topics that are currently of interest to consumers of the advertiser's products and/or services. Such publicly available information can include the content from such discussions and the user profiles of those participating in discussions used to create meta-data that is leveraged for targeted advertising selections and/or harvested for market research and/or customer intelligence (**See Chan, paragraphs [0022] and**

[0030]).

**Ellis et al. (United States Patent Application Publication No. US 2007/0179845 A1), hereinafter “Ellis,”** discloses a system that provides an automatically targeted network for text and graphical advertising based on cost-per-action bidded pricing, wherein the actions comprise any of acquisitions, purchases, downloads, registrations, donations, clicks, and impressions. Contextual, search and behavioral relevance features are integrated to optimize ad selection for advertisers, who enter action objectives, associated bids, and creatives or catalog assets. The assets are automatically analyzed and stored, and ads are automatically constructed for catalog assets. Thereafter, when an ad request is received from a user terminal in regard to a publisher asset, e.g. a web page, the ad request is matched to a stored contextual analysis of at least a portion the publisher asset if available, and preferably to a profile associated with the user of the user terminal. The best advertisements are determined, based upon a predicted response, and are then served, i.e. displayed, at the user terminal, based upon available ad space (**See Ellis, Abstract**).

More specifically, **Ellis** discloses providing an advertisement network that combines state-of-the-art search technology with a radically different pricing model, wherein the ads are much more relevant to consumers, much simpler and more effective for advertisers, and thus more profitable for publishers. **Ellis** further discloses providing an advertising system across a network that analyzes both publisher content and advertiser content, past user behavior, profile information of users, past rates of

performance of ads, time of day and day of week, and/or many other factors to determine relevance of ads to be displayed with publisher content, wherein the relevance is based on a prediction of response by the user. The advertisements are then selected for display with the publisher content based on the prediction. A search component integrates contextual, search and behavioral relevance features to optimize ad selection for the advertisers. Furthermore, an advertiser campaign associated with an advertiser entity id disclosed as typically comprising one or more advertisements, such as desired to be placed at one or more other locations across a network of publishers, and an advertiser's web site associated with a click of one of the placed advertisements by the customer user. The system automatically analyzes, i.e. configures, the assets associated with the entered advertiser campaign, including the web site and the advertisements. Thus, when a user views a web page, an ad request is generated and matched to results of the analysis associated with the page. The user is then preferably matched to a profile that represents the user's past behavior, and one or more advertisements are then selected, based upon the determined predicted response of the user (**See Ellis, paragraphs [0045]-[0047] and [0049]**).

Particularly, **Ellis** teaches that an enhanced online advertising system 174 (See FIG. 18) receives 110 a catalog file 460 from an advertiser 72, and the advertiser 72 is able to input, at step 472 goals for one or more catalog items 590, such as by setting 202 (See FIG. 8) objectives, i.e. actions 86 and by assigning 204 (See FIG. 9) corresponding bids 252 (**See Ellis, FIG. 8-9 and FIG. 18, paragraph [0121]**). Moreover, **Ellis** discloses that the system 174 preferably performs an analysis 208 of

the content 466 of each of the assets, i.e. products 590 in the catalog 462, as with analysis 208 (See FIG. 7) of received creatives 188. **Ellis** teaches that the analysis 208 typically comprises an analysis of any or all product fields 466, e.g. such as fields 466 to be included in the ad 188, as well as other field information 466. The system 174 then typically produces, at step 114, ads 188 for the analyzed assets 590, i.e. products 590 (**See Ellis, FIG. 7, paragraphs [0124]-[0125]**). In addition, (See FIG. 19) **Ellis** discloses user interaction with the enhanced online advertising system 174. When a user navigates 502 to view a publisher page 12 through a user terminal 78, **Ellis** teaches that an ad request 402 is generated and sent to the system 174. The automated ad request 402 is then matched to the stored analysis results 412 associated with the viewed page 12, which may preferably further include secondary analysis information 406 (See FIG. 6 and FIG. 12). The user is also preferably matched to a profile 524, such as an anonymous profile 524, stored in a profile database 522. One or more of the best available stored ads 188 are selectively determined 508, based on a prediction of effective impression revenue of the ads (ECPM), which is preferably a function of the stored analysis results 412 and/or the matched profile 52. One or more of the top ranked ads 188 are then returned 512 to the user terminal 78 for served display 194 (See again, FIG. 6) within the served 192 page 12. Subsequent actions 86 are then tracked back 132 to the system 174 to be used for machine learning 516, whereby the system 174 provides feedback to the determination step 508 (**See Ellis, FIG. 6, FIG. 12 and FIG. 19, paragraph [0128]**).

Additionally, FIG. 20 depicts an automated ad request 402 associated with user

activity in an enhanced online advertising system 174, FIG. 21 is a schematic diagram 530 of a match 504 between a received automated ad request 402 and stored analysis results 412 associated with the viewed page 12, and FIG. 22 illustrates a match 506 between a user USR and a stored user profile 524 in the enhanced online advertising system 174, whereby the system 174 typically includes profile storage 522 for a plurality of profiles 524, e.g. such as anonymous profiles 524 that can be used to statistically match relevant information to a user USR, based on any known information regarding the user USR, such as any of location, gender, age, interests, purchases and usage patterns, and/or any other prior actions 86 by the user USR, such as tracked and reported by the system 174 (**See Ellis, FIG. 20-22, paragraphs [0129]-[0131]**).

The closest prior art of record, **Neal et al. (United States Patent Application Publication No. US 2006/0282327 A1)**, hereinafter “**Neal**,” discloses advertisement servers (adserver) with the ability to access advertiser cookies and vice versa when both are serving from an advertiser’s domain, thereby avoiding the overhead and delay in backend cookie synchronization efforts. Further, **Neal** teaches that advertising cookie data can be gathered regardless of whether a user is browsing a publisher’s web site with an advertisement served by an adserver, or browsing the advertiser’s web site, because the cookies were previously set when the user visited the advertiser’s web site in the context of a first-party cookie. Even if the user has configured his or her browser to limit the setting of third-party cookies, the cookies can still be read by the adserver. By making cookie and advertising data immediately available in real time to both the

advertiser and the adserver, **Neal** teaches that the solution also provides for instantaneous and accurate targeting of web advertising to allow an educated ad selection process by either party (**See Neal, Abstract**).

More specifically, **Neal** discloses that a web site 106 (See FIG. 1) includes a banner advertisement 110 served by an adserver 112. The adserver 112 is associated with at least one advertiser 114 and provides advertisements in the banner 110 on behalf of at least one advertiser 114. One or more other components of the web site may be served by a content provider other than the publisher 108, such as another advertiser or other content provider. The adserver 112 shares a domain 116 (“advertiser.com”) with the advertiser 114, and the adserver 112 is assigned a sub-domain of the advertiser’s domain, i.e., “ads.advertiser.com”. Since the adserver 112 shares the domain of the advertiser 114, the adserver 112 has first party access to a cookie that has been previously been set by the advertiser 114. Thus, if the user has previously made a purchase on a web site published by the advertiser 114, the advertiser site may have set a cookie on the user’s browser 102 identifying the user as a customer. The user’s browser 102 then sends a copy of the cookie set by the advertiser 114 to the adserver 112 along with a request for content for the banner advertisement 110 (**See Neal, FIG. 1, paragraphs [0028]-[0029]**).

In addition, **Neal** discloses that when an adserver DNS server receives a redirect, it takes the logical name of a sub-domain sent from the advertiser DNS server (e.g., “ads.companyname.com”) and resolves it into an adserver IP address. For example, “ads.companyname.com” would be resolved into an IP address, such as



“216.150.209.230”. A user’s browser request for the web site “ads.companyname.com” would thus travel to the advertiser DNS server and then to the adserver DNS server. The adserver DNS server would then return the IP address “216.150.209.230” to the user’s browser. After receiving the associated IP address, the user’s browser sends any cookies associated with the domain “.advertiser.com” along with the web page request to the associated IP address. One advantage of DNS delegation noted by **Neal**, is that it can seamlessly integrate with an adserver’s existing proprietary solutions for load-balancing and fail-over of advertisement serving (**See Neal, paragraph [0031]**).

Moreover, **Neal** discloses that the adserver 112 receives the request to serve the advertiser banner 110 and determines an appropriate advertisement for displaying in the banner 110. The adserver 112, for example, may determine an appropriate content for the advertising banner 110 depending upon at least one value of a cookie received from the browser 102. When the adserver 112 receives and reads a cookie 104 accompanying a browser request, for example, the adserver 112 may recognize cookie values identified for advertisement selection that the advertiser’s web server originally placed in the cookie. For example, if an advertiser’s web server recognizes that a particular customer who is visiting the advertiser’s web site is a high value customer, the web server sets a cookie 104 to the customer’s browser 102 containing the domain “.advertiser.com” and the data “Target=high\_value”. **Neal** teaches that the advertiser 114 previously communicated with an adserver 112 to convey the rule that whenever the adserver 112 encounters cookie data with “Target=high\_value”, the adserver 112 should recognize that it is dealing with a high value customer of the advertiser 114 and

should serve advertising appropriate to such a customer. Each time the customer visits the “www.advertiser.com” web site, the “Target” cookie value can be reset by the advertiser’s web server to reflect the customer’s current value status. For instance, the customer may be a “medium\_value” customer when he first accesses the advertiser’s web site, but then makes a large purchase. The advertiser’s web server can then update the customer’s status to “high\_value” and then reset the cookie information accordingly. If the customer’s browser 102 subsequently interacts with the adserver’s web server, the updated cookie value will instantaneously cause a “high\_value” advertisement to be returned from the adserver’s web server to the customer’s browser 102 (**See Neal, paragraph [0032]**).

However, the prior art of records, individually or in combination, fail to explicitly teach or render obvious a method of directing electronic advertisements, performed by a computer system comprised of one or more computers, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically with the computer system directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically with the computer system electronically authorizing the server computer to automatically cause display of an advertisement, to the

electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the computer system as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes, as set forth in independent claim 37.

Likewise, the prior art of records, individually or in combination, fail to explicitly teach or render obvious a tangible computer-server device comprising a processor and a memory and programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically with the device directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing the third-party server computer to automatically cause display of an advertisement, to the electronic visitor

when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the device as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes, as set forth in independent claim 55.

Furthermore, the prior art of records, individually or in combination, fail to explicitly teach or render obvious a system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor

visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the system comprising one or more computers as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes, as set forth in independent claim 73.

The Examiner finds the combination of prior art of records fail to disclose the features of the invention including

*for each of a multitude of different electronic visitors to a first media property:*

(a) *automatically directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and*

(b) *automatically electronically authorizing-the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;*

(c) *wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the*

*computer system as a result of the electronic visitor visiting the first media property; and*

*(d) wherein the advertisement is correlated with the indicated profile attribute or attributes, as recited the independent claims.*

Dependent claims 38-54, 56-72 and 74-90 further limit the allowed independent claims 37, 55 and 73; therefore, they are also allowed.

4. 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."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kostas Katsikis whose telephone number is (571)270-5434. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571)272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2441

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.

/Kostas Katsikis/  
Examiner  
Art Unit 2441

January 9, 2014

|                                   |                                       |                                                           |             |
|-----------------------------------|---------------------------------------|-----------------------------------------------------------|-------------|
| <b>Notice of References Cited</b> | Application/Control No.<br>13/491,454 | Applicant(s)/Patent Under<br>Reexamination<br>SHKEDI, ROY |             |
|                                   | Examiner<br>KOSTAS KATSIKIS           | Art Unit<br>2441                                          | Page 1 of 1 |

**U.S. PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Name                    | Classification |
|---|---|--------------------------------------------------|-----------------|-------------------------|----------------|
| * | A | US-2007/0027901 A1                               | 02-2007         | Chan et al.             | 707/102        |
| * | B | US-2007/0038516 A1                               | 02-2007         | Apple et al.            | 705/014        |
| * | C | US-2007/0067297 A1                               | 03-2007         | Kublickis, Peter Joseph | 707/009        |
| * | D | US-2007/0157228 A1                               | 07-2007         | Bayer et al.            | 725/034        |
| * | E | US-2007/0214048 A1                               | 09-2007         | Chan et al.             | 705/014        |
|   | F | US-                                              |                 |                         |                |
|   | G | US-                                              |                 |                         |                |
|   | H | US-                                              |                 |                         |                |
|   | I | US-                                              |                 |                         |                |
|   | J | US-                                              |                 |                         |                |
|   | K | US-                                              |                 |                         |                |
|   | L | US-                                              |                 |                         |                |
|   | M | US-                                              |                 |                         |                |

**FOREIGN PATENT DOCUMENTS**

| * |   | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY | Country | Name | Classification |
|---|---|--------------------------------------------------|-----------------|---------|------|----------------|
|   | N |                                                  |                 |         |      |                |
|   | O |                                                  |                 |         |      |                |
|   | P |                                                  |                 |         |      |                |
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|   | 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.



|                                                                                                                  |                                            |                                                               |
|------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b>Issue Classification</b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                  | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

| CPC    |      |         |
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| Symbol | Type | Version |
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| CPC Combination Sets |      |     |         |         |
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| Symbol               | Type | Set | Ranking | Version |
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|                      |      |     |         |         |

