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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/744,228	05/04/2007	Manuel Ignacio Tijerino	86179	8401

7590 09/08/2010
Manuel Tijerino
3266 Reine Street
Slidell, LA 70458

EXAMINER

PFIZENMAYER, MARK C

ART UNIT	PAPER NUMBER
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2447

MAIL DATE	DELIVERY MODE
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09/08/2010

PAPER

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 Abandonment	Application No.	Applicant(s)	
	11/744,228	TIJERINO, MANUEL IGNACIO	
	Examiner	Art Unit	
	MARK PFIZENMAYER	2447	

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

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 27 January 2010.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

The examiner tried to contact the applicant via telephone on 9/2/10 but was informed he could no longer be reached at the number provided.

/Joon H. Hwang/
Supervisory Patent Examiner, Art Unit 2447

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/744,228	05/04/2007	Manuel Ignacio Tijerino	86179	8401

7590 01/27/2010
Manuel Tijerino
3266 Reine Street
Slidell, LA 70458

EXAMINER

PFIZENMAYER, MARK C

ART UNIT	PAPER NUMBER
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2447

MAIL DATE	DELIVERY MODE
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01/27/2010

PAPER

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.

Office Action Summary	Application No.	Applicant(s)	
	11/744,228	TIJERINO, MANUEL IGNACIO	
	Examiner	Art Unit	
	MARK PFIZENMAYER	2447	

-- 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 03 November 2009.

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

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

Disposition of Claims

4) ☒ Claim(s) 21-23 is/are pending in the application.

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

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 21-23 is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a) ☐ All b) ☐ Some * c) ☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 were cancelled and claims 21-23 were added in the amendment filed on 11/3/2009. The claims 21-23 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 21-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

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

A person shall be entitled to a patent unless –

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

4. Claims 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al. (U.S. Pub. No. 2003/0135424).

With regard to claim 21, Davis teaches providing the musician with an interface to upload media to a server (i.e., the artist or label is able to upload their music to the server via the application, page 2, section 20, and Fig. 3), instantly transferring the media to a system of Interact jukeboxes in establishments (i.e., the server sends the uploaded content to the connected jukeboxes, Page 2, section 21), providing for instant availability for playback of media by users on Interact jukeboxes in establishments after

uploading by the musician to the server (i.e., content downloaded to the jukeboxes can be played, page 2, section 22).

With regard to claim 22, Davis teaches images, video and music (i.e., music, page 4, section 48, and images and video, page 4, section 47).

With regard to claim 23, Davis teaches providing the system of Internet jukeboxes with programming to maintain an account for the musician allowing the musician to earn fees and royalties from playback of the media (i.e., device includes a billing system for determining artist compensation, page 2, section 19).

Conclusion

5. 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.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK PFIZENMAYER whose telephone number is (571)270-7214. The examiner can normally be reached on Monday - Friday 8:00 - 5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Hwang can be reached on (571)272-4036. 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.

Mark Pfizenmayer
Patent Examiner
21 January 2010

/Joon H. Hwang/
Supervisory Patent Examiner, Art Unit 2447

Notice of References Cited	Application/Control No. 11/744,228	Applicant(s)/Patent Under Reexamination TIJERINO, MANUEL IGNACIO	
	Examiner MARK PFIZENMAYER	Art Unit 2447	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2003/0135424	07-2003	Davis et al.	705/26
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

<i>Index of Claims</i> 	Application/Control No. 11744228	Applicant(s)/Patent Under Reexamination TIJERINO, MANUEL IGNACIO
	Examiner MARK PFIZENMAYER	Art Unit 2447

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

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

CLAIM		DATE								
Final	Original	05/28/2009	01/21/2010							
	1	✓	-							
	2	✓	-							
	3	✓	-							
	4	✓	-							
	5	✓	-							
	6	✓	-							
	7	✓	-							
	8	✓	-							
	9	✓	-							
	10	✓	-							
	11	✓	-							
	12	✓	-							
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	14	✓	-							
	15	✓	-							
	16	✓	-							
	17	✓	-							
	18	✓	-							
	19	✓	-							
	20	✓	-							
	21		✓							
	22		✓							
	23		✓							

<i>Search Notes</i> 	Application/Control No. 11744228	Applicant(s)/Patent Under Reexamination TIJERINO, MANUEL IGNACIO
	Examiner MARK PFIZENMAYER	Art Unit 2447

SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Search History Printout	Jan 2010	MCP
709/219 with text	Jan 2010	MCP

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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EAST Search History**EAST Search History (Prior Art)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L7	1	"20030135424".pn. and video	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2010/01/21 16:14
L8	1	"20030135424".pn. and bill\$3	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2010/01/21 16:18
L9	6629	709/219.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2010/01/21 16:31
L10	2	internet near2 jukebox. ab,ti.	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2010/01/21 16:31
L11	178	internet near6 jukebox	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2010/01/21 16:32
L12	3	11 and 9	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2010/01/21 16:32

EAST Search History (Interference)

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/744,228	05/04/2007	Manuel Ignacio Tijerino	86179

Manuel Tijerino
3266 Reine Street
Slidell, LA 70458

CONFIRMATION NO. 8401
POA ACCEPTANCE LETTER



Date Mailed: 11/05/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/26/2009.

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.

/tkim/

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



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/744,228	05/04/2007	Manuel Ignacio Tijerino	86179

37237
JUAN J. LIZARRAGA
909 POYDRAS STREET, SUITE 2300
NEW ORLEANS, LA 70112-1010

CONFIRMATION NO. 8401
POWER OF ATTORNEY NOTICE



Date Mailed: 11/05/2009

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/26/2009.

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

/tkim/

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

**RECEIVED
CENTRAL FAX CENTER
NOV 03 2009**

In re application of:

Manuel Ignacio Tijerino

Serial No.: 11/744,228

Filed: May 4, 2007

For: USER DEFINED INTERNET JUKEBOX KIOSKS SET TOP BOX

Art Unit: 2447

Examiner: Mark Pfizenmayer

AMENDMENT
AFTER FIRST OFFICE ACTION

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

This Amendment follows a non-final Office Action mailed June 4, 2009. The following Amendments to Specification, Claims and Remarks, are respectfully submitted.

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AMENDMENT TO THE SPECIFICATION

The first sentence of paragraph [0008] should be replaced to read:

As a programmer, musician, and founder of checkitwo@ I have noticed the struggle of faced by many local artist and musicians in the ability of promoting their music by means of internet jukeboxes.

No new matter has been added.

AMENDMENTS TO CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Cancelled)
15. (Cancelled)
16. (Cancelled)
17. (Cancelled)
18. (Cancelled)
19. (Cancelled)
20. (Cancelled)
21. (New) A computer implemented method of allowing any musician to upload media to an Internet jukebox, comprising the steps of:
 - providing the musician with an interface to upload media to a server,
 - instantly transferring the media to a system of Internet jukeboxes in establishments,
 - providing for instant availability for playback of media by users on Internet jukeboxes in establishments after uploading by the musician to the server.

22. (New) The method of claim 21 where the media comprises images, video and music.

23. (New) The method of claim 21 further comprising the step of:

providing the system of Internet jukeboxes with programming to maintain an account for the musician allowing the musician to earn fees and royalties from playback of the media.

REMARKS**Specification**

The specification has been amended to delete reference to an embedded hyperlink.

Claim Objections

Claims 1-20 have been canceled and claims 21-23 are new.

Claim Rejections

In the Office Action, the Examiner noted that claims 1-20 are pending in the application and that claims 1-20 are rejected and the Action was Non-Final. By this Amendment, claims 1-20 have been canceled and new claims 21-23 added to overcome the Examiner's rejections.

35 USC § 112

The Examiner rejected claims 1-20 as failing to define the invention in the manner required by 35 USC § 112, second paragraph. Original claims 1-20 have been canceled and replaced with new claims 21-23 to overcome this rejection.

35 USC § 101

The Examiner rejected claims 11, 16 and 20 because the claimed invention is directed to non-statutory subject matter. As noted above, all original claims have been canceled and replaced by new claims 21-23, which overcomes this rejection of claims 11, 16 and 20.

35 USC § 102

The Examiner rejected claims 1-7, 11-14, and 16 as being anticipated by *Funchess* (U.S. Pub. No. 2006/0031548). In response, Applicant has canceled claims 1-7, 11-14, and 16 and presented new claims 21-23 to overcome the Examiner's rejection.

35 USC § 103

The Examiner has rejected claims 8-10, 15, and 17-20 as being unpatentable over *Funchess* (U.S. Pub. No. 2006/0031548), in view of *Nathan et al.* (U.S. Pub. No. 2006/0239131). In response, Applicant has canceled claims 8-10, 15, and 17-20 and presented new claims 21-23 to overcome the Examiner's rejection.

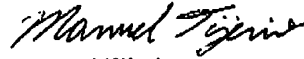
Discussion

Applicant has canceled claims 1-20 to overcome the Examiner's rejections and presents new claims 21-23, fully supported in the specification and as discussed below.

New independent claim 21-is written to a method of allowing any artist access to an end user by making the artist's media immediately available to public jukeboxes. This immediate availability of media from any artist to a user is not taught in *Funchess* and not suggested by *Nathan et al.* New claims 22 and 23 are dependent on new claim 21.

Withdrawal of this rejection is respectfully requested.

Respectfully submitted,



Manuel Tijerino
3266 Reine Avenue,
Slidell, LA 70458
Date: November 3, 2009

2009-11-03 14:38

PARISH PLASTIC SIGNS

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USPTO

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P 1/9

Doc Code: TRAN.LET

Document Description: Transmittal Letter

NOV 03 2009

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	11/744,228
	Filing Date	May 4, 2007
	First Named Inventor	Manuel Tijerino
	Art Unit	2447
	Examiner Name	Mark Pfizenmayer
	Attorney Docket Number	
Total Number of Pages in This Submission		9

ENCLOSURES (Check all that apply)		
☒ Fee Transmittal Form ☒ Fee Attached ☒ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☒ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☐ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☐ Other Enclosure(s) (please identify below):
Remarks I am respectfully submitting, 1st Office Action Amendments 6 Pages, Form SB0022 Petition For Extension Of Time, Authorization To Charge My Credit Card PTO 2038, and this Transmittal Form SB0021. Please let me know if I you need anything else from me 985-288-4343.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Manuel Tijerino		
Signature	<i>Manuel Tijerino</i>		
Printed name	Manuel Tijerino		
Date	03 Nov 2009	Reg. No.	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Manuel Tijerino</i>		
Typed or printed name	Manuel Tijerino	Date	03 Nov 2009

This collection of information is required by 37 CFR 1.5. 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 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, 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.

