PTO/SB/123 (04-15)
Approved for use through 03/31/2021. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS
Patent

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

Patent Number	10,984,445
Issue Date	04/20/2021
Application Number	15/893,354
Filing Date	02/09/2018
First Named Inventor	Shkedi
Attorney Docket Number	PP-CON4

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

☐ The address associated with Customer Number: [ ]

OR

☒ **Firm *or* Individual Name** Datonics, LLC

Address 37-18 Northern Boulevard
Suite 404

City Long Island City | **State** NY | **ZIP** 11101

Country US

Telephone 646-217-0930 | **Email** roy@almondnet.com

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

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

I am the:

☐ Patentee.

☐ 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 38918.

Signature	/Louis J. Hoffman/
Typed or Printed Name	Louis J. Hoffman
Date	08/31/2021
Telephone	480-948-3295

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

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

Privacy Act Statement

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

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

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

Electronic Acknowledgement Receipt	
EFS ID:	43648303
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman
Filer Authorized By:	
Attorney Docket Number:	14 PP CON4
Receipt Date:	31-AUG-2021
Filing Date:	09-FEB-2018
Time Stamp:	13:59:57
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Change of Address	21-08-31-DAT-PP_CON4-COA-sb0123.pdf	70227 bd5794d9411d5e5ec98d2392c4a4aed383ee719d	no	2

Warnings:

Information:	
Total Files Size (in bytes):	70227

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	04/20/2021	10984445	14 PP CON4	5057

26362 7590 03/31/2021

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

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

The Patent Term Adjustment is 236 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

Roy Shkedi, Forest Hills, NY;
Datonics, LLC, Long Island City, NY;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

IR103 (Rev. 10/09)

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 03/18/2021

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
03/18/2021	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com
dsalavi@northwestpatent.com

Notice of Allowability	Application No. 15/893,354	Applicant(s) Shkedi, Roy	
	Examiner MICHAEL J SITTNER	Art Unit 3622	AIA (FITF) Status No

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

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

1. ☑ This communication is responsive to PTAB Decision (9/21/2020).
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☑ The allowed claim(s) is/are 34-47 . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see **http://www.uspto.gov/patents/init_events/pph/index.jsp** or send an inquiry to **PPHfeedback@uspto.gov.**

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

   Certified copies:

   a) ☐ All b) ☐ Some *c) ☐ None of the:

   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

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

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

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

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

Attachment(s)

1. ☑ Notice of References Cited (PTO-892)
2. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 7/12/2019.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.
4. ☑ Interview Summary (PTO-413), Paper No./Mail Date. 20210315.
5. ☑ Examiner's Amendment/Comment
6. ☑ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/MICHAEL J SITTNER/
Primary Examiner, Art Unit 3622

DETAILED ACTION

Status of Claims

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

2. This action is in reply to the PTAB decision issued 9/21/2020 in view of agreements with Applicant's representative during Examiner initiated Interview held on 2/25/2021.

3. Claims 1-33 were previously canceled by preliminary amendment.

4. Claims 48-61 are canceled by Examiner Amendment.

5. Claims 34-47 have been amended by Examiner Amendment.

6. Claims 34-47 have been examined and are currently pending.

Amendment

7. The present Office Action is based upon claims filed on 09/14/2018 as modified by the Examiner amendment 02/25/2021.

Examiner's Amendment

8. Authorization for this examiner's amendment was given in a communication with Louis J. Hoffman, Reg. No.: 38,918 on 02/26/2021.

9. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Examiner Amendment

Claim 1-33. (Canceled)

Claims 48-61. (Canceled)

34. (Examiner Amendment)

A method of causing delivery of electronic advertisements based on provided profiles comprising: (a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches

a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor; (b) wherein the profile owner computer is programmed: (i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and (ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a); and (c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

35. (Previously presented) The method of claim 34 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

36. (Previously presented) The method of claim 35 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

37. (Previously presented) The method of claim 36 wherein the tag identifies the mobile phone.

38. (Previously presented) The method of claim 36 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was

received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

39. (Previously presented) The method of claim 35 wherein the second device is a computer and further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer.