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|---------------------------------------------|----------------------|------------------------------------|-------------------|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |                      | <b>Total Claims Allowed:</b><br>54 |                   |
| (Assistant Examiner)                        | (Date)               |                                    |                   |
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |                      | O.G. Print Claim(s)                | O.G. Print Figure |
| (Primary Examiner)                          | 01/09/2014<br>(Date) | 1                                  | 3                 |

|                                                                                                                  |                                            |                                                               |
|------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b>Issue Classification</b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                  | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

| US ORIGINAL CLASSIFICATION |                                   |          |  |  |  | INTERNATIONAL CLASSIFICATION |   |   |   |                  |             |  |  |  |  |  |  |  |  |
|----------------------------|-----------------------------------|----------|--|--|--|------------------------------|---|---|---|------------------|-------------|--|--|--|--|--|--|--|--|
| CLASS                      |                                   | SUBCLASS |  |  |  | CLAIMED                      |   |   |   |                  | NON-CLAIMED |  |  |  |  |  |  |  |  |
| 709                        |                                   | 203      |  |  |  | G                            | 0 | 6 | F | 15 / 16 (2006.0) |             |  |  |  |  |  |  |  |  |
| CROSS REFERENCE(S)         |                                   |          |  |  |  |                              |   |   |   |                  |             |  |  |  |  |  |  |  |  |
|                            |                                   |          |  |  |  |                              |   |   |   |                  |             |  |  |  |  |  |  |  |  |
| CLASS                      | SUBCLASS (ONE SUBCLASS PER BLOCK) |          |  |  |  |                              |   |   |   |                  |             |  |  |  |  |  |  |  |  |
| 705                        | 14.66                             |          |  |  |  |                              |   |   |   |                  |             |  |  |  |  |  |  |  |  |
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|                                             |        |                                    |                     |
|---------------------------------------------|--------|------------------------------------|---------------------|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |        | <b>Total Claims Allowed:</b><br>54 |                     |
| (Assistant Examiner)                        | (Date) |                                    |                     |
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |        | 01/09/2014                         | O.G. Print Claim(s) |
| (Primary Examiner)                          |        | (Date)                             | O.G. Print Figure   |
|                                             |        | 1                                  | 3                   |

|                                                                                                                  |                                            |                                                               |
|------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|
| <b>Issue Classification</b><br> | <b>Application/Control No.</b><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br>SHKEDI, ROY |
|                                                                                                                  | <b>Examiner</b><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br>2441                                       |

| <input type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b> <input type="checkbox"/> <b>CPA</b> <input checked="" type="checkbox"/> <b>T.D.</b> <input type="checkbox"/> <b>R.1.47</b> |          |       |          |       |          |       |          |       |          |       |          |       |          |       |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|
| Final                                                                                                                                                                                                                    | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original | Final | Original |
|                                                                                                                                                                                                                          | 1        |       | 17       |       | 33       | 13    | 49       | 29    | 65       | 45    | 81       |       |          |       |          |
|                                                                                                                                                                                                                          | 2        |       | 18       |       | 34       | 14    | 50       | 30    | 66       | 46    | 82       |       |          |       |          |
|                                                                                                                                                                                                                          | 3        |       | 19       |       | 35       | 15    | 51       | 31    | 67       | 47    | 83       |       |          |       |          |
|                                                                                                                                                                                                                          | 4        |       | 20       |       | 36       | 16    | 52       | 32    | 68       | 48    | 84       |       |          |       |          |
|                                                                                                                                                                                                                          | 5        |       | 21       | 1     | 37       | 17    | 53       | 33    | 69       | 49    | 85       |       |          |       |          |
|                                                                                                                                                                                                                          | 6        |       | 22       | 2     | 38       | 18    | 54       | 34    | 70       | 50    | 86       |       |          |       |          |
|                                                                                                                                                                                                                          | 7        |       | 23       | 3     | 39       | 19    | 55       | 35    | 71       | 51    | 87       |       |          |       |          |
|                                                                                                                                                                                                                          | 8        |       | 24       | 4     | 40       | 20    | 56       | 36    | 72       | 52    | 88       |       |          |       |          |
|                                                                                                                                                                                                                          | 9        |       | 25       | 5     | 41       | 21    | 57       | 37    | 73       | 53    | 89       |       |          |       |          |
|                                                                                                                                                                                                                          | 10       |       | 26       | 6     | 42       | 22    | 58       | 38    | 74       | 54    | 90       |       |          |       |          |
|                                                                                                                                                                                                                          | 11       |       | 27       | 7     | 43       | 23    | 59       | 39    | 75       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 12       |       | 28       | 8     | 44       | 24    | 60       | 40    | 76       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 13       |       | 29       | 9     | 45       | 25    | 61       | 41    | 77       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 14       |       | 30       | 10    | 46       | 26    | 62       | 42    | 78       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 15       |       | 31       | 11    | 47       | 27    | 63       | 43    | 79       |       |          |       |          |       |          |
|                                                                                                                                                                                                                          | 16       |       | 32       | 12    | 48       | 28    | 64       | 44    | 80       |       |          |       |          |       |          |

|                                                                         |  |                                        |                          |
|-------------------------------------------------------------------------|--|----------------------------------------|--------------------------|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441<br><br>(Assistant Examiner) |  | <b>Total Claims Allowed:</b><br><br>54 |                          |
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441<br><br>(Primary Examiner)   |  | 01/09/2014<br><br>(Date)               | O.G. Print Claim(s)<br>1 |
|                                                                         |  |                                        | O.G. Print Figure<br>3   |

|                                                                                                              |                                                |                                                                   |
|--------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------------------|
| <b>Search Notes</b><br><br> | <b>Application/Control No.</b><br><br>13491454 | <b>Applicant(s)/Patent Under Reexamination</b><br><br>SHKEDI, ROY |
|                                                                                                              | <b>Examiner</b><br><br>KOSTAS KATSIKIS         | <b>Art Unit</b><br><br>2441                                       |

| CPC- SEARCHED |      |          |
|---------------|------|----------|
| Symbol        | Date | Examiner |
|               |      |          |

| CPC COMBINATION SETS - SEARCHED |      |          |
|---------------------------------|------|----------|
| Symbol                          | Date | Examiner |
|                                 |      |          |

| US CLASSIFICATION SEARCHED |                                                 |           |          |
|----------------------------|-------------------------------------------------|-----------|----------|
| Class                      | Subclass                                        | Date      | Examiner |
| 709                        | 203                                             | 9/24/2013 | KK       |
| 705                        | 14.49, 14.51, 14.52, 14.53, 14.66, 14.67, 14.73 | 9/24/2013 | KK       |

| SEARCH NOTES                                           |                                                                                                |          |
|--------------------------------------------------------|------------------------------------------------------------------------------------------------|----------|
| Search Notes                                           | Date                                                                                           | Examiner |
| Examiner conducted thorough EAST search.               | 8/25/2012-<br>8/26/2012<br>(Updated<br>4/6/2013)<br>(Further<br>updated 9/18<br>and 9/24/2013) | KK       |
| EAST (USPAT, US-PGPUBS) - see search history printout. | 8/25/2012-<br>8/26/2012<br>(Updated<br>4/6/2013)<br>(Further<br>updated 9/18<br>and 9/24/2013) | KK       |
| EAST (EPO, JPO, FPRS) - see search history printout.   | 8/26/2012<br>(Updated<br>9/24/2013)                                                            | KK       |

|                                             |  |
|---------------------------------------------|--|
| /KOSTAS KATSIKIS/<br>Examiner.Art Unit 2441 |  |
|---------------------------------------------|--|

| SEARCH NOTES                                                           |                                     |          |
|------------------------------------------------------------------------|-------------------------------------|----------|
| Search Notes                                                           | Date                                | Examiner |
| Examiner conducted Inventor Name search in EAST.                       | 8/26/2012<br>(Updated<br>9/24/2013) | KK       |
| 709 (text search only - see search history printout).                  | 8/26/2012                           | KK       |
| 705 (text search only - see search history printout).                  | 8/26/2012<br>(Updated<br>1/9/2014)  | KK       |
| Examiner conducted NPL search (Google).                                | 8/25/2012                           | KK       |
| 709/203 (text search - see search history printout).                   | 9/24/2013                           | KK       |
| 705/14.49 (text search - see search history printout).                 | 9/24/2013                           | KK       |
| 705/14.51 (text search - see search history printout).                 | 9/24/2013                           | KK       |
| 705/14.52 (text search - see search history printout).                 | 9/24/2013                           | KK       |
| 705/14.53 (text search - see search history printout).                 | 9/24/2013                           | KK       |
| 705/14.66 (text search - see search history printout).                 | 9/24/2013                           | KK       |
| 705/14.67 (text search - see search history printout).                 | 9/24/2013                           | KK       |
| 705/14.73 (text search - see search history printout).                 | 9/24/2013                           | KK       |
| Examiner updated EAST (USPAT, US-PGPUB) - see search history printout. | 1/9/2014                            | KK       |

| INTERFERENCE SEARCH     |                                           |           |          |
|-------------------------|-------------------------------------------|-----------|----------|
| US Class/<br>CPC Symbol | US Subclass / CPC Group                   | Date      | Examiner |
|                         | See Interference Search History Printout. | 9/24/2013 | KK       |

/KOSTAS KATSIKIS/  
Examiner.Art Unit 2441



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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| APPLICATION NO. | ISSUE DATE | PATENT NO. | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|------------|------------|---------------------|------------------|
| 13/491,454      | 03/11/2014 | 8671139    | 14-EP-CON3          | 8741             |

26362 7590 02/19/2014  
LOUIS J. HOFFMAN, P.C.  
14301 North 87th Street, Suite 312  
Scottsdale, AZ 85260

### 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 0 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;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit [SelectUSA.gov](http://SelectUSA.gov).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |   |                                                                                                      |           |   |                  |
|-------------|---|------------------------------------------------------------------------------------------------------|-----------|---|------------------|
| Applicant   | : | Shkedi, Roy                                                                                          | Art Unit  | : | 2441             |
| Serial No.  | : | 13/491,454                                                                                           | Examiner  | : | Katsikis, Kostas |
| Filing Date | : | 06/07/2011                                                                                           | Conf. No. | : | 8741             |
| Title       | : | Media properties selection method and system based on expected profit from profile-based ad delivery |           |   |                  |

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

Filed via EFS – May 28, 2014

**REQUEST FOR CERTIFICATE OF CORRECTION**

Dear Sir:

Enclosed is a proposed Certificate of Correction correcting a typographical made in the printing of Claim 11 of this patent.

A Correction is needed to add a missing sub-section designation on page 12, column 14, line 6 [See attachments to Notice of Allowability dated 10/9/2013 at page 5].

Because the error for which this Certificate of Correction is sought is due to a mistake on the part of the Office, no fee is due (35 U.S.C. 254). Please forward Certificate to assignee's attorney at the address below.

Respectfully submitted,  
ALMONENET, INC.  
by its attorney

Dated: May 28, 2014

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

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

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 8,671,139  
APPLICATION NO.: 13/491,454  
ISSUE DATE : March 11, 2014  
INVENTOR(S) : Roy Shkedi

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 12, column 14, line 6, insert --(i)-- before "responsive"

**MAILING ADDRESS OF SENDER (Please do not use customer number below):**

Louis J. Hoffman, P.C.  
14301 North 87th Street, Suite 312  
Scottsdale, Arizona 85260

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. 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 1.0 hour 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: Attention Certificate of Corrections Branch, 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          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 19146682                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 28-MAY-2014                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 14:46:35                                                                                             |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)                                                                          |

### Payment information:

|                        |    |
|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

### File Listing:

| Document Number | Document Description                  | File Name                                        | File Size(Bytes)/<br>Message Digest               | Multi Part /.zip | Pages (if appl.) |
|-----------------|---------------------------------------|--------------------------------------------------|---------------------------------------------------|------------------|------------------|
| 1               | Request for Certificate of Correction | 14-05-28-AlmondNet-EP-CON3-Rqst_Cert_Correct.pdf | 33261<br>cef2e3c4d6b357e3429803f8f650b8b6b94b5918 | no               | 1                |

### Warnings:

### Information:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                       |                                     |                                                   |        |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------|---------------------------------------------------|--------|---|
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Request for Certificate of Correction | 14-05-28-AlmondNet-EP-CON3-CofC.pdf | 98153<br>00a13d789be5bfe41185d76cf4053254b8ba43d6 | no     | 1 |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                       |                                     |                                                   |        |   |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                       |                                     |                                                   |        |   |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                       |                                     |                                                   | 131414 |   |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                                       |                                     |                                                   |        |   |

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 8,671,139 B2  
APPLICATION NO. : 13/491454  
DATED : March 11, 2014  
INVENTOR(S) : Roy Shkedi

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

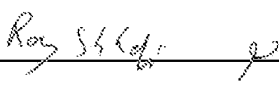
In the Claims

Column 14, line 6, insert --(i)-- before “responsive”