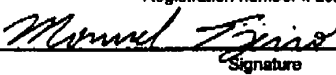
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/22 (07-09)

Approved for use through 07/31/2012, OMB 0651-0031
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)	
FY 2009			
(Fee pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4316).)			
Application Number 11/744,228		Filed May 4, 2007	
For USER DEFINED INTERNET JUKEBOX KIOSKS SET TOP BOX			
Art Unit 2447		Examiner Mark Pfizenmayer	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	Fee	Small Entity Fee	
☐ One month (37 CFR 1.17(a)(1))	\$130	\$85	\$ _____
☒ Two months (37 CFR 1.17(a)(2))	\$480	\$245	\$ <u>245</u>
☐ Three months (37 CFR 1.17(a)(3))	\$1110	\$555	\$ _____
☐ Four months (37 CFR 1.17(a)(4))	\$1730	\$885	\$ _____
☐ Five months (37 CFR 1.17(a)(5))	\$2350	\$1175	\$ _____
☒ Applicant claims small entity status. See 37 CFR 1.27.			
☐ A check in the amount of the fee is enclosed.			
☒ Payment by credit card. Form PTO-2038 is attached.			
☐ The Director has already been authorized to charge fees in this application to a Deposit Account.			
☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____.			
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.			
I am the ☒ applicant/inventor.			
☐ assignee of record of the entire interest. See 37 CFR 3.71.			
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
☐ attorney or agent of record. Registration Number _____			
☐ attorney or agent under 37 CFR 1.34.			
Registration number if acting under 37 CFR 1.34 _____			
		03 November 2009	
Signature		Date	
Manuel Tijerino		985-288-4343	
Typed or printed name		Telephone Number	
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 <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). 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 5 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 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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In re application of:

Manuel Ignacio Tijerino

Serial No.: 11/744,228

Filed: May 4, 2007

For: USER DEFINED INTERNET JUKEBOX KIOSKS SET TOP BOX

Art Unit: 2447

Examiner: Mark Pfizenmayer

AMENDMENT
AFTER FIRST OFFICE ACTION

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

This Amendment follows a non-final Office Action mailed June 4, 2009. The following Amendments to Specification, Claims and Remarks, are respectfully submitted.

AMENDMENT TO THE SPECIFICATION

The first sentence of paragraph [0008] should be replaced to read:

As a programmer, musician, and founder of checkltwo@ I have noticed the struggle of faced by many local artist and musicians in the ability of promoting their music by means of internet jukeboxes.

No new matter has been added.

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AMENDMENTS TO CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Cancelled)
15. (Cancelled)
16. (Cancelled)
17. (Cancelled)
18. (Cancelled)
19. (Cancelled)
20. (Cancelled)
21. (New) A computer implemented method of allowing any musician to upload media to an Internet jukebox, comprising the steps of:
 - providing the musician with an interface to upload media to a server,
 - instantly transferring the media to a system of Internet jukeboxes in establishments,
 - providing for instant availability for playback of media by users on Internet jukeboxes in establishments after uploading by the musician to the server.

22. (New) The method of claim 21 where the media comprises images, video and music.

23. (New) The method of claim 21 further comprising the step of:

providing the system of Internet jukeboxes with programming to maintain an account for the musician allowing the musician to earn fees and royalties from playback of the media.

REMARKS**Specification**

The specification has been amended to delete reference to an embedded hyperlink.

Claim Objections

Claims 1-20 have been canceled and claims 21-23 are new.

Claim Rejections

In the Office Action, the Examiner noted that claims 1-20 are pending in the application and that claims 1-20 are rejected and the Action was Non-Final. By this Amendment, claims 1-20 have been canceled and new claims 21-23 added to overcome the Examiner's rejections.

35 USC § 112

The Examiner rejected claims 1-20 as failing to define the invention in the manner required by 35 USC § 112, second paragraph. Original claims 1-20 have been canceled and replaced with new claims 21-23 to overcome this rejection.

35 USC § 101

The Examiner rejected claims 11, 16 and 20 because the claimed invention is directed to non-statutory subject matter. As noted above, all original claims have been canceled and replaced by new claims 21-23, which overcomes this rejection of claims 11, 16 and 20.

35 USC § 102

The Examiner rejected claims 1-7, 11-14, and 16 as being anticipated by *Funchess* (U.S. Pub. No. 2006/0031548). In response, Applicant has canceled claims 1-7, 11-14, and 16 and presented new claims 21-23 to overcome the Examiner's rejection.

35 USC § 103

The Examiner has rejected claims 8-10, 15, and 17-20 as being unpatentable over *Funchess* (U.S. Pub. No. 2006/0031548). in view of *Nathan et al.* (U.S. Pub. No. 2006/0239131). In response, Applicant has canceled claims 8-10, 15, and 17-20 and presented new claims 21-23 to overcome the Examiner's rejection.

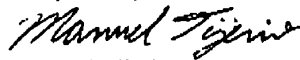
Discussion

Applicant has canceled claims 1-20 to overcome the Examiner's rejections and presents new claims 21-23, fully supported in the specification and as discussed below.

New independent claim 21-is written to a method of allowing any artist access to an end user by making the artist's media immediately available to public jukeboxes. This immediate availability of media from any artist to a user is not taught in *Funchess* and not suggested by *Nathan et al.* New claims 22 and 23 are dependent on new claim 21.

Withdrawal of this rejection is respectfully requested.

Respectfully submitted,



Manuel Tijerino
3266 Reine Avenue,
Slidell, LA 70458
Date: November 3, 2009

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Doc Code: TRAN.LET

Document Description: Transmittal Letter

PTO/SB/21 (07-09)

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TRANSMITTAL FORM (To be used for all correspondence after initial filing)	Application Number	11/744,228	
	Filing Date	May 4, 2007	
	First Named Inventor	Manuel Tijerino	
	Art Unit	2447	
	Examiner Name	Mark Pitzanmayer	
Total Number of Pages in This Submission	9	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
☒ Fee Transmittal Form ☒ Fee Attached ☒ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☒ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☐ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation ☐ Charge of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☐ Other Enclosure(s) (please identify below):
Remarks I am respectfully submitting, 1st Office Action Amendments 6 Pages, Form SB0022 Petition For Extension Of Time, Authorization To Charge My Credit Card PTO 2036, and this Transmittal Form SB0021. Please let me know if I need anything else from me 985-288-4343.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Manuel Tijerino	
Signature	<i>Manuel Tijerino</i>	
Printed name	Manuel Tijerino	
Date	03 Nov 2009	Reg. No.

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460 on the date shown below:	
Signature	<i>Manuel Tijerino</i>
Typed or printed name	Manuel Tijerino
Date	03 Nov 2009

This collection of information is required by 37 CFR 1.6. 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 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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PTO/SB/22 (07-09)

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)	
FY 2009 (Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4815).)			
Application Number 11/744,228		Filed May 4, 2007	
For USER DEFINED INTERNET JUKEBOX KIOSKS SET TOP BOX			
Art Unit 2447		Examiner Mark Pfizenmayer	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	Fee	Small Entity Fee	
☐ One month (37 CFR 1.17(a)(1))	\$130	\$85	\$ _____
☒ Two months (37 CFR 1.17(a)(2))	\$490	\$245	\$ <u>245</u>
☐ Three months (37 CFR 1.17(a)(3))	\$1110	\$555	\$ _____
☐ Four months (37 CFR 1.17(a)(4))	\$1730	\$865	\$ _____
☐ Five months (37 CFR 1.17(a)(5))	\$2350	\$1175	\$ _____
☒ Applicant claims small entity status. See 37 CFR 1.27.			
☐ A check in the amount of the fee is enclosed.			
☒ Payment by credit card. Form PTO-2038 is attached.			
☐ The Director has already been authorized to charge fees in this application to a Deposit Account.			
☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____.			
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.			
I am the ☒ applicant/inventor.			
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).			
☐ attorney or agent of record. Registration Number _____			
☐ attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
 Signature		03 November 2009 Date	
Manuel Tijerino Typed or printed name		985-288-4343 Telephone Number	
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 <u>1</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). 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 5 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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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/744,228		Filing Date 05/04/2007		☐ To be Mailed	
APPLICATION AS FILED – PART I										
(Column 1)			(Column 2)			SMALL ENTITY ☒ OR		OTHER THAN SMALL ENTITY		
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)	
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A			N/A		
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A		N/A			N/A		
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A		N/A			N/A		
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =	*		X \$ =		OR	X \$ =		
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*		X \$ =			X \$ =		
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.					TOTAL			TOTAL		
APPLICATION AS AMENDED – PART II										
(Column 1)			(Column 2)			(Column 3)			SMALL ENTITY OR OTHER THAN SMALL ENTITY	
AMENDMENT	11/03/2009	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(o))	* 3	Minus	** 20	= 0	X \$26 =	0	OR	X \$ =	
	Independent (37 CFR 1.16(h))	* 1	Minus	*** 3	= 0	X \$110 =	0	OR	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(o))	*	Minus	**	=	X \$ =		OR	X \$ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

Legal Instrument Examiner:
/VICTORIA BROWN/

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

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OCT 26 2009

PTO/SB/81 (01-09)

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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	11/744,228
	Filing Date	May 4, 2007
	First Named Inventor	Manuel Tijerino
	Title	
	Art Unit	2447
	Examiner Name	Mark Pfizenmayer
Attorney Docket Number		

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

☐ A Power of Attorney is submitted herewith.