40. (Previously presented) The method of claim 39 wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement.

41. (Previously presented) The method of claim 34 further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer.

42. (Previously presented) The method of claim 41 wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

43. (Previously presented) The method of claim 34 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

44. (Previously presented) The method of claim 43 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

45. (Previously presented) The method of claim 34 wherein the tag comprises personally identifiable information identifying the visitor.

46. (Previously presented) The method of claim 34 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

47. (Previously presented) The method of claim 34 wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

Reasons For Allowance

10. Claims 34-47 are allowed.

11. Regarding independent claim 34 the following references which have been found to be the closest applicable prior art to applicant's invention, do not teach either alone or in combination all of the features as claimed:

Kublickis et al. (US 2007/0067297 A1; hereinafter, "Kublickis")

Jaschke et al. (U.S. 2007/0130005 A1; hereinafter, "Jaschke")

Horowitz (U.S. 2005/0097204 A1; hereinafter, "Horowitz")

12. The Examiner has carefully considered Applicant's arguments (hereinafter, "Remarks") in Reply Brief filed 12/02/2019 as well as the **Patent Board Decision** (mailed 9/21/2020) in which the following terms "**media property entity**" and "**media property equipment**" (PTAB Decision, pgs. 7-8) were defined as

follows: "…"We determine that "media property entity" (shortened to "entity" at page 5 of the Specification) refers to an "owner" in a legal/business context; and "media property equipment" refers to hardware or hardware/software such as a web site, a computer, a mobile device, a TV set, a TV set top box, or any other device (Spec. 5) in a technology context."" In view of this definition of these terms, and although Jaschke teaches (as noted per PTAB Decision, pg. 8) "…for example, Figure 1 of Jaschke teaches an advertiser entity 110 and advertiser equipment 132 as distinct items. Similarly, a profiler entity 100 and profiler equipment 131 are distinct items…"

Nonetheless, the Examiner finds that neither Jaschke, Kublickis, nor Horowitz alone or in combination teach all of the features of the claims as Amended per Examiner Amendment, provided in the section titled **Examiner Amendment**.

For example, although the Examiner finds that Jaschke teaches various features as claimed, as shown herein below for ease of reference, Jaschke is not found to teach all of the features as amended by Examiner Amendment and neither Kublickis nor Horowitz are found to cure these deficiencies.

Jaschke, as shown, is found to teach the following features of independent claim 34:

> ***A method of causing delivery of electronic advertisements based on provided profiles comprising:***
> ***(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information*** (Jaschke, see at least Fig. 1 and [0064]-[0065] teaching, e.g.: "…The brokerage processor 138 [*central database associated with the computer system*] requests the target profile [*profile information*] of that particular target 190 [*of the visitor*] by accessing one or more target profile databases located on one or more target profile processors 131 [*profile owner computer*]… target profile may include one or more factors…"; see also at least [0052]-[0056] and [0076]-[0077] teaching e.g.: "The target profile is a data representation of a target 190 [*a visitor*]. The information is collected through (1)… (2)… (3)… (4) the active data input of third parties concerning that particular target

190 into databases of target profile processors 131 [*profile owner computer*]… Targets 190 may offer information to profilers 100 [e.g. *profile owner*] at a price,…"),

which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system (Jaschke, see at least [0059]-[0064], e.g.: "…correlating [*matching*] target profile data [*profile information associated with the visitor*] with the advertisers' associated descriptions [*kind of profiles requested by an entity*]…"; note [0061]: "The associated description [*kind of profiles requested by an entity*] is a reflection/virtual representation of the ideal target 190 suitable for that particular advertisement."; applicant's "entity" requesting profiles reads on Jaschke's advertiser; Note per [0022]: "A consumer information broker [entity controlling the computer system] can also be an …advertiser [entity requesting a type of profile], marketer, profiler [profile owner], … or any combination thereof."