Signed and Sealed this  
Twenty-ninth Day of July, 2014



Michelle K. Lee  
*Deputy Director of the United States Patent and Trademark Office*

| <b>DISCLAIMER IN PATENT UNDER 37 CFR 1.321(a)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Name of Patentee<br><b>Roy Shkedi</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Docket Number (Optional)<br><b>14-EP-CON3</b>                                                     |
| Patent Number<br><b>8,671,139</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Date Patent Issued<br><b>03/11/2014</b>                                                           |
| Title of Invention<br><b>Media properties selection method and system based on expected profit from profile-based ad delivery</b>                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                   |
| I hereby disclaim the following complete claims in the above identified patent: <u><b>2, 20, and 38</b></u>                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                   |
| 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): <u><b>100% owner and assignee of record, see Reel 028338/Frame 0707, on behalf of me and my successors and assigns.</b></u>                                                                                                                                                                                                                                                            |                                                                                                   |
| The fee for this disclaimer is set forth in 37 CFR 1.20(d).                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                   |
| <input type="checkbox"/> Patentee claims small entity status. See 37 CFR 1.27.<br><input type="checkbox"/> Small entity status has already been established in this case, and is still proper.<br><input type="checkbox"/> A check in the amount of the fee is enclosed.<br><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.<br><input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. _____ . |                                                                                                   |
| <b>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.</b>                                                                                                                                                                                                                                                                                                                                            |                                                                                                   |
| Signed at <u><b>Forest Hills</b></u> , State of <u><b>NY</b></u> , this <u><b>12th</b></u> day of <u><b>September</b></u> 20 <u><b>17</b></u> .                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                   |
| <br>_____<br>Signature                                                                                                                                                                                                                                                                                                                                                                                                                          | _____<br>Registration Number, if applicable<br><b>(646) 217-0930</b><br>_____<br>Telephone Number |
| <u><b>Roy Shkedi for AlmondNet, Inc.</b></u><br>Typed or printed name of patentee/ attorney or agent of record                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                   |
| <u><b>37-18 Northern Boulevard, Suite 404</b></u><br>Address                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                   |
| <u><b>Long Island City, New York 11101</b></u><br>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      |                 |                                                                                                      |               |                             |
|----------------------------------------------------|-----------------|------------------------------------------------------------------------------------------------------|---------------|-----------------------------|
| <b>Application Number:</b>                         |                 | 13491454                                                                                             |               |                             |
| <b>Filing Date:</b>                                |                 | 07-Jun-2012                                                                                          |               |                             |
| <b>Title of Invention:</b>                         |                 | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |               |                             |
| <b>First Named Inventor/Applicant Name:</b>        |                 | Roy Shkedi                                                                                           |               |                             |
| <b>Filer:</b>                                      |                 | Louis J. Hoffman/Donald Hertz                                                                        |               |                             |
| <b>Attorney Docket Number:</b>                     |                 | 14-EP-CON3                                                                                           |               |                             |
| Filed as Large Entity                              |                 |                                                                                                      |               |                             |
| <b>Filing Fees for Utility under 35 USC 111(a)</b> |                 |                                                                                                      |               |                             |
| <b>Description</b>                                 | <b>Fee Code</b> | <b>Quantity</b>                                                                                      | <b>Amount</b> | <b>Sub-Total in USD(\$)</b> |
| <b>Basic Filing:</b>                               |                 |                                                                                                      |               |                             |
| <b>Pages:</b>                                      |                 |                                                                                                      |               |                             |
| <b>Claims:</b>                                     |                 |                                                                                                      |               |                             |
| <b>Miscellaneous-Filing:</b>                       |                 |                                                                                                      |               |                             |
| <b>Petition:</b>                                   |                 |                                                                                                      |               |                             |
| <b>Patent-Appeals-and-Interference:</b>            |                 |                                                                                                      |               |                             |
| <b>Post-Allowance-and-Post-Issuance:</b>           |                 |                                                                                                      |               |                             |
| STATUTORY OR TERMINAL DISCLAIMER                   | 1814            | 1                                                                                                    | 160           | 160                         |

| Description        | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|--------------------|----------|----------|--------|----------------------|
| Extension-of-Time: |          |          |        |                      |
| Miscellaneous:     |          |          |        |                      |
| Total in USD (\$)  |          |          |        | 160                  |

| Electronic Acknowledgement Receipt          |                                                                                                      |
|---------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>EFS ID:</b>                              | 30357426                                                                                             |
| <b>Application Number:</b>                  | 13491454                                                                                             |
| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
| <b>Customer Number:</b>                     | 26362                                                                                                |
| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 13-SEP-2017                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
| <b>Time Stamp:</b>                          | 19:08:18                                                                                             |
| <b>Application Type:</b>                    | 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                                                                                        | 091417INTEFSW19084900 |
| Deposit Account                                                                                                |                       |
| Authorized User                                                                                                |                       |
| The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: |                       |

| <b>File Listing:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                     |                                                       |                                          |                  |                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------|------------------------------------------|------------------|------------------|
| Document Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Document Description                | File Name                                             | File Size(Bytes)/<br>Message Digest      | Multi Part /.zip | Pages (if appl.) |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Statutory disclaimers per MPEP 1490 | 17-09-12-AN-EP_CON3-8671139-StatDisclaimer-signed.pdf | 170459                                   | no               | 1                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                     |                                                       | edffd1f60c2c1c61c44af6f87a902fffb09caa84 |                  |                  |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                     |                                                       |                                          |                  |                  |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                                                       |                                          |                  |                  |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Fee Worksheet (SB06)                | fee-info.pdf                                          | 30749                                    | no               | 2                |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                     |                                                       | 16ac8f7bfa5d65d6d2353e7adf604462d8f51fff |                  |                  |
| <b>Warnings:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                     |                                                       |                                          |                  |                  |
| <b>Information:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                                                       |                                          |                  |                  |
| <b>Total Files Size (in bytes):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                     |                                                       | 201208                                   |                  |                  |
| <p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                                     |                                                       |                                          |                  |                  |



UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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YAHOO! INC.,  
Petitioner,

v.

ALMONDNET, INC.,  
Patent Owner.

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Case CBM2017-00058  
Patent 8,671,139 B2

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

ARBES, *Administrative Patent Judge*.

DECISION  
Denying Institution of Covered Business Method Patent Review  
37 C.F.R. § 42.208

Petitioner, Yahoo! Inc., filed a Petition (Paper 2, “Pet.”) requesting covered business method patent review of claims 1, 2, 4, 7, 9, 12, and 13 of U.S. Patent No. 8,671,139 B2 (Ex. 1001, “the ’139 patent”) pursuant to 35 U.S.C. § 321(a). Patent Owner, AlmondNet, Inc., filed a Preliminary Response (Paper 6, “Prelim. Resp.”) pursuant to 35 U.S.C. § 323. Patent Owner states, in its Preliminary Response, that it filed with the Office a statutory disclaimer of claims 2, 20, and 38 of the ’139 patent pursuant to 37 C.F.R. § 1.321(a). Prelim. Resp. 36; *see* Ex. 3001 (copy of statutory disclaimer filed in the underlying application file). Accordingly, no covered business method patent review will be instituted for claim 2. *See* 37 C.F.R. § 42.207(e).

For the remaining claims 1, 4, 7, 9, 12, and 13, we determine whether to institute a covered business method patent review under 35 U.S.C. § 324.<sup>1</sup> Pursuant to 35 U.S.C. § 324(a), the Director may not authorize a covered business method patent review unless the information in the petition, if unrebutted, “would demonstrate that it is more likely than not that at least 1 of the claims challenged in the petition is unpatentable.” For the reasons that follow, we have decided not to institute a covered business method patent review.

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<sup>1</sup> *See* Office Patent Trial Practice Guide, 77 Fed. Reg. 48,756, 48,764–65 (Aug. 14, 2012) (“[A] patent owner may file a statutory disclaimer of one or more challenged claims to streamline the proceedings. Where no challenged claims remain, the Board would terminate the proceeding. Where one or more challenged claims remain, the Board’s decision on institution would be based solely on the remaining claims.”).

## I. BACKGROUND

### A. The '139 Patent<sup>2</sup>

The '139 patent discloses “profile-based behavioral targeting advertisement placement methods.” Ex. 1001, col. 1, ll. 20–21. Behavioral targeting (BT) companies “specialize in targeting ads based on observed behavior of sites’ visitors.” *Id.* at col. 1, ll. 63–66. BT companies or media properties (e.g., web sites) may track the “observed behavior” of a particular visitor, which the '139 patent refers to as “profile information” about the visitor. *Id.* at col. 3, ll. 34–48, col. 4, ll. 38–43.

Figure 3 of the '139 patent is reproduced below.

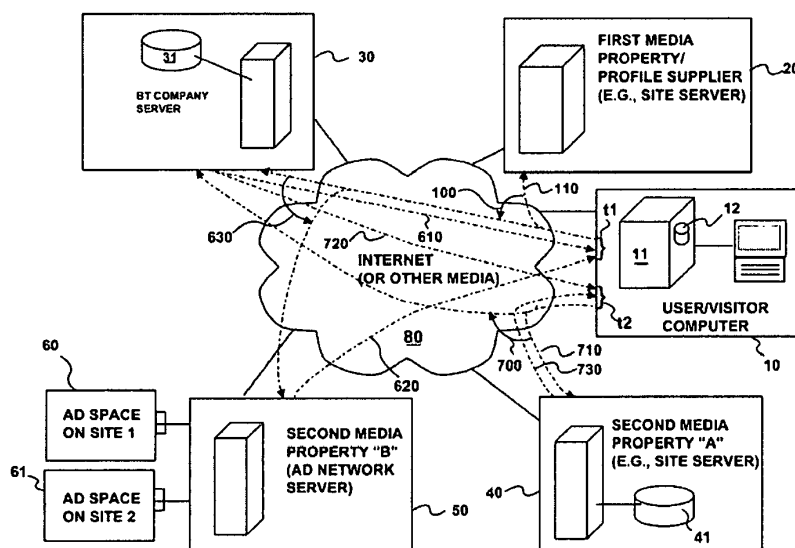


FIG. 3

As shown in Figure 3, first media property/profile supplier 20 receives a request (e.g., for a web page) from user 10, and redirects user 10 to BT company 30 “along with the visitor’s profile.” *Id.* at col. 7, ll. 40–53. BT Company 30 recognizes and categorizes various types of information

<sup>2</sup> A continuation of the '139 patent, U.S. Patent No. 8,959,146 B2, is being challenged in Case CBM2017-00056.

regarding the interaction between user 10 and profile supplier 20, such as “the content read by the user 10, the category to which the content read by the user 10 belongs, [or] the keyword searched for by the user.” *Id.* at col. 7, l. 55–col. 8, l. 8. BT company 30 then “calculates . . . expected revenues from delivering ads based on the collected profile” for user 10. *Id.* at col. 8, ll. 9–11. Expected revenues depend on the type of profile information:

- (a) Expected revenues from content read by the visitor 10 can be calculated by checking, for example, how much advertisers are willing to pay for delivering ads to visitors who read specific content.
- (b) Expected revenues from delivering ads based on a keyword searched by the visitor 10 can be calculated by checking, for example, how much advertisers are willing to pay for each click on an ad related to the keyword for which the visitor searched and multiplying that price per click by an assumed click-through rate on ads related to the searched-for keyword, up to 14 days after the visitor’s search.

*Id.* at col. 8, ll. 11–23. Next, BT company 30 selects a media property, such as second media property 40, for delivery of an advertisement based on a calculated expected profit for doing so, using various equations disclosed in the ’139 patent. *Id.* at col. 6, l. 63–col. 7, l. 39, col. 8, ll. 30–36.

BT company 30 then arranges for user 10 to be tagged with a tag (e.g., a cookie) readable by second media property 40 (e.g., by placing the tag itself or redirecting user 10 to second media property 40 with a request for it to tag user 10). *Id.* at col. 8, ll. 32–46.

Later, when user 10 visits second media property 40’s ad space and is recognized via the tag, second media property 40 redirects user 10 to BT company 30 so that BT company 30 can serve the advertisement, “which will appear with the media content . . . requested by” user 10. *Id.* at col. 8, l. 64–col. 9, l. 3. BT company 30 pays second media property 40 to use its

ad space to deliver the advertisement, receives payment from the advertiser for delivering the advertisement, and derives a profit, for example, because the former amount was determined to be less than the latter amount (in the expected profit calculation). *Id.* at col. 6, l. 63–col. 7, l. 39, col. 9, l. 27–64.

Finally, the '139 patent states that although the description illustrated above “focuses on profit calculation that takes into account expected revenues from delivery of an ad based on a collected profile, media property ad space cost and other costs, other parameters beyond costs and revenues might be taken into account.” *Id.* at col. 12, ll. 32–36. The '139 patent also describes a time-based condition for display of advertisements:

Given that some kind[s] of profiles such as behavioral profiles are time-sensitive (in other words, their value diminishes with time), the BT company 30—in addition to arranging the placement of a tag readable by the second media property 40, 50—may also provide the second media property 40 . . . (via the tag, for example) with a time period within which the BT company 30 will agree to deliver ads to the profiled visitor 10 within the ad space of the second media property 40 . . . .

*Id.* at col. 10, ll. 22–29.

### *B. Illustrative Claim*

Claim 1 of the '139 patent recites:

1. A method of directing electronic advertisements, performed by a computer system comprised of one or more computers, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically with the computer system directing, to a third-party server computer controlling advertising space on a second media property, indicia of

a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically with the computer system electronically authorizing the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the computer system as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes.

#### *C. The Asserted Ground*

Petitioner challenges claims 1, 4, 7, 9, 12, and 13 of the '139 patent<sup>3</sup> on the ground that the claims do not recite patent-eligible subject matter under 35 U.S.C. § 101.

#### *D. Claim Interpretation*

The Board interprets claims in an unexpired patent using the “broadest reasonable construction in light of the specification of the patent in which [they] appear[.]” 37 C.F.R. § 42.300(b); *see also Cuozzo Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2144–46 (2016) (upholding the use of the broadest reasonable interpretation standard). Under this standard, we interpret claim

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<sup>3</sup> As explained above, Patent Owner disclaimed claim 2.

terms using “the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description contained in the applicant’s specification.” *In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997).

We presume that claim terms have their ordinary and customary meaning. *See Trivascular, Inc. v. Samuels*, 812 F.3d 1056, 1062 (Fed. Cir. 2016) (“Under a broadest reasonable interpretation, words of the claim must be given their plain meaning, unless such meaning is inconsistent with the specification and prosecution history.”); *In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007) (“The ordinary and customary meaning is the meaning that the term would have to a person of ordinary skill in the art in question.” (internal quotation marks omitted)). A patentee, however, may rebut this presumption by acting as his own lexicographer, providing a definition of the term in the specification with “reasonable clarity, deliberateness, and precision.” *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994). Petitioner provides proposed interpretations for two claim terms, “condition” and “advertisement,” both of which Patent Owner disputes. *See* Pet. 18–32; Prelim. Resp. 24–36.

### 1. “Condition”

Claim 1 recites (emphases added):

(a) automatically with the computer system directing, to a third-party server computer controlling advertising space on a second media property, indicia of a *condition* for display of an advertisement, which *condition* relates specifically to an electronic visitor; and

(b) automatically with the computer system electronically authorizing the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the *condition* has been met;

Claims 19 and 37 include similar limitations.