OR

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

OR

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

Practitioner(s) Name	Registration Number

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

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

OR

☐ The address associated with Customer Number:

OR

☒ Firm or Individual Name	Manuel Tijerino		
Address	3266 Reine Street		
City	Slidell	State	LA Zip 70458
Country	US		
Telephone	985-288-4343	Email	manueltijerino@hotmail.com

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/86) submitted herewith or filed on _____.

SIGNATURE OF Applicant or Assignee of Record

Signature	<i>Manuel Tijerino</i>	Date	26 October 2009
Name	Manuel Tijerino	Telephone	504-784-9761
Title and Company			

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

☒ Total of 1 forms are submitted.

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 5 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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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	11/744,228
	Filing Date	May 4, 2007
	First Named Inventor	Manuel Tijerino
	Title	
	Art Unit	2447
	Examiner Name	Mark Pfizenmayer
Attorney Docket Number		

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

☐ A Power of Attorney is submitted herewith.

OR

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

OR

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

Practitioner(s) Name	Registration Number

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

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

OR

☐ The address associated with Customer Number:

OR

☒ Firm or Individual Name: Manuel Tijerino

Address: 3268 Reins Street

City: Slidell

State: LA

Zip: 70458

Country: US

Telephone: 985-288-4343

Email: manueltijerino@hotmail.com

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/98) submitted herewith or filed on _____

SIGNATURE of Applicant or Assignee of Record

Signature

Manuel Tijerino

Date

26 October 2009

Name

Manuel Tijerino

Telephone

504-784-9761

Title and Company

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

☒ *Total of 1 forms are submitted.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/744,228	05/04/2007	Manuel Ignacio Tijerino	86179	8401
37237 7590 10/09/2009 JUAN J. LIZARRAGA 909 POYDRAS STREET, SUITE 2300 NEW ORLEANS, LA 70112-1010			EXAMINER PFIZENMAYER, MARK C	
			ART UNIT 2447	PAPER NUMBER
			NOTIFICATION DATE 10/09/2009	DELIVERY MODE 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):

JLIZARRA@MILLINGLAW.COM

Interview Summary	Application No.	Applicant(s)	
	11/744,228	TIJERINO, MANUEL IGNACIO	
	Examiner	Art Unit	
	MARK PFIZENMAYER	2447	

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

(1) MARK PFIZENMAYER. (3) Juan Lizarraga (Reg. No. 37,237).

(2) Joon Hwang. (4) ____.

Date of Interview: 05 October 2009.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

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

Claim(s) discussed: 1-3.

Identification of prior art discussed: None.

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

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The support for the proposed amendment in the specification was discussed. The proposed amendment was also discussed relative to the concepts well know to the person having ordinary skill in the art at the time the invention was made. No agreement was reached.

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

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

	/Joon H. Hwang/ Supervisory Patent Examiner, Art Unit 2447
--	---

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

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

37 CFR §1.2 Business to be transacted in writing.

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

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

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

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

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

The Form provides for recordation of the following information:

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

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

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

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

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

Examiner to Check for Accuracy

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

OCT. 5. 2009 3:05PM MILLING. & BENSON

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OCT 05 2009

DOCKET NO: 86179

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Manuel Ignacio Tijerino

Serial No.: 11/744,228

Filed: May 4, 2007

For: USER DEFINED INTERNET JUKEBOX KIOSKS SET TOP BOX

Art Unit: 2447

Examiner: Mark Pfizenmayer

AMENDMENT
AFTER FIRST OFFICE ACTION

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

This Amendment follows a non-final Office Action mailed June 4, 2009. The following Amendments to Specification, Claims and Remarks, are respectfully submitted.

AMENDMENT TO THE SPECIFICATION

The first sentence of paragraph [0008] should be replaced to read:

As a programmer, musician, and sole creator of a website, I have noticed the struggle of faced by many local artist and musicians in the ability of promoting their music by means of internet jukeboxes.

No new matter has been added.

AMENDMENTS TO CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Cancelled)
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)
6. (Cancelled)
7. (Cancelled)
8. (Cancelled)
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Cancelled)
15. (Cancelled)
16. (Cancelled)
17. (Cancelled)
18. (Cancelled)
19. (Cancelled)
20. (Cancelled)
21. (New) A computer implemented method of allowing a not well known musician to upload media to an internet jukebox, comprising the steps of:
 - providing the musician with an interface to upload media to a server,
 - instantly transferring the media to a system of internet jukeboxes in establishments,
 - providing for instant availability for playback of media by users on internet jukeboxes in establishments after uploading by the musician to the server.

22. (New) The method of claim 1 where the media comprises images, video and music.

23. (New) The method of claim 2 further comprising the step of:

providing the system of internet jukeboxes with programming to maintain an account for the musician allowing the musician to earn fees and royalties from playback of the media.

REMARKS

Specification

The specification has been amended to delete reference to an embedded hyperlink.

Claim Objections

Claims 1-20 have been cancelled and claims 21-23 are new.

Claim Rejections

In the Office Action, the Examiner noted that claims 1-20 are pending in the application and that claims 1-20 are rejected and the Action was Non-Final. By this Amendment, claims 1-20 have been cancelled and new claims 21-23 added to overcome the Examiner's rejections.

35 USC § 112

The Examiner rejected claims 1-20 as failing to define the invention in the manner required by 35 USC § 112, second paragraph. Original claims 1-20 have been cancelled and replaced with new claims 21-23 to overcome this rejection.

35 USC § 101

The Examiner rejected claims 11, 16 and 20 because the claimed invention is directed to non-statutory subject matter. As noted above, all original claims have been cancelled and replaced by new claims 21-23, which overcomes this rejection of claims 11, 16 and 20.

35 USC § 102

The Examiner rejected claims 1-7, 11-14, and 16 as being anticipated by *Funchess* (U.S. Pub. No. 2006/0031548). In response, Applicant has cancelled claims 1-7, 11-14, and 16 and presented new claims 21-23 to overcome the Examiner's rejection.

35 USC § 103

The Examiner has rejected claims 8-10, 15, and 17-20 as being unpatentable over *Funchess* (U.S. Pub. No. 2006/0031548). in view of *Nathan et al.* (U.S. Pub. No. 2006/0239131). In response, Applicant has cancelled claims 8-10, 15, and 17-20 and presented new claims 21-23 to overcome the Examiner's rejection.

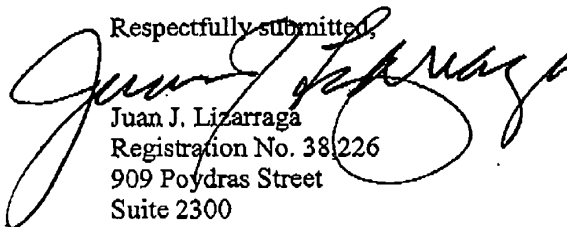
Discussion

Applicant has cancelled claims 1-20 to overcome the Examiner's rejections and presents new claims 21-23, fully supported in the specification and as discussed below.

New independent claim 21-is written to a method of allowing an unrecognized artist access to an end user by making the artist's media immediately available to public jukeboxes. This immediate availability of media from an unknown artist to a user is not taught in *Funchess* and not suggested by *Nathan et al.* New claims 22 and 23 are dependent on new claim 21.

Withdrawal of this rejection is respectfully requested.

Respectfully submitted,



Juan J. Lizarraga
Registration No. 38226
909 Poydras Street
Suite 2300
New Orleans, LA 70112
Date: October 5, 2009

387033/86179

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OCT 05 2009

PTO/SB/17 (10-08)

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2009		Complete if Known Application Number 11/744228 Filing Date 05/04/2007 First Named Inventor TIJERINO Examiner Name PFIZENMAYER Art Unit 2447 Attorney Docket No. 86179	
☒ Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	65	

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims: _____ Extra Claims: _____ Fee (\$): _____ Fee Paid (\$): _____
 HP = highest number of total claims paid for, if greater than 20.
 Indep. Claims: _____ Extra Claims: _____ Fee (\$): _____ Fee Paid (\$): _____
 HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 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).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late filing surcharge _____ 65

SUBMITTED BY		
Signature	Registration No. (Attorney/Agent) 38,226	Telephone 5045697000
Name (Print/Type) JUAN X. LIZARRAGA		Date October 5, 2009

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 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 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 1460, Alexandria, VA 22313-1450.

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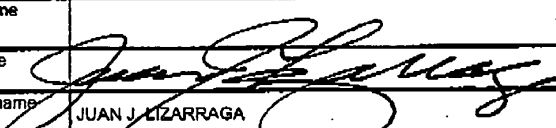
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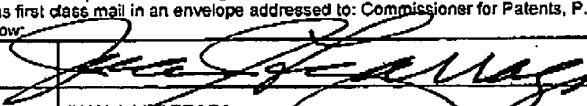
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	11/744,228
	Filing Date	05/04/2007
	First Named Inventor	TIJERINO
	Art Unit	2447
	Examiner Name	PFIZENMAYER
	Attorney Docket Number	86179
Total Number of Pages in This Submission	10	

ENCLOSURES (Check all that apply)		
☒ Fee Transmittal Form ☐ Fee Attached	☐ Drawing(s) ☐ Licensing-related Papers	☐ After Allowance Communication to TC
☒ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s)	☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation ☐ Change of Correspondence Address	☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☒ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement	☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ Proprietary Information ☐ Status Letter ☐ Other Enclosure(s) (please identify below):
☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name		
Signature		
Printed name	JUAN J. LIZARRAGA	
Date	October 5, 2009	Reg. No. 38,226

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	JUAN J. LIZARRAGA	Date October 5, 2009

This collection of information is required by 37 CFR 1.5. 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 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, 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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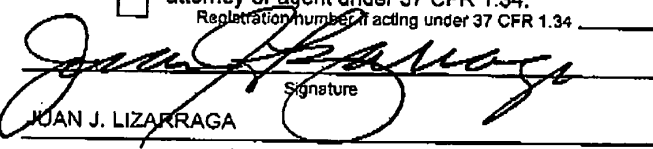
NO. 880 P. 3

OCT 05 2009

PTO/SB/22 (07-08)