Therefore, although per [0022] Jaschke teaches a "consumer information broker" [entity controlling the computer system] *can* be an advertiser [entity requesting a type of profile], Examiner finds that Jaschke may not explicitly teach, in a single embodiment, that his "consumer information broker" [entity controlling the computer system] *is* one of the advertisers [entity] who has provided an advertising description [requested kind of profile] relevant to the target [visitor]. However, whether explicitly stated or not, the Examiner finds that in view of the aforementioned teachings of Jaschke, especially at [0022], there is teaching and suggestion to try this combination and therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention to have tried such a combination suggested by Jaschke, i.e. per [0022], where a "consumer information broker [entity controlling the computer system]" is indeed also one of the "advertisers", providing a description, [entity requesting a type of profile] for a target [visitor] because per MPEP 2143(I) (G) Some teaching, suggestion, or motivation in the prior art (e.g. Jaschke's teachings at [0022]) that would have led one of ordinary skill to modify the prior art reference teachings to arrive at the claimed invention is obvious. The motivation may be implicit and may be found in the knowledge of one of ordinary skill in the art, or, in some cases, from the

nature of the problem to be solved. Id. at 1366, 80 USPQ2d at 1649)***, wherein a tag[1] associated with a visitor device serves as a link to the profile information associated with the visitor*** (Jaschke, see at least [0029]-[0030], e.g.: "…Once a target [visitor] accesses any of those platforms, an advertisement trigger or indication of availability [tag] is sent over the communications network to a consumer information broker. This can be implemented using cookies [a type of *tag associated with a visitor device*] on the PC 172 of the target 190,… SIM [another type *of tag associated with a visitor device*]… or any other means of uniquely identifying a user. After receiving notification of an advertising opportunity, the consumer information broker requests the target profile from one or more target profile processor(s) …"; the means of uniquely identifying the user, e.g. a cookie, serves as a link to the requested target profile [*profile information associated with the visitor*].)

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities (Jaschke, see at least Fig. 4 and [0019]-[0022]. Furthermore, herein Jaschke teaches "Consumer information brokers manage (1) the process of identifying advertisement platforms… determining [*automatically select*] the winning advertiser [*media property entity*]…"; and per [0028]-[0031]: "…After receiving notification of an advertising opportunity, the consumer information broker requests the target profile [*profile information about a visitor*] from one or more target profile processor(s) and correlates [*based on a comparison*] the target profile [*(A) profile information about a visitor]* to the associated description *[(B) a plurality of stored requests*] of each advertiser [*media property entity*] participating in the bidding process… the target profile is a data representation of the target [visitor]…"; note also at least [0064]-[0073].

The Examiner finds that the only difference between the limitation and the teachings of

[1] Regarding "tag", As noted supra: Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], *"A tag generally is a unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…"*. According to spec [6:10-11], *"…the tag could be whatever the software wants it to be, including a cookie of any domain."*

the prior art is that Jaschke may not explicitly teach, in a single embodiment, that his "Consumer information broker" is actually Jaschke's "profiler" [*profile owner*]. However, as noted *supra* at [0022] a "consumer information broker" can be a "profiler" [*profile owner*] and therefore, there is teaching and suggestion to try this combination and therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention to have tried such a combination suggested by Jaschke where his "consumer information broker" is also his "profiler" [profile owner] and therefore the computer system controlled by such a "consumer information broker" would be that of the "profiler" [*profile owner*] and would also perform the steps described by Jaschke at [0028]-[0031] because per MPEP 2143(I) (G) Some teaching, suggestion, or motivation in the prior art (e.g. Jaschke's teachings at [0022]) that would have led one of ordinary skill to modify the prior art reference teachings to arrive at the claimed invention is obvious. The motivation may be implicit and may be found in the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solved. Id. at 1366, 80 USPQ2d at 1649)***, one of which media property entities is the entity controlling the computer system*** (Again, as already noted *supra* e.g. per at least [0022] in view of [0053]-[0059], Jaschke's "consumer information broker" [entity controlling the computer system] may also be an "advertiser" [a media property entity] wishing to advertiser to the visitor and would be obvious, for rationale noted *supra*, that the "consumer information broker" [entity controlling the computer system] is also one of the "advertisers" [a media property entity])***, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system*** (Jaschke, again see at least Fig. 4 and [0030], also see at least [0031] and [0061]; Applicant's "each stored request being for requested profiles…" reads on Jaschke's received "associated description of each advertiser"; e.g. per [0061]: "…the advertisers 110 send an associated description, a bid, a bid increment, …to the consumer information broker 130. The associated description is a reflection/virtual representation of the ideal target 190 suitable for that particular advertisement.")