Petitioner argues that “condition” should be interpreted to mean “profitability criteria” for two reasons. Pet. 20–28. First, Petitioner contends that the statement in the Specification that “the present invention relates to electronic advertisement placement based on expected profit from the placement” characterizes the present invention as “targeting advertisements based on profitability.” *Id.* at 21–22 (quoting Ex. 1001, col. 1, ll. 22–24). Second, according to Petitioner, the Specification defines the term by implication because it “consistently and repeatedly indicates that advertisements are only displayed when profitable.” *Id.* at 22–28. Petitioner points to the title of the ’139 patent (“Media Properties Selection Method and System Based on Expected Profit From Profile-Based Ad Delivery”) and various descriptions in the Specification of calculating expected revenues and profit. *Id.* at 22–24 (citing, *inter alia*, Ex. 1001, col. 6, l. 63–col. 7, l. 10, Figs. 1 (steps 2000 and 3000), 2 (steps 400 and 500); Ex. 1002 ¶¶ 67–69). Petitioner also argues that the Specification “disparages the prior art for failing to adequately consider profitability when targeting advertisements.” *Id.* at 25 (citing, *inter alia*, Ex. 1001, col. 5, l. 43–col. 6, l. 8; Ex. 1002 ¶ 70).

Patent Owner responds that “condition” is not limited to criteria based on profitability, as it also can be, for example, a time-based condition. Prelim. Resp. 24–29. Patent Owner relies on certain dependent claims and



portions of the Specification disclosing other types of conditions, as well as the prosecution histories of the '139 patent and its parent applications, where the applicant allegedly broadened the claims beyond profitability-based conditions. *Id.* at 25–27.

We agree with Patent Owner. The Specification does not include an express definition for the claim term “condition” or otherwise indicate that the inventor was acting as a lexicographer and limited the term to only criteria based on profitability. The “present invention” statement cited by Petitioner appears in the “Field of the Invention” portion of the Specification, and merely introduces the general field of what is disclosed. *See* Ex. 1001, col. 1, ll. 20–24. We are not persuaded that it limits the scope of the claims, particularly given that it is not tied to any “condition,” and the claims do not recite any limitations regarding profit or expected profit.

Further, although the Specification includes various descriptions of placing advertisements based on profitability that is not the only condition for displaying an advertisement that is disclosed. The Specification states that because “some kind[s] of profiles such as behavioral profiles are time-sensitive (in other words, their value diminishes with time),” the BT company may provide “a time period within which the BT company 30 will agree to deliver ads to the profiled visitor 10 within the ad space of the second media property 40.” *Id.* at col. 10, ll. 22–29. Thus, the Specification discloses at least two examples of conditions—one based on whether placement of the advertisement will be profitable, and one based on the time period in which the advertisement would be displayed after receiving information about the user.

This is reflected in the dependent claims. Claims 2, 20, and 38 recite the profitability-based condition: “the condition for display of the advertisement is that a price charged by the second media property is less than a profile-attribute-dependent price that an advertiser is willing to pay for display of the advertisement.” Claims 18, 36, and 54 recite the following time-based condition: “the condition is a specified time period after receiving profile-attribute information about the electronic visitor.” Petitioner argues that the time-based condition in the dependent claims is still “rooted in profitability,” based on the Specification’s statement that certain profiles are time-sensitive, because “their value diminishes with time.” Pet. 27–28 (quoting Ex. 1001, col. 10, ll. 23–25). Regardless of the underlying motivation for using a particular type of condition, though, the actual condition disclosed in the Specification, and recited in the dependent claims, is a “time period,” which is time-based, not profitability-based as Petitioner contends. *See* Ex. 1001, col. 10, ll. 22–29, claims 18, 36, 54; Prelim. Resp. 25–27.

The Specification suggests that other types of conditions are possible as well, specifically noting that “other parameters beyond costs and revenues might be taken into account.” Ex. 1001, col. 12, ll. 32–36. For example, “an advertiser might insist that its ads appear on media properties that have certain content and not on other media properties,” or “a media property might not agree to show ads from a certain category.” *Id.* at col. 12, ll. 36–41. Petitioner attempts to discount this language by arguing that the parameters are in addition to profitability, not substitutes for profitability. Pet. 22 n.5. We are unpersuaded, however, as the Specification refers to

them as “other,” not “additional,” parameters. *See* Ex. 1001, col. 12, ll. 32–36.

Finally, we agree with Patent Owner that the prosecution histories of the '139 patent and its parent applications also support its position. *See* Prelim. Resp. 25–26. The original application in the chain of continuation applications leading to the '139 patent, U.S. Patent Application No. 11/763,286, included claims reciting determining “revenue” and authorizing display of an advertisement “for a price that does not exceed a price cap that is a selected amount less than the revenue available for display of the advertisement.” Ex. 1007, 301. During prosecution of the next application in the chain, U.S. Patent Application No. 12/823,709, the applicant stated that it was “remov[ing] the step . . . of determining the revenue and the ‘price cap’” and “instead generaliz[ing] the concept by inserting the limitation that the authorizing is performed ‘subject to a visitor-specific condition for display of the advertisement,’” arguing that the claims resulting from the “broadening amendment” should still be patentable because the prior art does not disclose authorizing subject to “any condition.” Ex. 1008, 207 (emphases omitted). The applicant also cited as support the same portions of the Specification quoted above regarding time-based and “other” types of conditions. *Id.* at 208. Patent Owner made similar arguments during prosecution of the subsequent application that issued as the '139 patent, U.S. Patent Application No. 13/491,454, as well. *See* Ex. 1009, 125 n.1, 196 n.2 (noting the two types of conditions recited in the dependent claims); *see also* Ex. 1009, 116 (Examiner stating that the “condition” claim language is “substantially broad”). Thus, contrary to Petitioner’s position that “condition” is limited to profitability criteria, we

find that the prosecution histories of the '139 patent and its parent applications demonstrate an intent to broaden the types of conditions being claimed.

The written description and dependent claims of the '139 patent, as well as the cited prosecution histories, when considered collectively, demonstrate that “condition” is not limited to profitability criteria. On this record, applying the broadest reasonable interpretation of the claims in light of the Specification, we do not interpret “condition” as limited to criteria based on profitability and conclude that it may be, for example, based on time instead. No further interpretation is necessary.

## 2. “*Advertisement*”

Claim 1 recites “display of an *advertisement*, to the electronic visitor when the electronic visitor visits the second media property” where “the *advertisement* is correlated with the indicated profile attribute or attributes” (emphases added). Claims 19 and 37 include similar limitations.

Petitioner argues that “advertisement” should be interpreted to mean “paid announcement,” because “the central focus of the '139 [p]atent is to ensure that a BT company profits from targeted advertisements,” and the Specification “consistently and repeatedly indicates that an advertiser pays the BT company, and the BT company pays a media property, for delivering advertisements.” Pet. 28–32. Patent Owner disagrees. Prelim. Resp. 29–36.

Again, we are persuaded that Petitioner’s proposed interpretation is too narrow and improperly reads into the claims a limitation from the Specification. First, the claim language itself imposes no condition on the recited “advertisement.” There is no adjective modifying the term (e.g.,

“paid” or “unpaid”), whereas Petitioner’s proposed interpretation reads in a qualification to the type of “advertisement.” Second, the ordinary meaning of “advertisement” is not limited to paid announcements. Although many advertisements are paid for, certainly there exist types of advertisements that are disseminated without charge, such as public service announcements. A dictionary definition submitted by Patent Owner confirms that fact. *See* Ex. 2001, 20 (defining “advertisement” as “a public notice or announcement, *usually* paid for, as of things for sale, needs, etc.” (emphasis added)). The dictionary definitions submitted by Petitioner do not support its position, as they merely indicate that a paid announcement is an example of an “advertisement,” not that the term is limited to such types of announcements. *See* Pet. 31; Ex. 1005, 20 (“[a] notice, *such as* a poster or a paid announcement in the print, broadcast, or electronic media, designed to attract public attention or patronage” (emphasis added)); Ex. 1006, 20 (“[a] notice, *such as* a poster, newspaper display, or paid announcement in the electronic media to attract public attention or patronage” (emphasis added)). Third, the Specification of the ’139 patent does not include an express definition of the term, and instead discloses merely exemplary embodiments where various entities purchase ad space and receive funds for the display of advertisements. *See, e.g.*, Ex. 1001, col. 6, l. 47–col. 7, l. 39 (“Description of Preferred Exemplary Embodiments”), col. 9, ll. 27–64. Petitioner does not point to—and we do not see—any language in the Specification indicating that the term is defined to require payment in all circumstances.

On this record, applying the broadest reasonable interpretation of the claims in light of the Specification, we do not interpret “advertisement” as

limited to being a paid announcement, and conclude that no further interpretation is necessary.

## II. DISCUSSION

Section 18 of the Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284 (2011) (“AIA”), provides for the creation of a transitional program for reviewing covered business method patents, and limits reviews to persons or their privies that have been sued or charged with infringement of a “covered business method patent,” which does not include patents for “technological inventions.” AIA §§ 18(a)(1)(B), 18(d)(1); *see* 37 C.F.R. § 42.302. Petitioner bears the burden of demonstrating that the ’139 patent is a covered business method patent. *See* 37 C.F.R. § 42.304(a). For the reasons explained below, Petitioner has not demonstrated that the ’139 patent is a covered business method patent.

A “covered business method patent” is “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.” AIA § 18(d)(1) (emphasis added); *see* 37 C.F.R. § 42.301(a). The Federal Circuit has limited the scope of covered business method (CBM) patent review as follows:

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.” The patent for a novel lightbulb that is found to work particularly well in bank vaults does not become a CBM patent because of its incidental or complementary use in banks. Likewise, it cannot be the case

that a patent covering a method and corresponding apparatuses becomes a CBM patent because its practice could involve a potential sale of a good or service. All patents, at some level, relate to potential sale of a good or service. Take, for example, a patent for an apparatus for digging ditches. Does the sale of the dirt that results from use of the ditch digger render the patent a CBM patent? No, because the claims of the ditch-digging method or apparatus are not directed to “performing data processing or other operations” or “used in the practice, administration, or management of a financial product or service,” as required by the statute. It is not enough that a sale has occurred or may occur, or even that the specification speculates such a potential sale might occur.

*Unwired Planet, LLC v. Google Inc.*, 841 F.3d 1376, 1382 (Fed. Cir. 2016) (citations omitted); *see also Secure Axxess, LLC v. PNC Bank Nat’l Ass’n*, 848 F.3d 1370, 1381 (Fed. Cir. 2017) (“Necessarily, the statutory definition of a CBM patent requires that the patent have a claim that contains, however phrased, a financial activity element.”), *reh’g en banc denied*, 859 F.3d 998 (Fed. Cir. 2017); *Blue Calypso, LLC v. Groupon, Inc.*, 815 F.3d 1331, 1340 (Fed. Cir. 2016) (approving of prior Board decisions that “properly focuse[d] on the claim language at issue and, finding nothing explicitly or inherently financial in the construed claim language, decline[d] to institute CBM review,” and finding that the challenged patent was eligible for review because the claims recited “an express financial component in the form of a subsidy” that was “central to the operation of the claimed invention”); *Versata Dev. Grp., Inc. v. SAP Am., Inc.*, 793 F.3d 1306, 1325 (Fed. Cir. 2015) (stating that “the definition of ‘covered business method patent’ is not limited to products and services of only the financial industry” and “on its face covers a wide range of finance-related activities”). A patent need have only one claim directed to a covered business method to be eligible for

review. Transitional Program for Covered Business Method Patents—  
Definitions of Covered Business Method Patent and Technological  
Invention; Final Rule, 77 Fed. Reg. 48,734, 48,736 (Aug. 14, 2012).

Petitioner cites six claims of the '139 patent in support of its argument that the '139 patent is a covered business method patent: dependent claims 2, 20, and 38, and independent claims 1, 19, and 37. Pet. 32–38.

*A. Dependent Claims 2, 20, and 38*

Patent Owner statutorily disclaimed claims 2, 20, and 38. *See* Prelim. Resp. 36; Ex. 3001. For purposes of establishing covered business method patent review eligibility, we treat the '139 patent as though these claims never existed. *See Facebook, Inc. v. Skky, LLC*, Case CBM2016-00091, slip op. at 4–8 (PTAB Sept. 28, 2017) (Paper 12). Petitioner's arguments regarding claims 2, 20, and 38, therefore, are not persuasive. *See* Pet. 33–34.

*B. Independent Claims 1, 19, and 37*

Petitioner's arguments regarding independent claims 1, 19, and 37 are premised entirely on its proposed interpretations of the claim terms “condition” and “advertisement.” *See* Pet. 34–36. Specifically, Petitioner argues that “condition” means “profitability criteria” and, therefore, the claims “require determining that a profitability criteria has been met, which relates to monetary matters.” *Id.* at 34–35 (citing Ex. 1002 ¶ 79). Likewise, Petitioner contends that “advertisement” means “paid announcement” and “[p]aying for announcements . . . is an electronic sale of a good or service



that falls squarely in the definition of ‘finance-related activities.’” *Id.* at 35–36 (citing Ex. 1002 ¶ 80).

As explained above, we disagree with both of Petitioner’s proposed interpretations. *See supra* Section I.D. Given their broadest reasonable interpretation in light of the Specification, the recited “condition” is not limited to profitability criteria (e.g., it can be a time-based condition) and the recited “advertisement” need not be a paid announcement. *Id.* Thus, independent claims 1, 19, and 37 do not recite any financial activity element. Claim 1, for example, recites (emphases added) a method of directing electronic advertisements comprising:

(a) automatically with the computer system directing, to a third-party server computer controlling *advertising* space on a second media property, indicia of a *condition* for display of an *advertisement*, which *condition* relates specifically to an electronic visitor; and

(b) automatically with the computer system electronically authorizing the server computer to automatically cause display of an *advertisement*, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the *condition* has been met;

...

(d) wherein the *advertisement* is correlated with the indicated profile attribute or attributes.