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional)	
FY 2009 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		86179	
Application Number 11/744,228		Filed 05/24/2006	
For USER DEFINED INTERNET JUKEBOX KIOSKS SET TOP BOX			
Art Unit 2447		Examiner PFIZENMAYER	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<u>Fee</u>	<u>Small Entity Fee</u>	
☒ One month (37 CFR 1.17(a)(1))	\$130	\$65	\$ 65
☐ Two months (37 CFR 1.17(a)(2))	\$480	\$245	\$
☐ Three months (37 CFR 1.17(a)(3))	\$1110	\$555	\$
☐ Four months (37 CFR 1.17(a)(4))	\$1730	\$865	\$
☐ Five months (37 CFR 1.17(a)(5))	\$2350	\$1175	\$
☒ Applicant claims small entity status. See 37 CFR 1.27.			
☐ A check in the amount of the fee is enclosed.			
☒ Payment by credit card. Form PTO-2038 is attached.			
☐ The Director has already been authorized to charge fees in this application to a Deposit Account.			
☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____.			
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.			
I am the ☐ applicant/inventor.			
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/98).			
☒ attorney or agent of record. Registration Number 38,226			
☐ attorney or agent under 37 CFR 1.34. Registration number acting under 37 CFR 1.34 _____			
 Signature		October 5, 2009 Date	
JUAN J. LIZARRAGA Typed or printed name		504 569 7000 Telephone Number	
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 1.136(a). 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 6 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 1460, 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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PAGE 3/10 * RCVD AT 10/5/2009 4:10:00 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-6/15 * DNIS:2738300 * CSID:504 569 7001 * DURATION (mm-ss):03-20

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/744,228		Filing Date 05/04/2007		☐ To be Mailed		
APPLICATION AS FILED – PART I											
(Column 1)			(Column 2)			SMALL ENTITY ☒ OR		OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)			RATE (\$)	FEE (\$)			
☒ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	75			N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A				N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A				N/A				
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$ =		OR		X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =				X \$ =				
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).										
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))											
* If the difference in column 1 is less than zero, enter "0" in column 2.											
TOTAL			75			TOTAL					
APPLICATION AS AMENDED – PART II											
(Column 1)			(Column 2)			(Column 3)		SMALL ENTITY OR		OTHER THAN SMALL ENTITY	
AMENDMENT	10/05/2009	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 3	Minus	** 20	= 0	X \$26 =	0	OR	X \$ =		
	Independent (37 CFR 1.16(h))	* 1	Minus	***9	= 0	X \$110 =	0	OR	X \$ =		
	☐ Application Size Fee (37 CFR 1.16(s))										
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE		0	OR	TOTAL ADD'L FEE	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =		
	☐ Application Size Fee (37 CFR 1.16(s))										
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE			OR	TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.											
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".											
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".											
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.											
Legal Instrument Examiner: /FELICIA ALLEN-JENKINS/											

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

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www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/744,228	05/04/2007	Manuel Ignacio Tijerino	86179

37237
JUAN J. LIZARRAGA
909 POYDRAS STREET, SUITE 2300
NEW ORLEANS, LA 70112-1010

CONFIRMATION NO. 8401
POA ACCEPTANCE LETTER



Date Mailed: 09/30/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/14/2009.

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.

/hchristian/

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

SEP. 14. 2009 4:26PM

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P. 2

SEP 14 2009

PTO/SB/81 (01-09)

Approved for use through 11/30/2011. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	11744,228
	Filing Date	May 4,2007
	First Named Inventor	TIJERINO
	Title	USER DEFINED INTERNET JUKEBOX KIOSKS SET TO
	Art Unit	2447
	Examiner Name	PFIZENMAYER
	Attorney Docket Number	86179

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:

37237

OR

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

Practitioner(s) Name	Registration Number

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

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

OR

☐ The address associated with Customer Number:

OR

☐ Firm or individual Name

Address

City

Country

State

Zip

Telephone

Email

I am the:

☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on

SIGNATURE of Applicant or Assignee of Record

Signature	<i>Manuel Tijerino</i>	Date	11 SEP 09
Name	MANUEL TIJERINO	Telephone	
Title and Company	Inventor		

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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NO. 664 P. 1

DOC CODE: TRAN. LET

Document Description: Transmittal Letter

SEP 14 2009

PTO/SB/21 (07-09)

Approved for use through 07/31/2012. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	11744,226	
	Filing Date	May 4, 2007	
	First Named Inventor	TIJERINO	
	Art Unit	2447	
	Examiner Name	PFIZENMAYER	
Total Number of Pages in This Submission	2	Attorney Docket Number	88179

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form	☐ Drawing(s)	☐ After Allowance Communication to TC
☐ Fee Attached	☐ Licensing-related Papers	☐ Appeal Communication to Board of Appeals and Interferences
☐ Amendment/Reply	☐ Petition	☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ After Final	☐ Petition to Convert to a Provisional Application	☐ Proprietary Information
☐ Affidavits/declaration(s)	☒ Power of Attorney, Revocation	☐ Status Letter
☐ Extension of Time Request	☐ Change of Correspondence Address	☐ Other Enclosure(s) (please identify below):
☐ Express Abandonment Request	☐ Terminal Disclaimer	
☐ Information Disclosure Statement	☐ Request for Refund	
☐ Certified Copy of Priority Document(s)	☐ CD, Number of CD(s) _____	
☐ Reply to Missing Parts/Incomplete Application	☐ Landscape Table on CD	
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name			
Signature			
Printed name	JUAN J. LIZARRAGA		
Date	September 14, 2009	Reg. No.	38,226

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	JUAN J. LIZARRAGA
Date	September 14, 2009

This collection of information is required by 37 CFR 1.5. 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 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/744,228	05/04/2007	Manuel Ignacio Tijerino		8401
69117	7590	06/04/2009		
MANUEL TIJERINO 409 OAKLANE DRIVE UNIT A HAMMOND, LA 70403			EXAMINER PFIZENMAYER, MARK C	
			ART UNIT 2447	PAPER NUMBER
			MAIL DATE 06/04/2009	DELIVERY MODE PAPER

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.

Office Action Summary	Application No.	Applicant(s)	
	11/744,228	TIJERINO, MANUEL IGNACIO	
	Examiner	Art Unit	
	MARK PFIZENMAYER	2447	

-- 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 20 June 2007.

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

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

Disposition of Claims

4) ☒ Claim(s) 1-20 is/are pending in the application.

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

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-20 is/are rejected.

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

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

Application Papers

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

10) ☒ The drawing(s) filed on 20 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

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

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

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

Priority under 35 U.S.C. § 119

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

a) ☐ All b) ☐ Some * c) ☐ None of:

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

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

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

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

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/4/2007.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. The claims 2, 8-10, 15 and 17, the drawing and abstract were amended in the preliminary amendment filed on 6/20/2007. The claims 1-20 are pending.
2. An examination of this application reveals that applicant is unfamiliar with patent prosecution procedure. While an inventor may prosecute the application, lack of skill in this field usually acts as a liability in affording the maximum protection for the invention disclosed. Applicant is advised to secure the services of a registered patent attorney or agent to prosecute the application, since the value of a patent is largely dependent upon skilled preparation and prosecution. The Office cannot aid in selecting an attorney or agent.

A listing of registered patent attorneys and agents is available on the USPTO Internet web site <http://www.uspto.gov> in the Site Index under "Attorney and Agent Roster." Applicants may also obtain a list of registered patent attorneys and agents located in their area by writing to the Mail Stop OED, Director of the U. S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

Specification

3. The disclosure is objected to because of the following informalities, and appropriate correction is required.
4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded

hyperlink and/or other form of browser-executable code. See MPEP § 608.01. In particular, section 0003, line 1, contains a hyperlink.

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

- In claim 6, line 2, "status of active"
- Claim 8, "keep track of . . . play count for royalties to be paid".
- Claims 11-19.

Claim Objections

6. The claims 5, 16, and 19 are objected to because of the following formalities:

- In claim 5, line 1, the phrase "and or" is indefinite.
- Claim 16 contains the trademark/trade name PayPal. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe a payment method and, accordingly, the identification/description is indefinite.

- In claim 19, line 1, the phrase “and or” is indefinite.
- A series of singular dependent claims is permissible in which a dependent claim refers to a preceding claim which, in turn, refers to another preceding claim. A claim which depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim. In general, applicant's sequence will not be changed. See MPEP § 608.01(n). In particular, claim 19 is dependent upon claim 10 whereas the intervening claims 11-18 are not.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-20 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 11, 16 and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With regard to claim 11, when “system” is given its broadest reasonable interpretation in light of the specification it claims an invention completely embodied in computer software. The claim lacks the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. It is clearly not a series of steps or acts to be a process nor is it a combination of chemical compounds to be a composition of matter. As such, it fails to fall within a statutory category. It is, at best, functional descriptive material per se. Claim 16 is likewise rejected.

With regard to claim 20, when “system” is given its broadest reasonable interpretation in light of the specification it claims an invention completely embodied in computer software. The claim lacks the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. It is clearly not a series of steps or acts to be a process nor is it a combination of chemical compounds to be a composition of matter. As such, it fails to fall within a statutory category. It is, at best, functional descriptive material per se.

Claim Rejections - 35 USC § 102

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

A person shall be entitled to a patent unless –

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

12. Claims 1-7, 11-14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Funchess (U.S. Pub. No. 2006/0031548).

With regard to claim 1, Funchess teaches the system will have users (i.e., Consumer/Listener, Fig. 2) and members (i.e., Subscriber/Musician, Fig. 2), and Members that provide the content (i.e., Subscribers upload music, Fig. 2) and users that use the content (i.e., Consumer listens to music, Fig. 2).

With regard to claim 2, Funchess teaches a member's role will be to create a profile from home, work or anywhere where they have access to a computer with Internet (i.e., subscriber can enter a bio, images, and upload songs to web servers, Fig. 2).

With regard to claim 3, Funchess teaches after a profile is created the member will be able to add his band/group/individual images to his/her profile (i.e., subscriber can enter a bio, images, and upload songs to web servers, Fig. 2).