[(b)(ii)…]

(c) later, when the visitor device is available to receive an advertisement, with the

computer system, (i) using the tag[2] of part (a) that is associated with the visitor device to access the profile information stored in the central database (Jaschke, again see at least [0029]-[0030], e.g.: "…Once a target accesses any of those platforms [*later, when the visitor device is available to receive an advertisement*], an advertisement trigger or indication of availability is sent over the communications network to a consumer information broker. This can be implemented using cookies [*a tag associated with a visitor device –i.e. the tag of part (a)*] on the PC 172 of the target 190… After receiving notification of an advertising opportunity, the consumer information broker requests the target profile from one or more target profile processor(s) …"; the cookie serves as the link to request access to the target profile)***, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor*** (Jaschke, see at least [0029]-[0032], teaching e.g.: "…After receiving notification of an advertising opportunity, the consumer information broker requests the target profile [using the profile information linked to the tag] from one or more target profile processor(s) and correlates the target profile to the associated description of each advertiser participating in the bidding process... In a preferred embodiment, the consumer information broker selects an appropriate advertisement from the winning advertiser's reference to marketing materials. After the advertisement has been selected, it is conveyed to the target [*automatically cause delivery of an electronic advertisement to the visitor device*]…"; see also at least Fig. 4 and [0081]-[0087] e.g.: "…The present invention therefore offers the ability to customize advertisements based on the profile of a specific target 190 [*the electronic advertisement is dependent on the profile information associated with the visitor*]. For this purpose the target profile is correlated to each advertisement characterization of the winning advertiser 110. The advertisement whose advertisement characterization best matches the target profile is selected and delivered to the target 190.")

---

[2] Regarding "tag", As noted supra under "claim interpretation": Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], *"A tag generally is a unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…"*. According to spec [6:10-11], *"…the tag could be whatever the software wants it to be, including a cookie of any domain."*

Although Jaschke is found to teach the aforementioned features, Jaschke does not explicitly teach the feature (b)(ii) as amended and shown herein below:

> ***(b) wherein the profile owner computer is programmed:***
>
> ***(ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a);***

Respectfully, although as shown *supra* Jaschke teaches "A consumer information broker [entity controlling the computer system] may be an "advertiser" [media property entity] as well as teaching various other features as claimed, and Jaschke also teaches use of "cookies" [tags] to collect user information, e.g. per at least [0029]-[0030], e.g.: "…Once a target accesses any of those platforms [*later, when the visitor device is available to receive an advertisement*], an advertisement trigger or indication of availability is sent over the communications network to a consumer information broker. This can be implemented using cookies [*a tag associated with a visitor device –i.e. the tag of part (a)*] on the PC 172 of the target 190… After receiving notification of an advertising opportunity, the consumer information broker requests the target profile from one or more target profile processor(s) …"; where it is understood that information in Jaschke's cookie may serve as a link to request access to his "target profile". And although Jaschke teaches per [0028]-[0031] e.g.: "…After receiving notification of an advertising opportunity, the consumer information broker requests the target profile [*profile information about a visitor*] from one or more target profile processor(s) and correlates [*based on a comparison*] the target profile [*(A) profile information about a visitor]* to the associated description *[(B) a plurality of stored requests*] of each advertiser [*media property entity*] participating in the bidding process… the target profile is a data representation of the target [visitor]…" nonetheless, the Examiner finds that Jaschke does not teach all of the nuances of the amended feature within the context of all the other features as claimed.

That is, in view of the claims as a whole, Jaschke does not teach ***(b) wherein the profile owner computer is programmed:***

(ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a);

Furthermore, as Jaschke is not found to teach the combination of features as claimed and Examiner finds that neither Kublickis nor Horowitz cure the deficiencies of Jaschke, the Examiner has respectfully withdrawn the remaining prior art rejection.