As used in claim 1, “condition” and “advertisement” are generic, context-neutral terms, without any express or implicit connection to financial products or services. Although Internet advertising often involves one or more entities paying for, and being paid for, delivering an advertisement, the fact that a sale has occurred or may occur is not enough when the challenged claims neither recite a sale nor are otherwise directed to

the practice, administration, or management of a financial product or service. See *Unwired Planet*, 841 F.3d at 1379, 1382. Further, the fact that the Specification discloses various embodiments in which the “condition” is based on profitability and the “advertisement” is paid is not sufficient. Our focus is on what the ’139 patent claims, not solely the exemplary embodiments described in the Specification. See *Secure Access*, 848 F.3d at 1378–79 (“the written description alone cannot substitute for what may be missing in the patent ‘claims,’ and therefore does not in isolation determine CBM status”). Petitioner’s arguments are not persuasive, given the generic claim language and non-limiting disclosure in the Specification cited above.<sup>4</sup>

### C. Conclusion

For the foregoing reasons, based on the record presented and particular facts of this proceeding, Petitioner has not established that the ’139 patent claims a method or apparatus for performing data processing or other operations used in the practice, administration, or management of a financial product or service. Therefore, the ’139 patent does not qualify as a “covered business method patent” under § 18(d)(1) of the AIA, and we do not institute a covered business method patent review on the asserted ground as to any of the challenged claims.

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<sup>4</sup> Petitioner also argues that the Specification of the ’139 patent “makes plain” that the ’139 patent meets the financial product or service requirement, but “acknowledges that this argument is inconsistent with the Federal Circuit’s language in *Secure Access*” and states that it “submits this argument for the Board’s consideration should the Federal Circuit or Supreme Court overrule or modify the *Secure Access* decision.” Pet. 37–38 & n.8. As *Secure Access* has not been overruled, we do not consider this argument.

CBM2017-00058  
Patent 8,671,139 B2

### III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that the Petition is denied as to all challenged claims of the '139 patent.

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| Patent Number          | 8,671,139   |
| Issue Date             | 3/11/2014   |
| Application Number     | 13/491,454  |
| Filing Date            | 6/7/2012    |
| First Named Inventor   | Shkedi, Roy |
| Attorney Docket Number | EP-CON3     |

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| <b>International Application Number:</b>    |                                                                                                      |
| <b>Confirmation Number:</b>                 | 8741                                                                                                 |
| <b>Title of Invention:</b>                  | MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASED ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY |
| <b>First Named Inventor/Applicant Name:</b> | Roy Shkedi                                                                                           |
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| <b>Filer:</b>                               | Louis J. Hoffman/Donald Hertz                                                                        |
| <b>Filer Authorized By:</b>                 | Louis J. Hoffman                                                                                     |
| <b>Attorney Docket Number:</b>              | 14-EP-CON3                                                                                           |
| <b>Receipt Date:</b>                        | 23-OCT-2020                                                                                          |
| <b>Filing Date:</b>                         | 07-JUN-2012                                                                                          |
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| PLAINTIFF<br>ALMONDNET, INC. |                                | DEFENDANT<br>ROKU, INC.                          |
| PATENT OR<br>TRADEMARK NO.   | DATE OF PATENT<br>OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK                    |
| 1 8,244,582                  | 8/4/2012                       | ALMONDNET, INC.                                  |
| 2 8,959,146                  | 2/17/2015                      | ALMONDNET, INC.                                  |
| 3 8,671,139                  | 3/11/2014                      | ALMONDNET, INC.                                  |
| 4                            |                                |                                                  |
| 5                            |                                |                                                  |

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| PLAINTIFF<br>ALMONDNET, INC., and INTENT IQ, LLC |                             | DEFENDANT<br>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.                                                                                         |

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| 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                 |
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| PLAINTIFF<br>ALMONDNET, INC., and INTENT IQ, LLC |                                | DEFENDANT<br>FACEBOOK, INC.                      |
| PATENT OR<br>TRADEMARK NO.                       | DATE OF PATENT<br>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<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>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:

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AO 120 (Rev. 08/10)

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

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<br>8/27/2021        | U.S. DISTRICT COURT<br>Western District of Texas |
| PLAINTIFF<br>ALMONDNET, INC., and INTENT IQ, LLC |                                | DEFENDANT<br>MICROSOFT CORPORATION               |
| PATENT OR<br>TRADEMARK NO.                       | DATE OF PATENT<br>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<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>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:

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

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<br>8/27/2021        | U.S. DISTRICT COURT<br>Western District of Texas                                        |
| PLAINTIFF<br>ALMONDNET, INC., and INTENT IQ, LLC |                                | DEFENDANT<br>AMAZON.COM, INC.; AMAZON.COM SERVICESLLC;<br>AND AMAZON WEB SERVICES, INC. |
| PATENT OR<br>TRADEMARK NO.                       | DATE OF PATENT<br>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<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>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:

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| DECISION/JUDGEMENT |
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### **Disclaimer**

**8,671,139 B2** - Roy Shked, New York (US). MEDIA PROPERTIES SELECTION METHOD AND SYSTEM BASES ON EXPECTED PROFIT FROM PROFILE-BASED AD DELIVERY. Patent dated March 11, 2014. Disclaimer filed September 13, 2017, by the inventor.

I hereby disclaim the following complete claims 2, 20 and 38 of said patent.

*(Official Gazette, September 6, 2022)*

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

MICROSOFT CORPORATION,  
Petitioner,

v.

ALMONDNET, INC.,  
Patent Owner.

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IPR2022-01319  
Patent 8,671,139 B2

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Before THOMAS L. GIANNETTI, CHARLES J. BOUDREAU, and  
SCOTT B. HOWARD, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

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

## I. INTRODUCTION

Microsoft Corporation (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting *inter partes* review of claims 37, 40–43, 45–51, 53, and 54 (the “challenged claims”) of U.S. Patent No. 8,671,139 B2 (Ex. 1001, “the ’139 patent”). AlmondNet, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”).

The Board has discretion to determine whether to institute *inter partes* review. See 35 U.S.C. § 314 (2018); 37 C.F.R. § 42.4(a) (2022). Under 35 U.S.C. § 325(d), “in determining whether to institute [*inter partes* review], the Director may take into account whether, and reject the petition or request because, the same or substantially the same prior art or arguments previously were presented to the Office.”

For the reasons stated below, we determine that the same or substantially the same prior art or arguments previously were presented to the Office and Petitioner has failed to show error in the consideration of that art or argument. *Advanced Bionics, LLC v. Med-El Elektromedizinische Geräte GmbH*, IPR2019-01469, Paper 6 at 8–9 (PTAB Feb. 13, 2020) (precedential). We, therefore, deny institution of *inter partes* review.

## II. BACKGROUND

### A. Related Matters

The parties identify the following district court proceeding involving the ’139 patent: *AlmondNet, Inc. v. Microsoft Corp.*, No. 6:21-cv-00897 (W.D. Tex.). Pet. 5; Paper 7, 1.

The ’139 patent is involved in several other district court proceedings including:

IPR2022-01319  
Patent 8,671,139 B2

*AlmondNet, Inc. v. Samsung Electronics Co.*, No. 3:22-cv-07515  
(N.D. Cal.);  
*AlmondNet, Inc. v. Meta Platforms, Inc.*, No. 4:22-cv-08911 (N.D.  
Cal.);  
*AlmondNet, Inc. v. Roku, Inc.*, No. 1:22-cv-01540 (D. Del.);  
*AlmondNet, Inc. v. Amazon.com, Inc.*, No. 6:21-cv-00898 (W.D.  
Tex.).  
Paper 7, 1.

Petitioner identifies the following proceeding previously before the Board involving the '139 patent: CBM2017-00058 (institution denied).  
Pet. 6. The parties identify IPR2022-01262, in which another petitioner (Meta Platforms, Inc.) challenges the '139 patent. Pet. 6; Paper 7, 1.

*B. Real Parties-in-Interest*

Petitioner identifies Microsoft Corporation as the real party-in-interest. Pet. 5. Patent Owner identifies AlmondNet, Inc. as the real party-in-interest. Paper 7, 1. At this stage, neither party challenges those identifications.

*C. The '139 Patent (Ex. 1001)*

The '586 patent is titled “Media Properties Selection Method and System Based on Expected Profit from Profile-Based Delivery.” Ex. 1001, (54). The patent discloses “profile-based behavioral targeting advertisement placement methods.” *Id.* at 1: 20–21.

According to the patent, behavioral targeting (BT) companies “specialize in targeting ads based on observed behavior of sites’ visitors.” *Id.* at 1:63–66. BT companies or media properties (e.g., web sites) may

track the “observed behavior” of a particular visitor, which the ’139 patent refers to as “profile information” about the visitor. *Id.* at 3:34–48, 4:38–43.

Figure 3 of the ’139 patent follows:

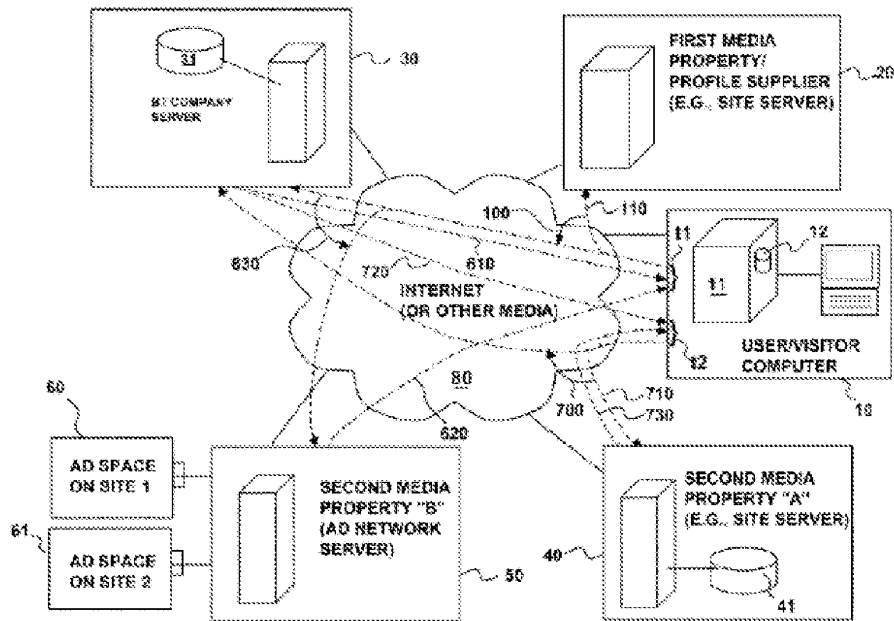


FIG. 3

Figure 3 is a schematic of an exemplary embodiment. Ex. 1001, 6:43–45. As shown in Figure 3, first media property/profile supplier 20 receives a request (e.g., for a web page) from user 10 and redirects user 10 to BT company 30 “along with the visitor’s profile.” *Id.* at 7:40–53.

BT Company 30 recognizes and categorizes various types of information regarding the interaction between user 10 and profile supplier 20, such as “the content read by the user 10, the category to which the content read by the user 10 belongs, [or] the keyword searched for by the user.” *Id.* at 7:55–8:8. BT company 30 then “calculates . . . expected



revenues from delivering ads based on the collected profile” for user 10. *Id.* at 8:9–11.

Next, BT company 30 selects a media property, such as second media property 40, for delivery of an advertisement based on a calculated expected profit for doing so, using various equations disclosed in the ’139 patent. *Id.* at 6:63–7:39, 8:30–36. BT company 30 then arranges for user 10 to be tagged with a tag (e.g., a cookie) readable by second media property 40 (e.g., by placing the tag itself or redirecting user 10 to second media property 40 with a request for it to tag user 10). *Id.* at 8:32–46.

Later, when user 10 visits second media property 40’s ad space and is recognized via the tag, second media property 40 redirects user 10 to BT company 30 so that BT company 30 can serve the advertisement, “which will appear with the media content . . . requested by” user 10. *Id.* at 8:64–9:3.

BT company 30 pays second media property 40 to use its ad space to deliver the advertisement, receives payment from the advertiser for delivering the advertisement, and derives a profit, for example, because the former amount was determined to be less than the latter amount (in the expected profit calculation). *Id.* at 6:63–7:39, 9:27–64.

#### *D. Illustrative Claim*

The Petition challenges claims 37, 40–43, 45–51, 53, and 54, of which claim 37 is the only independent claim. Claim 37 is illustrative of the claimed subject matter and is reproduced below:

37. A system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the system comprising one or more computers as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes.

Ex. 1001, 16:35–59.

*E. Prior Art References and Other Evidence*

Petitioner relies on the following references (Pet. 10):

1. U.S. Patent 9,928,522 B2 (Dec. 17, 2004) (Ex. 1007, “Beyda”);
2. U.S. Patent 7,039,699 B1 (May 2, 2000) (Ex. 1008, “Narin”).

In addition to these references, Petitioner relies on a Declaration of Dr. Don Turnbull. Ex. 1002 (“Turnbull Decl.”).

*F. The Asserted Grounds of Unpatentability*

Petitioner asserts the following grounds of unpatentability. Pet. 7–8.

| Claim(s) Challenged      | 35 U.S.C. § <sup>1</sup> | References   |
|--------------------------|--------------------------|--------------|
| 37, 40–43, 45–51, 53, 54 | 102                      | Beyda        |
| 53                       | 103(a)                   | Beyda, Narin |

III. PATENT OWNER’S REQUEST FOR DENIAL OF THE PETITION  
UNDER 35 U.S.C. § 325(D)

*A. Background*

Patent Owner asks the Board to deny the Petition under 35 U.S.C. § 325(d) because “the same prior art or arguments were previously considered by the Office.” Prelim. Resp. 10. Specifically, Patent Owner asserts that the prior art relied on by Petitioner in all of its challenges, namely, Beyda, was considered during prosecution of the application for the ‘139 patent. *Id.* at 12–13. Patent Owner contends that “on June 7, 2012, Patent Owner submitted an IDS [Information Disclosure Statement] containing the application that issued as the Beyda patent reference.” *Id.* at 13 (citing Ex. 1004, 352).<sup>2</sup> Further, Patent Owner asserts that “on August 25, 2012, the Examiner indicated that he had considered the application, placing a copy of the IDS in the file history with his initials next to Beyda

---

<sup>1</sup> Because the application from which the ‘139 patent issued was filed before March 16, 2013, the pre-AIA (“America Invents Act”) version of §103 applies. Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284, 285–88 (2011).