With regard to claim 4, Funchess teaches the member will have the ability to upload his/her media files (i.e., subscriber can enter a bio, images, and upload songs to web servers, Fig. 2).

With regard to claim 5, Funchess teaches the media files may be images, music, and or videos in digital format (i.e., subscriber can enter a bio, images, and upload songs to web servers, Fig. 2).

With regard to claim 6, Funchess teaches as soon as the profile is created and the media and image files are uploaded the member account will receive a status of active (i.e., after the subscriber files are uploaded, the files are made available to the users, page 3, section 0025-0036, which teaches that the account has been made active to the users).

With regard to claim 7, Funchess teaches upon activating the account the users media/content/profile will be available to all of the systems connected to the network as well as online for convenience (i.e., after the subscriber files are uploaded, the files are streamed to the users over a network, page 3, section 0025-0036).

With regard to claim 11, Funchess teaches the system will be built in an Object oriented manner which will also allow for modular expansion (i.e., a software based system, Fig. 1, sections 0019-0024, teaches building it in an object oriented manner).

With regard to claim 12, Funchess also teach some systems will contain built in speakers and amplifiers that can be of different sizes and exchangeable, while other systems will simply connect to existing in house PAs (i.e., personal computers, Fig. 1, teach connecting the system to built in speakers and amplifiers, and to house PAs).

With regard to claim 13, Funchess teaches some systems will contain video cards to allow connection to television sets in venues that would like that feature for

video plays (i.e., uploading videos, page 1, section 007, to computers with monitors, Fig. 1, teaches displaying the videos on a television using a video card).

With regard to claim 14, Funchess teaches some systems will contain the ability of burning CDs on the spot for customers (i.e., the users can have CDs of the selected music burned, page 3, section 0030).

With regard to claim 16, Funchess teaches some systems will be enabled to receive credit cards and debit cards as well a prepaid online accounts by account providers such as paypal (i.e., payment can be made using credit or debit cards, or PayPal, page 2, section 0027).

Claim Rejections - 35 USC § 103

13. 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.

14. Claims 8-10, 15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funchess (U.S. Pub. No. 2006/0031548) in view of Nathan et al. (U.S. Pub. No. 2006/0239131).

With regard to claim 8, Funchess teaches the subject matter of claim 1 above. Funchess does not teach the system will keep track of the member's media and files and play count for royalties to be paid. However, Nathan teaches the system will keep track of the member's media and files and play count for royalties to be paid (i.e., royalties are accounted for, page 5, section 0079) in order to deliver music to a jukebox over the Internet (abstract). Therefore, based on Funchess in view of Nathan, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the teaching of Nathan in the system of Funchess in order to deliver music to a jukebox over the Internet.

With regard to claim 9, Funchess teaches and from a user's standpoint they will be using an system with local artist on it (i.e., the user can search for artists based city, state or zip code, page 2, section 0013, which teaches searching in the local zip code). Funchess does not teach where that system is an internet jukebox. However, Nathan teaches where that system is an internet jukebox (i.e., an internet enabled jukebox, Abstract) in order to deliver music to a jukebox over the Internet (abstract). Therefore, based on Funchess in view of Nathan, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the teaching of Nathan in the system of Funchess in order to deliver music to a jukebox over the Internet.

With regard to claim 10, Funchess does not teach where the system will also connect to existing artist just like jukeboxes do now. However, Nathan teaches the system will also connect to existing artist just like jukeboxes do now (i.e., an internet

enabled jukebox, Abstract). Therefore, the limitations of claim 10 are rejected in the analysis of claim 9 above, and the claim is rejected on that basis.

With regard to claim 15, Funchess teaches all of the subject matter of claim 11 above. Funchess does not teach some systems will contain a bill acceptor. However, Nathan teaches some systems will contain a bill acceptor (i.e., "Bills", Fig. 2) in order to deliver music to a jukebox over the Internet (abstract). Therefore, based on Funchess in view of Nathan, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the teaching of Nathan in the system of Funchess in order to deliver music to a jukebox over the Internet.

With regard to claim 17, Funchess does not teach some systems will have wired remotes for skipping tracks and volume controls while others have wireless remotes and some having both. However, Nathan teaches some systems will have wired remotes for skipping tracks and volume controls while others have wireless remotes and some having both (i.e., a wireless remote for controlling the jukebox, pages 16-17, teaches a wired remote and volume and skip buttons) in order to deliver music to a jukebox over the Internet (abstract). Therefore, based on Funchess in view of Nathan, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the teaching of Nathan in the system of Funchess in order to deliver music to a jukebox over the Internet.

With regard to claim 18, Funchess does not teach when a user chooses to play a file that is not stored on the hard drive the system will stream it and store it on the hard drive for future plays. However, Nathan teaches when a user chooses to play a file that

is not stored on the hard drive the system will stream it and store it on the hard drive for future plays (i.e., a smart cache for storing recently downloaded songs, page 7, section 0091). Therefore, the limitations of claim 18 are rejected in the analysis of claim 17 above, and the claim is rejected on that basis.

With regard to claim 19, Funchess teaches the subject matter of claim 10 above. Funchess does not teach all royalties and fees will be paid to the proper content providers and or artist who created the media used, governed by their terms of use. However, Nathan teaches all royalties and fees will be paid to the proper content providers and or artist who created the media used, governed by their terms of use (i.e., royalties are accounted for, page 5, section 0079) in order to deliver music to a jukebox over the Internet (abstract). Therefore, the limitations of claim 19 are rejected in the analysis of claim 10 above, and the claim is rejected on that basis.

With regard to claim 20, Funchess teaches the main purpose of the system is to expose local artist to the masses without having to be signed by a major record label and having a chance to earn money while allowing more time to focus on making music, and facilitating what has been almost an impossible feat to attain today, an easy reality of tomorrow as every party involved, meaning the artist, the individual users have a positive experience (i.e., exposing users to independent artists, pages 1-2, sections 0006-0014, that can be searched for based on city, state or zip code, page 2, section 0013). Funchess does not teach giving the establishment, venue, bar, or club a positive experience. However, Nathan teaches giving the establishment, venue, bar, or club a positive experience (i.e., jukebox in restaurants and bars, page 1, section 0004) in order

to deliver music to a jukebox over the Internet (abstract). Therefore, based on Funchess in view of Nathan, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize the teaching of Nathan in the system of Funchess in order to deliver music to a jukebox over the Internet.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK PFIZENMAYER whose telephone number is (571)270-7214. The examiner can normally be reached on Monday - Friday 8:00 - 5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Hwang can be reached on (571)272-4036. 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.

Mark Pfizenmayer
Patent Examiner
28 May 2009

/Joon H. Hwang/
Supervisory Patent Examiner, Art Unit 2447

Notice of References Cited	Application/Control No. 11/744,228	Applicant(s)/Patent Under Reexamination TIJERINO, MANUEL IGNACIO	
	Examiner MARK PFIZENMAYER	Art Unit 2447	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2006/0239131	10-2006	Nathan et al.	369/030.06
*	B	US-2006/0031548	02-2006	Funchess, Samuel W.	709/231
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

<i>Index of Claims</i> 	Application/Control No. 11744228	Applicant(s)/Patent Under Reexamination TIJERINO, MANUEL IGNACIO
	Examiner MARK PFIZENMAYER	Art Unit 2447

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

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

CLAIM		DATE									
Final	Original	05/28/2009									
	1	✓									
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	15	✓									
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	19	✓									
	20	✓									

Search Notes 	Application/Control No. 11744228	Applicant(s)/Patent Under Reexamination TIJERINO, MANUEL IGNACIO
	Examiner MARK PFIZENMAYER	Art Unit 2447

SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
Search History Printout	May 2009	MCP
709/219 with text	May 2009	MCP
Google Search	May 2009	MCP
Inventor Name Search	May 2009	MCP

INTERFERENCE SEARCH			
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CONFIRMATION NO. 8401

SERIAL NUMBER 11/744,228	FILING or 371(c) DATE 05/04/2007 RULE	CLASS ~~707~~ 709	GROUP ART UNIT 2447	ATTORNEY DOCKET NO.		
APPLICANTS Manuel Ignacio Tijerino, Hammond, LA; ** CONTINUING DATA ***** ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY ** 05/23/2007						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and /MARK C Acknowledged PFIZENMAYER/ Examiner's Signature		☐ Met after Allowance Initials	STATE OR COUNTRY LA	SHEETS DRAWINGS 1	TOTAL CLAIMS 20	INDEPENDENT CLAIMS 3
ADDRESS MANUEL TIJERINO 409 OAKLANE DRIVE UNIT A HAMMOND, LA 70403 UNITED STATES						
TITLE User Defined Internet Jukebox Kiosks Set Top Box						
FILING FEE RECEIVED 425	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit			

EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	3	("20060218180" "20050246757" "20020129036")	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 14:10
S2	8	("5629980" "5926624" "6009401" "6073124" "6170014" "6338044" "7194555" "7206821"). PN.	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 14:22
S3	50	("20080275942" "20060018209" "20030014272" "20070208664" "20040061721" "6356971" "20050102186" "6578008" "20010025259" "20030195795" "20040093235" "20040093236" "20040093249" "20060031548" "6653545" "20030164084" "6175872" "6209787" "6209787" "5900608" "20070243509" "20060239131" "4831758" "5341350" "5857707" "20030135424" "20050044254" "20070033321" "6965770" "20030050058" "20080215451" "5931906" "6421750" "20040068536" "20040204063" "20070271366" "6011758" "20080162147" "20070106551" "20040133480")	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 14:26

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S4	85	internet near3 jukebox	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 15:45
S5	59	internet near2 jukebox	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 15:45
S6	23	internet near1 jukebox	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 15:45
S7	36	S5 not S6	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 15:46
S8	27	S4 and up\$1load\$3	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 16:09
S9	1	S4 and 709/219.ccls.	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 16:18
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S12	0	"20060031548".ccls. and internet	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 17:09
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S15	0	"20060031548".ccls. and video	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 18:03
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S18	1	"20060031548".pn. and video	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 18:03
S19	0	"20060031548".pn. and jukebox	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 18:03
S20	0	"20060031548".pn. and television	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 18:04
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S26	1	"20060239131".pn. and (stor\$3 stream\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 18:37
S27	1	"20060239131".pn. and (cach\$3)	US-PGPUB; USPAT; USOCR; EPO; JPO; IBM_TDB	OR	ON	2009/05/27 18:45

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11744228, GAU: 2447

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		2007-05-04
	First Named Inventor	Manuel Tijerino	
	Art Unit		
	Examiner Name		
	Attorney Docket Number		

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Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	
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	2	7194555		2007-03-20	Scibora		
	3	6338044		2002-01-08	Cook		
	4	6170014		2001-01-02	Darago		
	5	6073124		2000-06-06	Krishnan		
	6	6009401		1999-12-28	Horstmann		
	7	5926624		1999-07-20	Katz		
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Receipt date: 05/04/2007 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		11744228 - GAU: 2447	
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	First Named Inventor	Manuel Tijerino		
	Art Unit			
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[The Ninja architecture for robust Internet-scale systems and services-](#) [► washington.edu](#)

[PDF]

SD Gribble, M Welsh, R Von Behren, EA Brewer, D ... - Computer Networks, 2001 - Elsevier

... reserved. The Ninja architecture for robust Internet-scale systems and services. ...