Response to Arguments

13. Examiner acknowledges Applicant's Reply Brief Filed 12/02/2019 and PTAB Decision 09/21/2020. In view of the findings, as noted *supra*, and in view of Examiner initiated Interview and Examiner Amendment, the Examiner has withdrawn all outstanding rejections presented in Final Office Action mailed 10/18/2018.

14. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferable accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Sittner whose telephone number is 571-270-3984. The examiner can normally be reached 7:30 AM – 5:00PM (Mon. – Thur.), and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter H. Choi can be reached at (469) 295-9171.

16. 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.

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

/Michael J Sittner/

Primary Examiner, Art Unit 3622

Examiner-Initiated Interview Summary	**Application No.** 15/893,354	**Applicant(s)** Shkedi, Roy		
	Examiner MICHAEL J SITTNER	**Art Unit** 3622	**AIA (First Inventor to File) Status** No	**Page** 1 of 1

All Participants (applicant, applicants representative, PTO personnel)	**Title**	**Type**
MICHAEL J SITTNER	Primary Examiner	Telephonic
Louis J. Hoffman (Reg. No.: 38,918)	Attorney of Record	

Date of Interview: 25 February 2021

Issues Discussed:

35 U.S.C. 103

Examiner scheduled an interview (2/25/2021) to discuss proposed amendments which Examiner believes would place application in condition for allowance. Applicant's attorney discussed these proposed amendments and Authorization for this examiner's amendment was given in a communication with Louis J. Hoffman, Reg. No.: 38,918 on 02/26/2021.

/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	

Applicant is reminded that a complete written statement as to the substance of the interview must be made of record in the application file. It is the applicants responsibility to provide the written statement, unless the interview was initiated by the Examiner and the Examiner has indicated that a written summary will be provided. See MPEP 713.04
Please further see:
MPEP 713.04
Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews, paragraph (b)
37 CFR § 1.2 Business to be transacted in writing

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Notice of References Cited	Application/Control No. 15/893,354	Applicant(s)/Patent Under Reexamination Shkedi, Roy	
	Examiner MICHAEL J SITTNER	Art Unit 3622	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20030163370-A1	08-2003	Chen, Simon S.	G06Q30/0254	705/14.52
*	B	US-20070067297-A1	03-2007	Kublickis; Peter Joseph	G06Q30/02	1/1
	C					
*	D	2005/0097204 A1	05-2005	Horowitz, Russell C.	G06Q30/02	705/14.69
*	E	2007/0130005 A1	06-2007	Jaschke; Michael	G06Q30/02	705/14.66
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	NPL - Bartell et al. - The MediaXact System - A Framework for Personalized Electronic Commerce Services, Bell Labs Technical Jounal; April- June 1999 (Year: 1999)
	V	
	W	
	X	

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

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

CPC						
Symbol					**Type**	**Version**
G06Q	/	30	/	0255	F	2013-01-01
G06Q	/	30	/	02	I	2013-01-01
G06Q	/	30	/	0269	I	2013-01-01

CPC Combination Sets								
Symbol					**Type**	**Set**	**Ranking**	**Version**
	/		/					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	14	
/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	15 March 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	34	2

U.S. Patent and Trademark Office — Part of Paper No.: 20210315

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

INTERNATIONAL CLASSIFICATION				
CLAIMED				
G06Q30/02	/	30	/	02

NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**
705	14.66

CROSS REFERENCE(S)						
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**					

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	14	
/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	15 March 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	34	2

U.S. Patent and Trademark Office — Part of Paper No.: 20210315

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

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

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
-	1	-	10	-	19	-	28	4	37	13	46	-	55		
-	2	-	11	-	20	-	29	5	38	14	47	-	56		
-	3	-	12	-	21	-	30	6	39	-	48	-	57		
-	4	-	13	-	22	-	31	7	40	-	49	-	58		
-	5	-	14	-	23	-	32	8	41	-	50	-	59		
-	6	-	15	-	24	-	33	9	42	-	51	-	60		
-	7	-	16	-	25	1	34	10	43	-	52	-	61		
-	8	-	17	-	26	2	35	11	44	-	53				
-	9	-	18	-	27	3	36	12	45	-	54				