<sup>2</sup> Unless otherwise indicated, citations to exhibits use the page numbers assigned by the parties, not the original page numbers.

and signature at the bottom of the document.” *Id.* (citing Ex. 1004, 295). Patent Owner concludes that “the Examiner therefore considered Beyda during prosecution.” *Id.*

Patent Owner also addresses Narin, which is cited in combination with Beyda in Petitioner’s obviousness challenge to dependent claim 53. PO Resp. 14. Patent Owner argues that “[b]ecause Beyda is the only reference relied upon in the Petition’s analysis of independent claim 37, whether or not the secondary reference Narin discloses certain limitations of dependent claim 53 . . . would have made no difference to the Examiner’s analysis, and it is therefore unnecessary to evaluate the questions of what Narin discloses or whether Narin was of record.” *Id.* In addition, Patent Owner asserts that Narin is “cumulative of, and thus substantially the same as, art that was previously considered by the Examiner,” namely, Vest (Ex. 2002). *Id.* at 16–17.

Anticipating Patent Owner’s argument under § 325(d), the Petition asserts that “[t]his Petition does not raise §325(d) issues because it relies on prior art references that were not substantively considered during the prosecution of the ’139 Patent, or in the prior CBM challenge (CBM2017-00058).” Pet. 10. Petitioner provides no further argument or analysis on this issue.

### *B. Analysis*

Section 325(d) of 35 U.S.C. provides that the Director may elect not to institute a proceeding if the challenge to the patent is based on matters previously presented to the Office. *Advanced Bionics*, Paper 6 at 7. In an analysis under § 325(d), the starting point is the two-part framework set forth in *Advanced Bionics*: (1) determining whether the same or

substantially the same art previously was presented to the Office or whether the same or substantially the same arguments previously were presented to the Office; and (2) if either condition of the first part of the framework is satisfied, determining whether the petitioner has demonstrated that the Office erred in a manner material to the patentability of challenged claims. *Id.* at 8.

We must also consider the non-exclusive factors as set forth in the Board’s precedential decision in *Becton, Dickinson and Co. v. B. Braun Melsungen AG*, IPR2017-01586, Paper 8 (PTAB Dec. 15, 2017). These factors from *Becton, Dickinson* “provide useful insight into how to apply the framework” under § 325(d). *Advanced Bionics*, Paper 6 at 9. These non-exclusive factors include: (a) the similarities and material differences between the asserted art and the prior art involved during examination; (b) the cumulative nature of the asserted art and the prior art evaluated during examination; (c) the extent to which the asserted art was evaluated during examination, including whether the prior art was the basis for rejection; (d) the extent of the overlap between the arguments made during examination and the manner in which Petitioner relies on the prior art or Patent Owner distinguishes the prior art; (e) whether Petitioner has pointed out sufficiently how the Examiner erred in its evaluation of the asserted prior art; and (f) the extent to which additional evidence and facts presented in the Petition warrant reconsideration of the prior art or arguments. *Becton, Dickinson*, Paper 8 at 17–18. “If, after review of factors (a), (b), and (d), it is determined that the same or substantially the same art or arguments previously were presented to the Office, then factors (c), (e), and (f) relate to

whether the petitioner has demonstrated a material error by the Office.”

*Advanced Bionics*, Paper 6 at 10.

Here, Petitioner does not dispute Patent Owner’s evidence that Beyda was previously presented to the Office. Ex. 1004, 295. Thus, the first criterion of the *Advanced Bionics* framework (same art or arguments) is met. *Advanced Bionics*, Paper 6 at 7–8 (“Previously presented art includes art made of record by the Examiner and art provided to the Office by an applicant, such as on an Information Disclosure Statement (IDS),”).

The second inquiry in the *Advanced Bionics* framework asks whether the Petitioner has demonstrated that the Office erred in a manner material to the patentability of challenged claims. *Advanced Bionics*, Paper 6 at 8–9. As Patent Owner points out, “although the Petition admits that the Examiner considered Beyda during prosecution, it fails to make any allegation whatsoever that the Examiner erred (let alone erred in a material way) in his consideration of Beyda.” Prelim. Resp. 18. As to Narin, Patent Owner argues that Petitioner “does not offer any explanation” why that reference is not “substantially the same” as art considered by the Examiner, “let alone how or why the Examiner materially erred in considering that art to not be invalidating.” *Id.*

We agree that Petitioner has failed to demonstrate that the Office erred in its evaluation of the cited art. *See Advanced Bionics*, Paper 6 at 8–9 (“If a condition in the first part of the framework is satisfied and the petitioner fails to make a showing of material error, the Director generally will exercise discretion not to institute *inter partes* review.”).

Here, the Beyda prior art that was before the Examiner during the examination is identical to the art cited here.<sup>3</sup> There is no argument or evidence before us that Beyda was concealed from the Examiner. The Examiner ultimately made a determination that the claims were patentable. Ex. 1004, 49, 92. As cautioned by *Advanced Bionics*, “[i]f reasonable minds can disagree regarding the purported treatment of the art or arguments, it cannot be said that the Office erred in a manner material to patentability.” *Advanced Bionics*, Paper 6 at 9. *Advanced Bionics* goes on to explain the rationale for this rule: “At bottom, this framework reflects a commitment to defer to previous Office evaluations of the evidence of record unless material error is shown.” *Id.* Having considered the record presented by Patent Owner and the absence of any substantive showing from Petitioner, we are not persuaded of material Examiner error. Petitioner’s assertion that the prior art references in the Petition “were not substantively considered during the prosecution of the ’139 Patent, or in the prior CBM challenge,” without further explanation, is insufficient.

In summary, applying the two-part framework of *Advanced Bionics*, we are persuaded to deny the Petition under 35 U.S.C § 325(d).

#### IV. CONCLUSION

We deny the Petition and do not institute trial as to any challenged claims on the grounds stated in the Petition.

---

<sup>3</sup> As Patent Owner points out, Petitioner does not dispute that the disclosure in the Beyda published application (Ex. 2001) cited during examination is the same as the Beyda patent (Ex. 1007) relied on in the Petition. Prelim. Resp. 12 n.3 (citing Pet. 8; Ex. 1007, 1).

IPR2022-01319  
Patent 8,671,139 B2

V. ORDER

Upon consideration of the record before us, it is:

ORDERED that *inter partes* review of claims 37, 40–43, 45–51, 53, and 54 of the '139 patent is denied and no trial is instituted.



IPR2022-01319  
Patent 8,671,139 B2

For PETITIONER:

Leisa Peschel  
JACKSON WALKER LLP  
lpeschel@jw.com

For PATENT OWNER:

Reza Mirzaie  
Jonathan Link  
RUSS, AUGUST & KABAT  
rmirzaie@raklaw.com  
jlink@raklaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

METAPLATFORMS, INC.,  
Petitioner,

v.

ALMONDNET, INC.,  
Patent Owner.

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IPR2022-01262  
Patent 8,671,139 B2

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Before THOMAS L. GIANNETTI, CHARLES J. BOUDREAU, and  
SCOTT B. HOWARD, *Administrative Patent Judges*.

GIANNETTI, *Administrative Patent Judge*.

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

## I. INTRODUCTION

Meta Platforms, Inc. (“Petitioner”) filed a Petition (Paper 2, “Pet.”) requesting *inter partes* review of claims 37, 40–43, 45–51, 53, and 54 (the “challenged claims”) of U.S. Patent No. 8,671,139 B2 (Ex. 1001, “the ’139 patent”). AlmondNet, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”).

The Board has authority to determine whether to institute *inter partes* review. See 35 U.S.C. § 314 (2018); 37 C.F.R. § 42.4(a) (2022). Under 35 U.S.C. § 314(a), we may not authorize an *inter partes* review unless the information in the petition and the preliminary response “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.”

For the reasons stated below, we determine that Petitioner has not established a reasonable likelihood that it would prevail with respect to any claim challenged in the Petition. We therefore deny institution of *inter partes* review.

## II. BACKGROUND

### A. Related Matters

The parties identify the following district court proceeding involving the ’139 patent: *AlmondNet, Inc. v. Meta Platforms, Inc.*, No. 4:22-cv-08911 (N.D. Cal.). Paper 7, 1.

The ’139 patent is involved in several other district court proceedings, including:

*AlmondNet, Inc. v. Samsung Electronics Co., Ltd.*, No. 3:22-cv-07515 (N.D. Cal.);

*AlmondNet, Inc. v. Microsoft Corp.*, No. 6:21-cv-00897 (W.D. Tex.);

IPR2022-01262  
Patent 8,671,139 B2

*AlmondNet, Inc. v. Roku, Inc.*, No. 1:22-cv-01540 (D. Del.);

*AlmondNet, Inc. v. Amazon.com, Inc.*, No. 6:21-cv-00898 (W.D. Tex.).

Paper 7, 1.

Petitioner identifies the following proceeding previously before the Board involving the '139 patent: CBM2017-00058 (institution denied). Pet. 7. Patent Owner identifies IPR2022-01319, in which another petitioner (Microsoft Corporation) challenges the '139 patent. Paper 7, 1. The Board has denied institution in IPR2022-01319. *Microsoft Corp. v. AlmondNet, Inc.*, IPR2022-01319, Paper 9 (PTAB Jan. 30, 2023).

*B. Real Parties-in-Interest*

Petitioner identifies Meta Platforms, Inc. as the real party-in-interest. Pet. 7. Patent Owner identifies AlmondNet, Inc. as the real party-in-interest. Paper 7, 1. At this stage, neither party challenges those identifications.

Intent IQ, LLC is named in the Petition and is listed, along with AlmondNet, Inc., as a plaintiff in Western District of Texas litigation involving the '139 patent, but is not identified here as a real party-in-interest. *See* Ex. 2002. We have, therefore, removed Intent IQ, LLC from the case caption.

*C. The '139 Patent (Ex. 1001)*

The '139 patent is titled “Media Properties Selection Method and System Based on Expected Profit from Profile-Based Delivery.” Ex. 1001, (54). The patent discloses “profile-based behavioral targeting advertisement placement methods.” *Id.* at 1:20–21.

According to the patent, behavioral targeting (BT) companies “specialize in targeting ads based on observed behavior of sites’ visitors.”

*Id.* at 1:63–66. BT companies or media properties (e.g., web sites) may track the “observed behavior” of a particular visitor, which the ’139 patent refers to as “profile information” about the visitor. *Id.* at 3:34–48, 4:38–43.

Figure 3 of the ’139 patent follows:

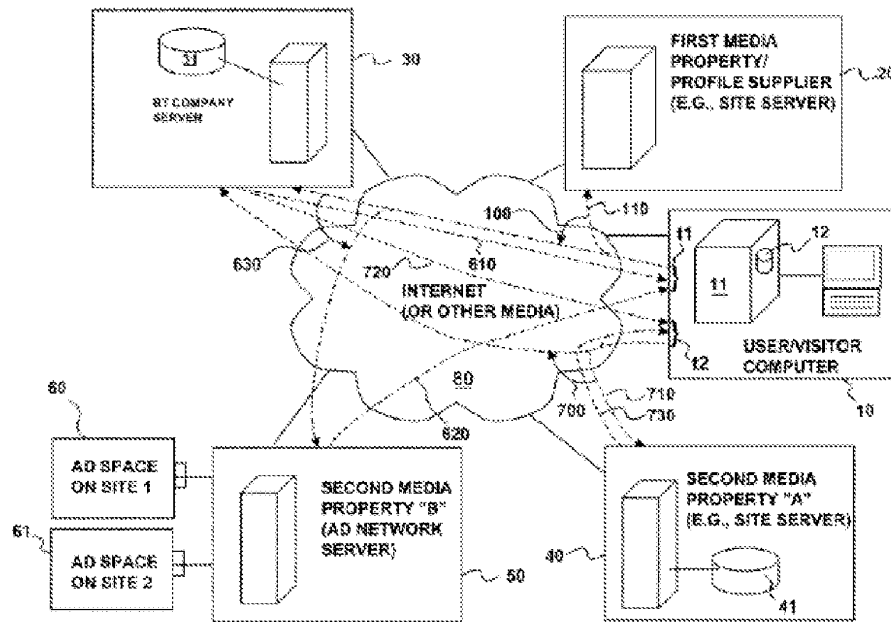


**FIG. 3**

Figure 3 is a schematic of an exemplary embodiment. Ex. 1001, 6:43–45. As shown in Figure 3, first media property/profile supplier 20 receives a request (e.g., for a web page) from user 10 and redirects user 10 to BT company 30 “along with the visitor’s profile.” *Id.* at 7:40–54.

BT Company 30 recognizes and categorizes various types of information regarding the interaction between user 10 and profile supplier 20, such as “the content read by the user 10, the category to which the content read by the user 10 belongs, [or] the keyword searched for by the user.” *Id.* at 7:55–8:8. BT company 30 then “calculates . . . expected

revenues from delivering ads based on the collected profile” for user 10. *Id.* at 8:9–11.

Next, BT company 30 selects a media property, such as second media property 40, for delivery of an advertisement based on a calculated expected profit for doing so, using various equations disclosed in the ’139 patent. *Id.* at 6:63–7:39, 8:30–36. BT company 30 then arranges for user 10 to be tagged with a tag (e.g., a cookie) readable by second media property 40 (e.g., by placing the tag itself or redirecting user 10 to second media property 40 with a request for it to tag user 10). *Id.* at 8:32–46.

Later, when user 10 visits second media property 40’s ad space and is recognized via the tag, second media property 40 redirects user 10 to BT company 30 so that BT company 30 can serve the advertisement, “which will appear with the media content . . . requested by” user 10. *Id.* at 8:64–9:3.