3. Bases: scalable platforms for Internet services. We ...

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[The interactive multimedia jukebox \(IMJ\): A new paradigm for the on-demand delivery of audio/video-](#) [► psu.edu](#) [PDF]

KC Almeroth, MH Ammar - Computer Networks and ISDN Systems, 1998 - Elsevier

... to the key problems facing each network high quality delivery in the Internet, and bidirection communication in cable TV systems the jukebox paradigm could be ...

[Cited by 59](#) - [Related articles](#) - [Web Search](#) - [All 16 versions](#)

[The telepresentation system over Internet with latecomers support](#)

ZY Yang - 2000 - thesis.lib.ncu.edu.tw

... SDP: Session Description Protocol", Internet Request For Comment 2327, 1998. [30]

K. Almeroth and M. Ammar, "The Interactive Multimedia Jukebox (IMJ): A ...

[Cited by 22](#) - [Related articles](#) - [Cached](#) - [Web Search](#)

[ICEBERG: an Internet core network architecture for integrated communications-](#)

[► ucdavis.edu](#) [PDF]

HJ Wang, B Raman, C Chuah, R Biswas, R Gummadi, B ... - IEEE [see also IEEE Wireless Communications]

Personal ..., 2000 - ieeexplore.ieee.org

... attention, especially in ICEBERG, which follows an open service model in the Internet. ...

our tasks of providing the Universal In-box and Ninja Jukebox services. ...

[Cited by 150](#) - [Related articles](#) - [Web Search](#) - [BL Direct](#) - [All 31 versions](#)

[... for scalable on-demand applications: Evaluating and deploying the interactive multimedia jukebox-](#) [► psu.edu](#) [PDF]

KC Almeroth, MH Ammar - IEEE Transactions on Knowledge and Data Engineering, 1999 - ieeexplore.ieee.org

... Within the Internet, the Mbone [3] has been the focal ... be implemented using variations

of the juke- box paradigm ... 2.3 Architecture for a Jukebox System A generic ...

[Cited by 19](#) - [Related articles](#) - [Web Search](#) - [BL Direct](#) - [All 18 versions](#)

[The ninja jukebox](#)

I Goldberg, SD Gribble, D Wagner, EA Brewer - ... on USENIX Symposium on Internet Technologies and Systems- ..., 1999 - portal.acm.org

... programs to interact with most Internet services, despite ... port for MP3 les to the

Jukebox infrastructure to ... typed interfaces between our Juke- box components. ...

[Cited by 30](#) - [Related articles](#) - [Web Search](#) - [All 9 versions](#)

[Integration of digital rights management into the internet open trading protocol](#)

SH Kwok, SC Cheung, KC Wong, KF Tsang, SM Lui, KY ... - Decision Support Systems, 2003 - Elsevier

... Magex's services into its digital audio player, allowing users to download rights-protected music tracks from the Internet into the MusicMatch Jukebox. ...

[Cited by 17](#) - [Related articles](#) - [Web Search](#) - [All 5 versions](#)

PLUS Search Results for S/N 11744228, Searched Tue Apr 21 07:52:19 EDT 2009
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20080275942	93	5370539	33
20060018209	47		
20030014272	45		
20070208664	45		
20040061721	43		
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20030135424	36		
20050044254	36		
20070033321	36		
6965770	35		
20030050058	35		
20080215451	34		
5931906	34		
6421750	34		
20040068536	34		
20040204063	34		
20070271366	34		
6011758	34		
20080162147	34		
20070106551	34		
20040133480	34		
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20070039449	33		
20070140510	33		
4339980	33		
4777857	33		
4791848	33		
4793233	33		
4830482	33		
4901618	33		



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/744,228	05/04/2007	Manuel Ignacio Tijerino	

CONFIRMATION NO. 8401

PUBLICATION NOTICE

69117
MANUEL TIJERINO
409 OAKLANE DRIVE
UNIT A
HAMMOND, LA 70403



OC000000032985112

Title:User Defined Internet Jukebox Kiosks Set Top Box

Publication No.US-2008-0275942-A1

Publication Date:11/06/2008

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
11/744,228	05/04/2007	2161	425		20	3

CONFIRMATION NO. 8401

UPDATED FILING RECEIPT

69117
MANUEL TIJERINO
409 OAKLANE DRIVE
UNIT A
HAMMOND, LA70403

Date Mailed: 07/05/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. 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 mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. 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 (if appropriate).**

Applicant(s)

Manuel Ignacio Tijerino, Hammond, LA;

Power of Attorney: None

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 05/23/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US11/744,228**

Projected Publication Date: 11/06/2008

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

User Defined Internet Jukebox Kiosks Set Top Box

Preliminary Class

707

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Preliminary Amendment

20 June 2007

Dear sir / mam,

This amendment does not contain any new material. I would however, like to amend to correct the claims, specifications, abstract, and resubmit the drawing in my patent. I was not aware of the limit of 3 independent claims and 20 dependent claims. Claims 1,3,4,5,6,7,11,12,13,14,16,18,19 and 20 are original. Claims 2,8 and 9 are currently amended to be dependent of claim 1. Claim 10 is currently amended to be dependent of claim 9. Claims 15 and 17 are currently amended to be dependent of claim 11.

The specifications is the original and contains no new matter. Currently amended is the Brief Description Of The Drawing and Detailed Description Of The Invention as requested, and the formalities for as specified by the USPTO's A Guide To Filing a Utility Patent Application, such as page numbers, paragraph numbers enclosed in brackets and separate sections.

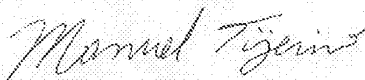
The abstract is the original one. The reason for the amendment on it is that I added a page number to it.

The drawing contains the original material in black and white with a Fig. 1. and a 1/1 label.

I have also included marked versions of the specification, claims, and abstract with the new material underlined. Thank you for your time, and please do not hesitate to let me know if you need anything else from me.

Sincerely,

Manuel Tijerino


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Electronic Acknowledgement Receipt	
EFS ID:	1890662
Application Number:	11744228
International Application Number:	
Confirmation Number:	8401
Title of Invention:	User Defined Internet Jukebox Kiosks Set Top Box
First Named Inventor/Applicant Name:	Manuel Tijerino
Customer Number:	69117
Filer:	Manuel Ignacio Tijerino
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Attorney Docket Number:	
Receipt Date:	20-JUN-2007
Filing Date:	04-MAY-2007
Time Stamp:	13:03:11
Application Type:	Utility

Payment information:

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Information:					
2	Claims	ClaimsNew.pdf	36831	no	2
Warnings:					
Information:					
3	Abstract	AbstractNew.pdf	32224	no	1
Warnings:					
Information:					
4	Drawings	DrawingsNew.pdf	422919	no	1
Warnings:					
Information:					
5	Applicant Arguments/Remarks Made in an Amendment	SpecificationCorrections.pdf	47755	no	3
Warnings:					
Information:					
6	Applicant Arguments/Remarks Made in an Amendment	ClaimsCorrections.pdf	36900	no	2
Warnings:					
Information:					
7	Applicant Arguments/Remarks Made in an Amendment	AbstractCorrections.pdf	32254	no	1
Warnings:					
Information:					
8	Oath or Declaration filed	OathNew.pdf	7537099	no	2
Warnings:					
Information:					
9	Preliminary Amendment	PreliminaryAmendmentSigned.pdf	2430513	no	1
Warnings:					
Information:					
Total Files Size (in bytes):			10623497		

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.

TITLE OF THE INVENTION

User Defined Internet Jukebox Kiosks Set Top Box

CROSS-REFERENCE TO RELATED APPLICATIONS

Not Applicable

STATEMENTS REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT

Not Applicable

REFERENCE TO SEQUENTIAL LISTING, A TABLE OR A COMPUTER PROGRAM LISTING

COMPACT DISK APPENDIX

Not Applicable

BACKGROUND OF THE INVENTION

TECHNICAL FIELD AND INDUSTRIAL APPLICABILITY OF THE INVENTION

[0001] This invention relates to systems and methods for exposing local artist to the masses.

DESCRIPTION OF THE RELATED ART

[0002] Making music takes a lot of time, dedication and money. The people lucky enough to have a band still have to work hard at playing shows and exposing themselves in a way that will counter the heavy cost of equipment and practice room rent. Current internet jukeboxes serve media in digital format, therefore artist have to pay big bucks to get a digital record and still so few get air play. Before the invention of the internet jukebox, an artist had to know someone to get their cd's into the jukebox. Now with the great technological advances of the internet and internet jukeboxes artist still have to audition, submit ,and practically beg the companies to put their music in their systems. Some companies will not even consider you unless you have an existing record deal. If your music is not mainstream you can forget about getting it played on any jukebox.

BRIEF SUMMARY OF THE INVENTION

[0003] As a programmer, musician, and sole creator of <http://www.check1two.com> I have noticed the struggle faced by many local artist and musicians in the ability of promoting their music by means of the internet jukeboxes. The present invention relates particulaly to the ability of a band, artist, and or individual musician to easily upload their media to a website that is directly linked to an internet jukebox, kiosk, and or set top box.

[0004] Jukebox systems are widely used in establishments as means of promoting well known musicians. The not so well known musicians can use this invention to promote themselves without having the clout previously needed. Typically, the musicians will upload their media to the system which will allow them to earn fees and royalties. The novelty of the invention is the power an individual will have in promoting themselves.

[0005] This invention will put an end to the current struggle local musicians face today in getting their music played in the internet jukeboxes and create better livelihoods for individual artist and bands that may have never otherwise had a chance to be heard.

BRIEF DESCRIPTION OF THE DRAWING

[0006] The foregoing aspects and many of the attendant advantages of this invention will become more readily appreciated as the same become better understood by reference to the following detailed description, when taken in conjunction with the accompanying drawing and/or FIGURE. FIGURE 1 is a perspective view of the entire system from start to finish.

DETAILED DESCRIPTION OF THE INVENTION

[0007] The present invention is a unique and new way to expose local artist from any state, city, or country to a world wide audience, currently not implemented by internet jukeboxes. By way of overview and with reference to FIGURE 1, the system of the present invention includes the members meaning an individual musician, band, artist, etc, that add their media meaning images, music, and

videos to the system, and the manner in which this media is added to the system 1. When a member gets on anything with an internet connection, such as a computer, that can upload their media they will connect to the website or user interface provided to add their media. The back end system 2 will be composed of servers, databases, and web programs that will handle storage, retrieval, and updates to the members accounts and foremost their media. The establishments that have the jukeboxes, kiosk, or set top boxes 3 will have the media available from all members in the system. This means that as soon as any member adds their media to their account it will be instantly available for playback.

What Is Claimed Is:

1. The system will have users and members.

Members that provide the content and users that use the content.

2. From claim 1, a member's role will be to create a profile from home, work or anywhere where they have access to a computer with internet.

3. From claim 2, after a profile is created the member will be able to add his band/group/individual images to his/her profile.

4. From claim 2, the member will have the ability to upload his/her media files.

5. From claim 4, the media files may be images, music, and or videos in digital format.

6. From claim 5, as soon as the profile is created and the media and image files are uploaded the member account will receive a status of active.

7. From claim 6, upon activating the account the users media/content/profile will be available to all of the systems connected to the network as well as online for convenience.

8. From claim 1, the system will keep track of the member's media and files and play count for royalties to be paid.

9. From claim 1, and from a user's standpoint they will be using an Internet jukebox with local artist on it.

10. From claim 9, the system will also connect to existing artist just like jukeboxes do now.

11. The system will be built in an Object oriented manner which will also allow for modular expansion.

12. From claim 11, some systems will contain built in speakers and amplifiers that can be of different sizes and exchangeable, while other systems will simply connect to existing in house PA's.

13. From claim 11, some systems will contain video cards to allow connection to television sets in venues that would like that feature for video plays.

14. From claim 11, some systems will contain the ability of burning cd's on the spot for customers.
15. From claim 11, some systems will contain a bill acceptor.
16. From claim 11, some systems will be enabled to receive credit cards and debit cards as well a prepaid online accounts by account providers such as paypal.
17. From claim 11, some systems will have wired remotes for skipping tracks and volume controls while others have wireless remotes and some having both.
18. From claim 17, when a user chooses to play a file that is not stored on the hard drive the system will stream it and store it on the hard drive for future plays.
19. From claim 10, all royalties and fees will be paid to the proper content providers and or artist who created the media used, governed by their terms of use.
20. The main purpose of the system is to expose local artist to the masses without having to be signed by a major record label and having a chance to earn money while allowing more time to focus on making music, and facilitating what has been almost an impossible feat to attain today, an easy reality of tomorrow as every party involved, meaning the artist, the individual users, and the establishment, venue, bar, or club a positive experience.

ABSTRACT OF THE DISCLOSURE

A system such as an Internet Juke Box, Kiosk, or Set Top Box connected to the network which is database driven and tied to an on line internet site where local artist and musicians can create a profile which will allow them to upload their media, being images, music and videos, and later go to an establishment that has this system and play it. The system will have the ability to expose local musicians to the masses and earn them money.

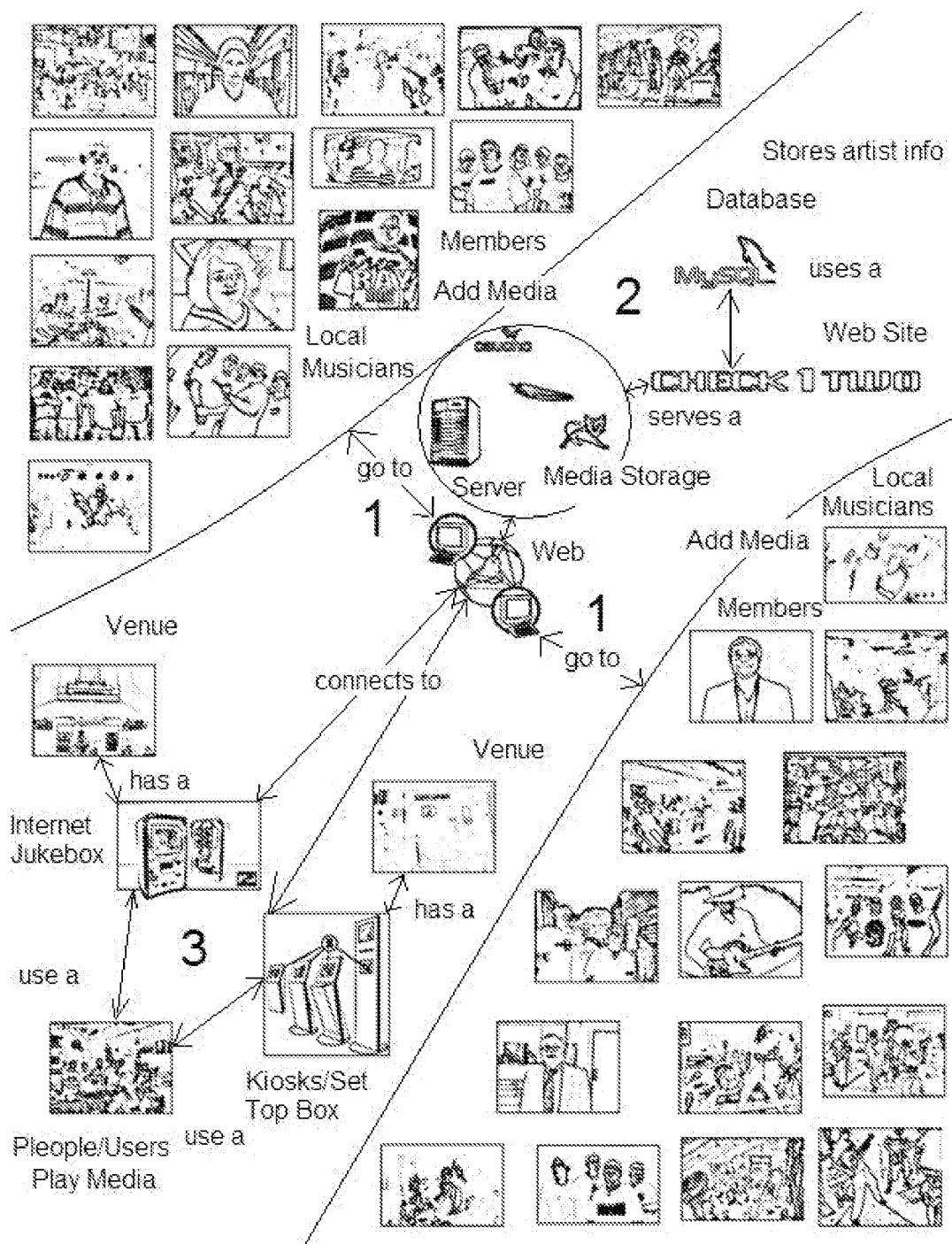


Fig. 1.

TITLE OF THE INVENTION

User Defined Internet Jukebox Kiosks Set Top Box

CROSS-REFERENCE TO RELATED APPLICATIONS

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Not Applicable

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number	
		First Named Inventor	Manuel Tijerino
☐ Declaration Submitted With Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)		COMPLETE IF KNOWN	
		Application Number	11/744,228
		Filing Date	05/04/2007
		Art Unit	2161
		Examiner Name	

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:

User Defined Internet Jukebox Kiosks Set Top Box

(Title of the invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 05/04/2007 as United States Application Number or PCT International

Application Number 11/744,228 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐
			☐	☐	☐

☐ 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 1.83. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

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

DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		☒ The address associated with Customer Number:	69117		OR	☐ Correspondence address below
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WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SOLE OR FIRST INVENTOR:				☐ A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])				Family Name or Surname		
Manuel Ignacio				Tijerino		
Inventor's Signature					Date	
Manuel Tijerino					06/20/2007	
Residence: City		State		Country		Citizenship
Hammond		Louisiana		US		Nicaragua
Mailing Address						
409 Oaklane Drive Unit A						
City		State		Zip		Country
Hammond		Louisiana		70403		US
☐ Additional inventions or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.						