BT company 30 pays second media property 40 to use its ad space to deliver the advertisement, receives payment from the advertiser for delivering the advertisement, and derives a profit, for example, because the former amount was determined to be less than the latter amount (in the expected profit calculation). *Id.* at 6:63–7:39, 9:27–64.

#### *D. Illustrative Claim*

The Petition challenges claims 37, 40–43, 45–51, 53, and 54, of which claim 37 is the only independent claim. Claim 37 is illustrative of the claimed subject matter and is reproduced below:

37. A system comprising one or more computers programmed to implement a method of directing electronic advertisements, the method comprising:

for each of a multitude of different electronic visitors to a first media property:

(a) automatically directing, to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement, which condition relates specifically to an electronic visitor; and

(b) automatically electronically authorizing the server computer to automatically cause display of an advertisement, to the electronic visitor when the electronic visitor visits the second media property at a time after the electronic visitor visits the first media property, subject to determining that the condition has been met;

(c) wherein the act of authorizing in part (b) is based on information indicating at least one of a plurality of profile attributes possibly applicable to the electronic visitor, which indicated profile attribute or attributes was received by the system comprising one or more computers as a result of the electronic visitor visiting the first media property; and

(d) wherein the advertisement is correlated with the indicated profile attribute or attributes.

Ex. 1001, 16:35–59.

*E. Prior Art References and Other Evidence*

Petitioner relies on the following references (Pet. vi, 9):

1. U.S. Patent 6,285,987 B1 (Sept. 4, 2001) (Ex. 1003, “Roth”);
2. Robbin Zeff and Brad Aronson, “Advertising on the Internet” (2d Ed. 1999) (Ex. 1004, “Zeff”);
3. U.S. Patent Pub. 2006/0069616 A1 (Mar. 30, 2006) (Ex. 1005, “Bau”); and
4. U.S. Patent 7,299,195 B1 (Nov. 20, 2007) (Ex. 1006, “Tawakol”).

In addition to these references, Petitioner relies on a Declaration of Christopher M. Schmandt. Ex. 1002 (“Schmandt Decl.”). At this stage, Patent Owner does not provide an expert declaration.

*F. The Asserted Grounds of Unpatentability*

Petitioner asserts the following grounds of unpatentability. Pet. 9.

| <b>Claim(s) Challenged</b> | <b>35 U.S.C. §<sup>1</sup></b> | <b>References</b>   |
|----------------------------|--------------------------------|---------------------|
| 37, 40–42, 45              | 103(a)                         | Roth                |
| 46, 48–51, 53              | 103(a)                         | Roth, Zeff          |
| 42, 43                     | 103(a)                         | Roth, Bau           |
| 54                         | 103(a)                         | Roth, Tawakol       |
| 47                         | 103(a)                         | Roth, Zeff, Tawakol |

III. ANALYSIS OF THE CHALLENGED CLAIMS

*A. Obviousness*

A claim is unpatentable under 35 U.S.C. § 103(a) 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;

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<sup>1</sup> Because the application from which the ’139 patent issued was filed before March 16, 2013, the pre-AIA (“America Invents Act”) version of §103 applies. Leahy-Smith America Invents Act, Pub. L. No. 112-29, 125 Stat. 284, 285–88 (2011).



(2) any differences between the claimed subject matter and the prior art; (3) the level of skill in the art; and (4) so-called “secondary considerations,” including commercial success, long-felt but unsolved needs, failure of others, and unexpected results. *Graham v. John Deere Co.*, 383 U.S. 1, 17–18 (1966). At this stage, neither party has presented any evidence on the fourth *Graham* factor.

*B. Level of Ordinary Skill in the Art*

According to Petitioner, a person of ordinary skill in the pertinent art “would have possessed a bachelor’s degree in electrical engineering or computer science, and two years of work experience in the field of network-based computer systems, such as systems for sending and receiving information over local networks and wide area networks (such as the Internet or World Wide Web).” Pet. 13 (citing Schmandt Decl. ¶¶ 10–14). Petitioner adds that “[a] person could also have qualified with more formal education and less technical experience, or vice versa.” *Id.*

Patent Owner does not challenge this description at this stage. Prelim. Resp. 6.

We adopt the formulation of the level of ordinary skill in the art proposed by Petitioner as it is consistent with the prior art before us in this proceeding.

*C. Claim Construction*

In an *inter partes* review, the claims of a patent are construed using the same claim construction standard that would be used to construe the claims in a civil action under 35 U.S.C. § 282(b). 37 C.F.R. § 42.100(b); *see also Phillips v. AWH Corp.*, 415 F.3d 1303, 1312–14 (Fed. Cir. 2005). Under that standard, and absent any special definitions, we give claim terms

their ordinary and customary meaning, as would have been understood by one of ordinary skill in the art at the time of the invention. *See In re Translogic Tech., Inc.*, 504 F.3d 1249, 1257 (Fed. Cir. 2007). Any special definitions for claim terms must be set forth with reasonable clarity, deliberateness, and precision. *See In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994).

We construe claim terms only as relevant to the parties' contentions and only to the extent necessary to resolve the issues in dispute. *See Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999); *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013, 1017 (Fed. Cir. 2017).

Petitioner "does not believe an express claim construction is necessary at this time for this IPR." Pet. 14. Patent Owner responds that "the Petition appears to apply a meaning to the claim phrase 'third-party server computer' that is inconsistent with the language of claim 37." Prelim. Resp. 6. Patent Owner continues, "[t]he phrase 'third-party server computer' appears in independent claim 37, the claim from which all challenged claims depend." *Id.* Patent Owner further asserts that "[i]t is apparent from the claim language of claim 37 itself that the 'third-party server computer' *must be different or distinct* from the 'system comprising one or more computers.'" *Id.* (emphasis added).

We agree with Patent Owner that construction of this term is necessary, and we find that the claimed "third party server computer" in

claim 37 and its dependent claims must be different from the “system comprising one or more computers” recited in the preamble of claim 37.<sup>2</sup>

As Patent Owner points out, the language of the claim compels this construction. Prelim. Resp. 6–7. The Federal Circuit reminds us that “the Supreme Court made clear that the claims are ‘of primary importance, in the effort to ascertain precisely what it is that is patented.’” *Phillips*, 415 F.3d at 1312 (quoting *Merrill v. Yeomans*, 94 U.S. 568, 570 (1876)).

Claim 37 recites that the “system” described in the preamble is programmed to “automatically direct[], to a third-party server computer controlling advertising space on a second media property, indicia of a condition for display of an advertisement.” Ex. 1001, 16:40–44. If the third-party server computer were *not* separate from the “system comprising one or more computers,” the system would be directing indicia to itself. This is not a reasonable construction. “[T]he context of the surrounding words of the claim . . . must be considered in determining the ordinary and customary meaning of those terms.” *Phillips*, 415 F.3d at 1314 (quoting *ACTV, Inc. v. Walt Disney Co.*, 346 F.3d 1082, 1088 (Fed. Cir. 2003)).

Patent Owner’s construction also is supported by the prosecution history. Prelim. Resp. 7. The Federal Circuit has stated that “the prosecution history provides evidence of how the PTO and the inventor understood the patent.” *Phillips*, 415 F.3d at 1317 (citing *Lemelson v. Gen. Mills, Inc.*, 968 F.2d 1202, 1206 (Fed. Cir. 1992)).

As Patent Owner points out, during prosecution of the grandparent of the ’139 patent, an Examiner’s amendment to the claims added “third-party”

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<sup>2</sup> We do not express an opinion as to whether the preamble is limiting.

as a modifier to “second media property” in the phrase “automatically electronically authorizing, with at least one of the computers, a third party second media property to allow display, to the electronic visitor when later visiting the second media property, of an advertisement.” Prelim. Resp. 4 (citing Ex. 2001, 11–12).<sup>3</sup> The prosecution record reflects that this amendment was made to make it clear that the recited authorization was directed to an unrelated site, and was made to avoid prior art. *Id.* (citing Ex. 2001, 22).

A preliminary amendment filed with the application that led to the ’139 patent included the “third party second media property” limitation in application claim 73 that eventually issued as patent claim 37. Prelim. Resp. 4–5; Ex. 1007, 36. 41. During prosecution of the ’139 patent, an Examiner’s amendment amended the phrase “third-party second media property” in originally filed application claim 73 (which became claim 37) to instead read “third-party server computer controlling advertising space on a second media property.” *Id.* at 5 (citing Ex. 1007, 274). The prosecution record indicates the Examiner “suggested clarifying that the ‘second media property’ involved a ‘server computer.’” *Id.* (citing Ex. 1007, 249–50).

We therefore agree with Patent Owner that the prosecution history of the ’139 patent and its grandparent makes it clear that “there is a distinction between the system performing the claimed process and the ‘third-party [second media property / server computer controlling advertising space on a second media property]’ that is authorized to cause display of the

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<sup>3</sup> Unless otherwise stated, citations to exhibits use the page numbers assigned by the parties and not the original page numbers.

advertisement.” *Id.* at 7 (citing Ex. 2001, 22; Ex. 1007, 36, 274) (alterations in original, footnote omitted).

We conclude from the language of claim 37 and the prosecution history that the “third-party server computer” cannot be part of the “system comprising one or more computers.” *Id.* at 7–8.

No additional claim terms are in controversy. Therefore, no other claim term needs to be construed at this stage. *See Vivid Techs., Inc.*, 200 F.3d at 803.

#### *D. Description of the Prior Art References*

##### *1. Roth (Ex. 1003)*

Roth discloses a system for providing advertisements from a central server to viewers who access web sites. Ex. 1003, (57). The central server stores both advertisements which are to be displayed and an information data base. *Id.* The data base 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.*

Proposed bids submitted by different advertisers are evaluated in real time in order to determine which particular advertisement will be displayed to a viewer. *Id.* Each proposed bid can specify a price or amount that the advertiser is willing to pay for the opportunity to display an advertisement (a) to a viewer who has a particular set of characteristics and (b) on a web site and web page that meets a particular set of criteria. *Id.*

The system includes (a) a web server system which has data bases stored therein, (b) bidding agents which compare the characteristics of view-ops to the specifications in proposed bids and which submit bids as

appropriate, and (c) bid selection logic which decides which bid to accept for each particular view-op. *Id.* This is illustrated by following Figure 3 (color highlighting provided by Petitioner):

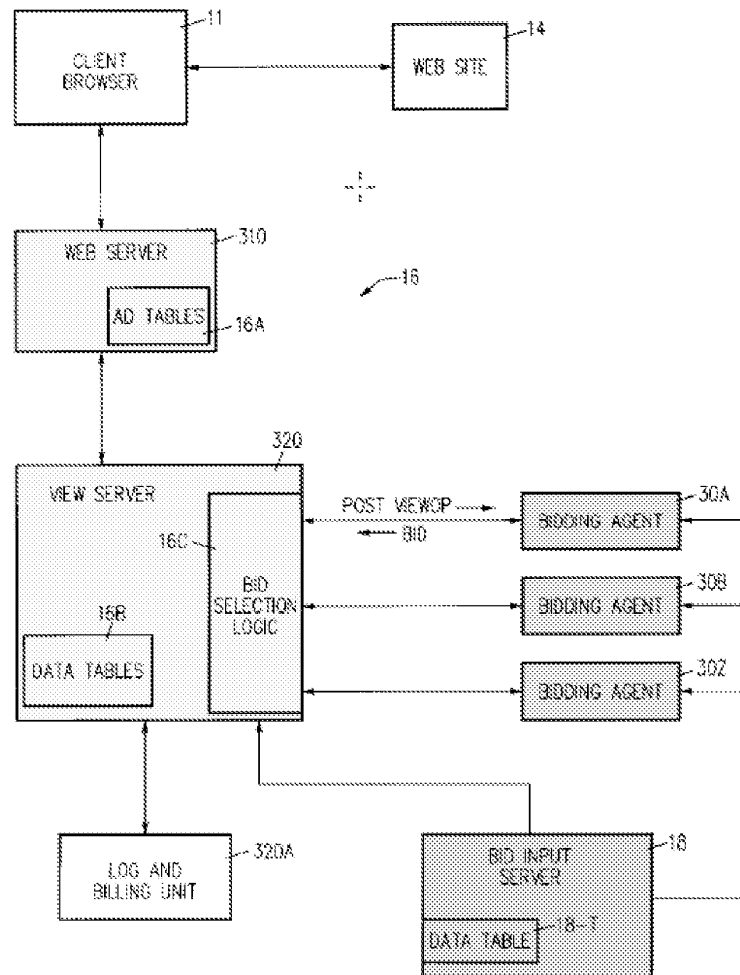


FIG. 3

Pet. 16. Figure 3 is an overall block diagram of a preferred embodiment. Ex. 1003, 6:11–12. This embodiment is composed of five main units, namely, web server 310 (yellow), view server 320 (yellow), identical bidding agents 30A, 30B and 30Z (green), bid input server 18 (blue) and log and billing unit 320A (no color). *Id.* at 6:20–25. Servers 310 and 320

together comprise the advertising web server system 16 (*see* Fig. 1). *Id.* at 6:22–23.

The system can include any number of bidding agents. A typical system could include a thousand or more bidding agents. *Id.* at 6:25–28. For clarity of illustration only three bidding agents 30A, 30B and 30Z are specifically shown in Figure 3. *Id.* at 6:28–29.

2. *Zeff (Ex. 1004)*

*Zeff* is a text book on internet advertising that discloses using internet cookies to tag users when visiting a web site. Ex. 1004, 98–99.

3. *Bau (Ex. 1005)*

*Bau* describes a system that can store and use historical user activities including searches run on previously visited web sites. Ex. 1005 ¶ 40. *Bau* further discloses the ability to use navigation history to select advertisements for a viewer. *Id.* ¶ 36.

4. *Tawakol (Ex. 1006)*

*Tawakol* discloses an internet advertising system in which “advertisers bid on opportunities to advertise to particular audiences.” Ex. 1006, 2:58–59. *Tawakol* also discloses the ability to specify when a bid expires. *See id.* at Fig. 3, field 333.