(Page 2 of 2)



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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	TOT CLAIMS	IND CLAIMS
11/744,228	05/04/2007	2161	425		20	9

CONFIRMATION NO. 8401

FILING RECEIPT

69117
MANUEL TIJERINO
409 OAKLANE DRIVE
UNIT A
HAMMOND, LA70403

Date Mailed: 05/30/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. 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 mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. 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 (if appropriate).**

Applicant(s)

Manuel Tijerino, Residence Not Provided;

Power of Attorney: None

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 05/23/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US11/744,228**

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

User Defined Internet Jukebox Kiosks Set Top Box

Preliminary Class

707

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of

Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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 United States Patent and Trademark Office
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 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/744,228	05/04/2007	Manuel Tijerino	

CONFIRMATION NO. 8401
FORMALITIES
LETTER

69117
 MANUEL TIJERINO
 409 OAKLANE DRIVE
 UNIT A
 HAMMOND, LA 70403

Date Mailed: 05/30/2007

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The substitute specification must be accompanied by a marked up copy as set forth in 37 CFR 1.125(c) and a statement that the specification contains no new matter (see 37 CFR 1.125(b)). The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).
 - The application contains drawings, but the specification does not contain a brief description of the several views of the drawings as required by 37 CFR 1.74 and 37 CFR 1.77(b)(7).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$600** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$600** for a small entity

- Total additional claim fee(s) for this application is **\$600**
 - **\$600** for **6** independent claims over 3.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
 - does not identify the residence (e.g., city and either state or foreign country) of each inventor.
 - does not identify the complete mailing or post office address of each inventor.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLAIMS	IND CLAIMS
11/744,228	05/04/2007	2161	425		20	9

CONFIRMATION NO. 8401

FILING RECEIPT

69117
MANUEL TIJERINO
409 OAKLANE DRIVE
UNIT A
HAMMOND, LA70403

Date Mailed: 05/25/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. 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 mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. 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 (if appropriate).**

Applicant(s)

Manuel Tijerino, Residence Not Provided;

Power of Attorney: None

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 05/23/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US11/744,228**

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

User Defined Internet Jukebox Kiosks Set Top Box

Preliminary Class

707

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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.

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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TECHNICAL FIELD AND INDUSTRIAL APLLICABILITY OF THE INVENTION

This invention relates to systems and methods for exposing local artist to the masses.

BACKGROUND OF THE INVENTION

As a programmer, musician, and sole creator of <http://www.check1two.com> I have noticed the struggle faced by many local artist and musicians in the ability of promoting their music by means of the internet jukeboxes. The present invention relates particulaly to the ability of a band, artist, and or individual musician to easily upload their media to a website that is directly linked to an internet jukebox, kiosk, and or set top box.

Jukebox systems are widely used in establishments as means of promoting well known musicians. The not so well known musicians can use this invention to promote themselves with out having the clout previously needed. Typically, the musicians will upload their media to the system which will allow them to earn fees and royalties. The novelty of the invention is the power an individual will have in promoting themselves.

Making music takes a lot of time, dedication and money. The people lucky enough to have a band still have to work hard at playing shows and exposing themselves in a way that will counter the heavy cost of equipment and practice room rent. Current internet jukeboxes serve media in digital format, therefore artist have to pay big bucks to get a digital record and still so few get air play. Before the invention of the internet jukebox, an artist had to know someone to get their cd's into the jukebox. Now with the great technological advances of the internet and internet jukeboxes artist still have to audition, submit ,and practically beg the companies to put their music in their systems. Some companies will not even consider you unless you have an existing record deal. If your music is not mainstream you can forget about getting it played on any jukebox.

This invention will put an end to the current struggle local musicians face today in getting their music played in the internet jukeboxes and create better livelihoods for individual artist and bands that may have never otherwise had a chance to be heard.

What Is Claimed Is:

1. The system will have users and members. Members that provide the content and users that use the content.
2. A member's role will be to create a profile from home, work or anywhere where they have access to a computer with internet.
3. From claim 2, after a profile is created the member will be able to add his band/group/individual images to his/her profile.
4. From claim 2, the member will have the ability to upload his/her media files.
5. From claim 4, the media files may be images, music, and or videos in digital format.
6. From claim 5, as soon as the profile is created and the media and image files are uploaded the member account will receive a status of active.
7. From claim 6, upon activating the account the users media/content/profile will be available to all of the systems connected to the network as well as online for convenience.
8. The system will keep track of the member's media and files and play count for royalties to be paid.
9. From a user's standpoint they will be using an Internet jukebox with local artist on it.
10. The system will also connect to existing artist just like jukeboxes do now.
11. The system will be built in an Object oriented manner which will also allow for modular expansion.
12. From claim 11, some systems will contain built in speakers and amplifiers that can be of different sizes and exchangeable, while other systems will simply connect to existing in house PA's.
13. From claim 11, some systems will contain video cards to allow connection to television sets in venues that would like that feature for video plays.
14. From claim 11, some systems will contain the ability of burning cd's on the spot for customers.
15. Systems will contain a bill acceptor.
16. From claim 11, some systems will be enabled to receive credit cards and debit cards as well a prepaid online accounts by account providers such as paypal.
17. Some systems will have wired remotes for skipping tracks and volume controls while others have wireless remotes and some having both.
18. From claim 17, when a user chooses to play a file that is not stored on the hard drive the system will stream it and store it on the hard drive for future plays.
19. From claim 10, all royalties and fees will be paid to the proper content providers and or artist who

created the media used, governed by their terms of use.

20. The main purpose of the system is to expose local artist to the masses without having to be signed by a major record label and having a chance to earn money while allowing more time to focus on making music, and facilitating what has been almost an impossible feat to attain today, an easy reality of tomorrow as every party involved meaning the artist, the individual users, and the establishment, venue, bar, or club a positive experience.

Abstract of the Disclosure

A system such as an Internet Juke Box, Kiosk, or Set Top Box connected to the network which is database driven and tied to an on line internet site where local artist and musicians can create a profile which will allow them to upload their media, being images, music and videos, and later go to an establishment that has this system and play it. The system will have the ability to expose local musicians to the masses and earn them money.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	User Defined Internet Jukebox Kiosks Set Top Box
--------------------	--

As the below named inventor(s), I/we declare that:

This declaration is directed to:

☒ The attached application, or

☐ Application No. _____ filed on May 04, 2007

☐ As amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be 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.

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All statements made herein of my/our own knowledge are true, all statements made herein 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 are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)	
Inventor one: Manuel Tijerino	Date: May 04, 2007
Signature: <i>Manuel Tijerino</i>	Citizen of: Nicaragua
Inventor two: _____	Date: _____
Signature: _____	Citizen of: _____
☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.82. 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 1 minute 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 1455, Alexandria, VA 22313-1450.

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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.
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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.
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		2007-05-04
	First Named Inventor	Manuel Tijerino	
	Art Unit		
	Examiner Name		
	Attorney Docket Number		

U.S. PATENTS						Remove
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	7206821		2007-04-17	Moritomo	
	2	7194555		2007-03-20	Scibora	
	3	6338044		2002-01-08	Cook	
	4	6170014		2001-01-02	Darago	
	5	6073124		2000-06-06	Krishnan	
	6	6009401		1999-12-28	Horstmann	
	7	5926624		1999-07-20	Katz	
	8	5629980		1997-05-13	Stefik	
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	Filing Date		2007-05-04
	First Named Inventor	Manuel Tijerino	
	Art Unit		
	Examiner Name		
	Attorney Docket Number		

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¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		2007-05-04
	First Named Inventor	Manuel Tijerino	
	Art Unit		
	Examiner Name		
	Attorney Docket Number		

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the 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. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature		Date (YYYY-MM-DD)	
Name/Print		Registration Number	

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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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 inspections or an issued patent.
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Electronic Patent Application Fee Transmittal				
Application Number:				
Filing Date:				
Title of Invention:		User Defined Internet Jukebox Kiosks Set Top Box		
First Named Inventor/Applicant Name:		Manuel Tijerino		
Filer:		Manuel Ignacio Tijerino		
Attorney Docket Number:				
Filed as Small Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	75	75
Utility Search Fee	2111	1	250	250
Utility Examination Fee	2311	1	100	100
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				425

Electronic Acknowledgement Receipt	
EFS ID:	1743565
Application Number:	11744228
International Application Number:	
Confirmation Number:	8401
Title of Invention:	User Defined Internet Jukebox Kiosks Set Top Box
First Named Inventor/Applicant Name:	Manuel Tijerino
Customer Number:	69117
Filer:	Manuel Ignacio Tijerino
Filer Authorized By:	
Attorney Docket Number:	
Receipt Date:	04-MAY-2007
Filing Date:	
Time Stamp:	06:49:30
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$425
RAM confirmation Number	1374
Deposit Account	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
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1	Specification	Specification.pdf	50412	no	1
Warnings:					
Information:					
2	Claims	Claims.pdf	51145	no	2
Warnings:					
Information:					
3	Drawings	Drawings.pdf	103248	no	1
Warnings:					
Information:					
4	Abstract	Abstract.pdf	44666	no	1
Warnings:					
Information:					
5	Oath or Declaration filed	Oath.pdf	3202802	no	2
Warnings:					
Information:					
6	Information Disclosure Statement (IDS) Filed	US_IDS_Form__SB_08a.pdf	816033	no	4
Warnings:					
Information:					
7	Fee Worksheet (PTO-06)	fee-info.pdf	8345	no	2
Warnings:					
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New International Application Filed with the USPTO as a Receiving Office

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5/4/07

PTO/SB/06 (12-04)

Approved for use through 7/31/2006. OMB 0651-0032

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					11/744,228	
APPLICATION AS FILED – PART I						
(Column 1)		(Column 2)		SMALL ENTITY		OTHER THAN SMALL ENTITY
FOR	NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	RATE (\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))					75	
SEARCH FEE (37 CFR 1.16(k), (l), or (m))					250	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))					100	
TOTAL CLAIMS (37 CFR 1.16(i))	20	minus 20 =		X 25=		X 50=
INDEPENDENT CLAIMS (37 CFR 1.16(h))	9	minus 3 =		X 100=	600	X 200=
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				N/A		N/A
				TOTAL	1025	TOTAL
* If the difference in column 1 is less than zero, enter "0" in column 2.						
APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		(Column 3)		OTHER THAN SMALL ENTITY
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	
	Application Size Fee (37 CFR 1.16(s))				N/A	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				TOTAL ADD'T FEE	
(Column 1)		(Column 2)		(Column 3)		OTHER THAN SMALL ENTITY
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)
	Total (37 CFR 1.16(i))	*	Minus	**	=	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	
	Application Size Fee (37 CFR 1.16(s))				N/A	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				TOTAL ADD'T FEE	

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

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