*E. Obviousness of Claims 37, 40–42, and 45 Over Roth*

1. *Claim 37*

Petitioner asserts that the subject matter of claim 37 would have been obvious in light of *Roth*. Pet. 15–38. Petitioner provides an element-by-

element claim analysis,<sup>4</sup> supported by expert testimony. *See id.*; Schmandt Decl. ¶¶ 67–113. Petitioner contends that each limitation of claim 37 is disclosed by Roth. Petitioner asserts that Roth is “a strong reference that discloses the majority of the claim limitations” of the challenged claims. Pet. 15.

For the preamble of claim 37 (“A system comprising one or more computers programmed to implement a method of directing electronic advertisements”), Petitioner relies on Roth’s Figure 3, reproduced *supra*. *Id.* at 15–19. Petitioner explains that “Figure 3 shows several computers, but for purposes of this Petition, the critical ones include server 310 and 320, bidding agents 30A through 30Z, and bid input server 18.” *Id.* at 16 (highlighting omitted). Petitioner explains further that “[s]ervers 310 and 320 ‘together comprise the advertising web server system 16 shown in FIG. 1 [of Roth]’ . . . with server 310 referred to as ‘web server 310’ and server 320 referred to as view server 320.’” *Id.* at 17 (highlighting omitted) (citing Ex. 1003, 6:20–25). Referring to web server 310, view server 320, bidding agents 30, and bid server 18, Petitioner summarizes its position as follows: “For purposes of the preamble, these computers disclose ‘[a] *system comprising one or more computers*’ that are ‘*programmed*’ to perform a method of directing electronic advertisements.” *Id.* at 18 (alteration in original).

For claim step 37(a) (“automatically directing to a third-party server computer . . .”), Petitioner provides tables associating five terms from claim

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<sup>4</sup> In this section we use Petitioner’s paragraph references for the claim limitations to track Petitioner’s analysis.



element 37(a) with the corresponding disclosures from Roth. The tables follow:

| Element of Claim 37(a)        | Summary of Disclosures from Roth                                                                                                                       |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| “electronic visitor”          | The computer used by the viewer to access the first media property, and which is currently being used to access the second media property              |
| “first media property”        | Web page or web site <u>previously</u> accessed by the electronic visitor                                                                              |
| “second media property”       | Web page or web site <u>currently</u> accessed by the electronic visitor, which is associated with the current view opportunity (view-op)              |
| “third-party server computer” | The web server in Roth which includes web server 310, view server 320 (Fig. 3), which is also referred to as advertising web server system 16 (Fig. 2) |

| Element of Claim 37(a) | Summary of Disclosures from Roth                                                                                                             |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| “condition”            | The bid price an advertiser is willing to pay in connection with the current view-op, which is sent from bidding agent 30 to view server 320 |

Pet. 19–20 (color highlighting provided by Petitioner).

As shown in the first table, Petitioner contends the “third-party server computer” recitation in claim 37 is met by Roth’s web server system comprising web server 320 (yellow) and view server 310 (yellow). *Id.* Petitioner explains that “[t]he ‘third-party server computer’ in Roth refers to the web server computer system shown in Figure 3 described in the preamble discussion above.” *Id.* at 21. Petitioner repeats its analysis of Figure 3 of Roth and concludes that “[f]or purposes of claim 37, the combination of web server 310 and view server 320 discloses the ‘third-

*party server computer*’ regardless of whether they are implemented together or separately.” *Id.* at 22 (citing Schmandt Decl. ¶ 81).

Patent Owner responds that the Petition should be denied because “the Petition does not show that the cited prior art discloses or renders obvious the ‘third-party server computer’ of claim elements (a)-(c) of claim 37.” Prelim. Resp. 8. Patent Owner contends that “the plain language of the claims requires at least that the ‘third-party server computer’ is not part of the ‘system comprising one or more computers.’” *Id.* Patent Owner continues that “[t]he Petition, however, cannot make such a showing because the Petition maps the ‘third-party server computer’ to an element of Roth that the Petition admits is part of the ‘system comprising one or more computers.’” *Id.* Patent Owner specifically refers to the assertion in the Petition that identifies the claimed “third-party server computer” with the web server in Roth, “which includes web server 310, view server 320 (Fig. 3), which is also referred to as advertising web server system 16 (Fig. 2).” *Id.* at 9 (quoting Pet. 19) (emphasis omitted).

We agree with Patent Owner’s argument that Petitioner has failed to demonstrate that Roth teaches or suggests the claimed “third-party server computer” under our claim construction. In discussing claim construction, we concluded that there is a distinction in the challenged claims between the system performing the claimed process and the “third-party server computer” that is authorized to cause display of the advertisement. *See supra*, Section III.C. We concluded from the language of claim 37 and the prosecution history that the “third-party server computer” cannot be part of the “system comprising one or more computers.” *Id.* We are persuaded that the Petition fails to establish that Roth’s web server system (identified by

Petitioner as the “third-party server computer”) is distinct from the claimed “system comprising one or more computers,” as is required by our construction. As discussed *supra*, in discussing the preamble the Petition identifies web server 310 and view server 320 (part of the alleged “third-party server computer”) as part of the “system comprising one or more computers.” Prelim. Resp. 10 (quoting Pet. 18). As Patent Owner points out, this is not an “isolated or accidental” oversight on the part of Petitioner. Prelim. Resp. 10. In Petitioner’s analysis of claim element 37(c), Petitioner contends that “[t]he HUD [historic user] data is thus ‘received by the system comprising one or more computers,’ i.e., by the system which includes view server 320.” Pet. 37 (emphasis and highlighting omitted) (quoted at Prelim. Resp. 10).

Petitioner argues that the web server computer system in Roth can be separate from the “other computers” in Roth, citing the first and second media properties and the bidding agents. Pet. 23–24. This argument is unavailing. Our construction requires the “third-party server computer” to be separate from the “system comprising one or more computers” recited in the preamble, which according to Petitioner includes servers 310 and 320. *Id.* at 18. Those computers are also part of the web server system in Roth (*id.* at 17) identified as the “third-party server computer” (*id.* at 19), and therefore, the web server system cannot be separate from the “third-party computer system.”

For the reasons given, we determine that Petitioner has failed to demonstrate a reasonable likelihood of prevailing on its challenge to claim 37 as obvious over Roth.

2. *Claims 40–42 and 45*

These claims depend from claim 37, and therefore incorporate the “third-party server computer” limitation. For the reasons given for claim 37, we determine that Petitioner has failed to demonstrate a reasonable likelihood of prevailing on its challenge to claim 40–42 and 45 as obvious over Roth.

*F. Obviousness of Claims 42, 43, 46–51, 53, and 54 Over Roth in Combination with Zeff, Bau, or Tawakol*

In four separate grounds, Petitioner asserts that the subject matter of these dependent claims would have been obvious in light of Roth in combination with various secondary references (Zeff, Bau, and Tawakol). Pet. 9. Petitioner explains that “[t]he proposed grounds rely primarily on Roth . . . that discloses the majority of the claim limitations.” *Id.* at 15. Petitioner relies on Zeff, Bau, and Tawakol for what Petitioner terms “ancillary features of certain dependent claims.” *Id.*

Claims 42, 43, 46–51, 53, and 54 depend, directly or indirectly, from claim 37 and therefore incorporate the “third-party server computer” limitation. For these claims, Petitioner relies on Roth to meet the “third-party server computer” limitation and provides no additional analysis of that limitation beyond that provided for claim 37. The secondary references, Zeff, Bau, and Tawakol, are relied on for other limitations added by the dependent claims. *See* Pet. 48–60 (Ground 2 based on Roth and Zeff), 60–63 (Ground 3 based on Roth and Bau), 63–68 (Ground 4 based on Roth and Tawakol), 68–70 (Ground 5 based on Roth, Zeff, and Tawakol).

Therefore, for the reasons given for claim 37, because these claims incorporate the “third party server computer” limitation, we determine that

Petitioner has failed to demonstrate a reasonable likelihood of prevailing on its challenge to claim 42, 43, 46–51, 53, and 54 as obvious over Roth in various combinations with Zeff, Bau, and Tawakol. *See* Pet. 48–70.

#### IV. DISCRETIONARY DENIAL

Patent Owner asserts that the Board should exercise its discretion to deny institution of *inter partes* review under 35 U.S.C. §§ 314(a) and 325(d). *See* Prelim. Resp. 11–35. In a subsequent email to the Board, Patent Owner withdrew its request to deny institution under § 314(a). Ex. 3001.

Because we deny institution on the merits of Petitioner’s challenges to patentability, we need not address Patent Owner’s arguments urging denial of institution under § 325(d).

#### V. CONCLUSION

For the foregoing reasons, we have determined that Petitioner has not shown a reasonable likelihood of prevailing with respect to any challenged claim. Thus, we do not institute an *inter partes* review.

#### VI. ORDER

Upon consideration of the record before us, it is:

ORDERED that the Petition is *denied*, and no trial is instituted.

IPR2022-01262  
Patent 8,671,139 B2

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AO 120 (Rev. 08/10)

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

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.<br>6:21-cv-00876  | DATE FILED<br>8/20/2021        | U.S. DISTRICT COURT<br>Western District of Texas |
| PLAINTIFF<br>ALMONDNET, INC. |                                | DEFENDANT<br>ROKU, INC.                          |
| PATENT OR<br>TRADEMARK NO.   | DATE OF PATENT<br>OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK                    |
| 1 8,244,582                  | 8/4/2012                       | ALMONDNET, INC.                                  |
| 2 8,959,146                  | 2/17/2015                      | ALMONDNET, INC.                                  |
| 3 8,671,139                  | 3/11/2014                      | ALMONDNET, INC.                                  |
| 4                            |                                |                                                  |
| 5                            |                                |                                                  |

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

|                            |                                                                                                                                                               |                               |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| DATE INCLUDED              | INCLUDED BY<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>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                                                                                                             |
| 11/28/2022 Doc #56 Sealed Order GRANTING [13] MOTION to Transfer Case to the U.S. District Court for the District of Delaware. |

|                           |                                                                                                           |                    |
|---------------------------|-----------------------------------------------------------------------------------------------------------|--------------------|
| CLERK<br>PHILIP J. DEVLIN | (BY) DEPUTY CLERK<br> | DATE<br>11/28/2022 |
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AO 120 (Rev. 08/10)

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

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.<br>6:21-cv-00891                      | DATE FILED<br>8/26/2021     | U.S. DISTRICT COURT<br>Western District of Texas                                                        |
| PLAINTIFF<br>ALMONDNET, INC., and INTENT IQ, LLC |                             | DEFENDANT<br>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                  | INTENT IQ, 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<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK                                                                                                                                   | HOLDER OF PATENT OR TRADEMARK |
| 1 8,677,398             | 3/18/2014                                                                                                                                                     | INTENT IQ, LLC                |
| 2 8,959,146             | 2/17/2015                                                                                                                                                     | ALMONDNET, INC.               |
| 3 10,321,198            | 6/11/2019                                                                                                                                                     | INTENT IQ, LLC                |
| 4 10,715,878            | 7/14/2020                                                                                                                                                     | INTENT IQ, LLC                |
| 5                       |                                                                                                                                                               |                               |

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

|                                                                                                                                           |
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| DECISION/JUDGEMENT<br><br>11/28/2022 Doc #65 Sealed Order GRANTING [35] Sealed Motion to Transfer to the Northern District of California. |
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| CLERK<br>PHILIP J. DEVLIN | (BY) DEPUTY CLERK<br> | DATE<br>11/28/2022 |
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AO 120 (Rev. 08/10)

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

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.<br>6:21-cv-896                        | DATE FILED<br>8/27/2021        | U.S. DISTRICT COURT<br>Western District of Texas |
| PLAINTIFF<br>ALMONDNET, INC., and INTENT IQ, LLC |                                | DEFENDANT<br>FACEBOOK, INC.                      |
| PATENT OR<br>TRADEMARK NO.                       | DATE OF PATENT<br>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<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>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:

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|----------------------------------------------------------------------------------------------------------------------------------|
| DECISION/JUDGEMENT<br>12/15/2022 - Order Granting Defendant's Motion to Transfer to the Northern District of California - Doc 84 |
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| CLERK<br>Phillip J. Devlin | (BY) DEPUTY CLERK<br><i>Suzanne Miles</i> | DATE<br>12/15/2022 |
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| <b>TO:</b><br><b>Mail Stop 8</b><br><b>Director of the U.S. Patent and Trademark Office</b><br><b>P.O. Box 1450</b><br><b>Alexandria, VA 22313-1450</b> | <b>REPORT ON THE</b><br><b>FILING OR DETERMINATION OF AN</b><br><b>ACTION REGARDING A PATENT OR</b><br><b>TRADEMARK</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|

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.<br>6:21-cv-00876  | DATE FILED<br>8/20/2021        | U.S. DISTRICT COURT<br>Western District of Texas |
| PLAINTIFF<br>ALMONDNET, INC. |                                | DEFENDANT<br>ROKU, INC.                          |
| PATENT OR<br>TRADEMARK NO.   | DATE OF PATENT<br>OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK                    |
| 1 8,244,582                  | 8/4/2012                       | ALMONDNET, INC.                                  |
| 2 8,959,146                  | 2/17/2015                      | ALMONDNET, INC.                                  |
| 3 8,671,139                  | 3/11/2014                      | ALMONDNET, INC.                                  |
| 4                            |                                |                                                  |
| 5                            |                                |                                                  |

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

|                            |                                                                                                                                                               |                               |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| DATE INCLUDED              | INCLUDED BY<br><input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading |                               |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>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:

|                                                                                                                                |
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| DECISION/JUDGEMENT                                                                                                             |
| 11/28/2022 Doc #56 Sealed Order GRANTING [13] MOTION to Transfer Case to the U.S. District Court for the District of Delaware. |

|                           |                                                                                                           |                    |
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