NONE (Assistant Examiner)	(Date)	**Total Claims Allowed:** 14	
/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622 (Primary Examiner)	15 March 2021 (Date)	O.G. Print Claim(s) 34	O.G. Print Figure 2

U.S. Patent and Trademark Office — Part of Paper No.: 20210315

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

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

CLAIMS

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

CLAIM		DATE								
Final	Original	06/11/2018	10/14/2018	12/17/2020	02/25/2021					
	34	✓	✓	✓	=					
	35	✓	✓	✓	=					
	36	✓	✓	✓	=					
	37	✓	✓	✓	=					
	38	✓	✓	✓	=					
	39	✓	✓	✓	=					
	40	✓	✓	✓	=					
	41	✓	✓	✓	=					
	42	✓	✓	✓	=					
	43	✓	✓	✓	=					
	44	✓	✓	✓	=					
	45	✓	✓	✓	=					
	46	✓	✓	✓	=					
	47	✓	✓	✓	=					
	48	✓	✓	✓	-					
	49	✓	✓	✓	-					
	50	✓	✓	✓	-					
	51	✓	✓	✓	-					
	52	✓	✓	✓	-					
	53	✓	✓	✓	-					
	54	✓	✓	✓	-					
	55	✓	✓	✓	-					
	56	✓	✓	✓	-					
	57	✓	✓	✓	-					
	58	✓	✓	✓	-					
	59	✓	✓	✓	-					
	60	✓	✓	✓	-					
	61	✓	✓	✓	-					

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	Art Unit
	MICHAEL J SITTNER	3622

CPC - Searched*		
Symbol	**Date**	**Examiner**
G06Q30/02 all with text	06/11/2018	MJS
G06F7/04 all with text	06/11/2018	MJS
H04L 9/32 all with text	06/11/2018	MJS
G06Q30/02; /0207-/0277 all with text	12/17/2020	MJS
G06Q30/02; /0207-/0277 all with text; H04L 9/32 all with text; G06F7/04 all with text	02/05/2021	MJS
G06Q30/02; /0207-/0277 all with text	02/26/2021	MJS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
705	14 all with text	06/11/2018	MJS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	Art Unit
	MICHAEL J SITTNER	3622

Search Notes		
Search Notes	**Date**	**Examiner**
See East Search History	06/11/2018	MJS
Assignee Search	06/11/2018	MJS
Inventor Search	06/11/2018	MJS
Review of Parent Applications and related Art	06/11/2018	MJS
PLUS Search	06/11/2018	MJS
See updated East Search	12/17/2020	MJS
Updated East Search	02/03/2021	MJS
Updated NPL Search	02/05/2021	MJS
Updated East Search	02/05/2021	MJS
Updated East Search	02/25/2021	MJS
Updated Interference Search	02/26/2021	MJS
Updated NPL Search	02/26/2021	MJS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
G06Q30	G06Q30/02; /0207-/0277 all with text	02/25/2021	MJS

/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	

Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(Not for submission under 37 CFR 1.99)

Application Number	15893354
Filing Date	2018-02-09
First Named Inventor	Shkedi, Roy
Art Unit	3622
Examiner Name	Sittner, Michael J.
Attorney Docket Number	14-PP-CON4

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					

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
/M.J.S/	1	2005022887	WO	A2	2005-03-10	Gottfurcht		

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	15893354
	Filing Date	2018-02-09
	First Named Inventor	Shkedi, Roy
	Art Unit	3622
	Examiner Name	Sittner, Michael J.
	Attorney Docket Number	14-PP-CON4

	1		

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature	/MICHAEL J SITTNER/	Date Considered	09/24/2019

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

[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	15893354
	Filing Date	2018-02-09
	First Named Inventor	Shkedi, Roy
	Art Unit	3622
	Examiner Name	Sittner, Michael J.
	Attorney Docket Number	14-PP-CON4

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.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

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	/Louis J. Hoffman/	Date (YYYY-MM-DD)	2019-07-12
Name/Print	Louis J. Hoffman	Registration Number	38,918

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.**

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

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).

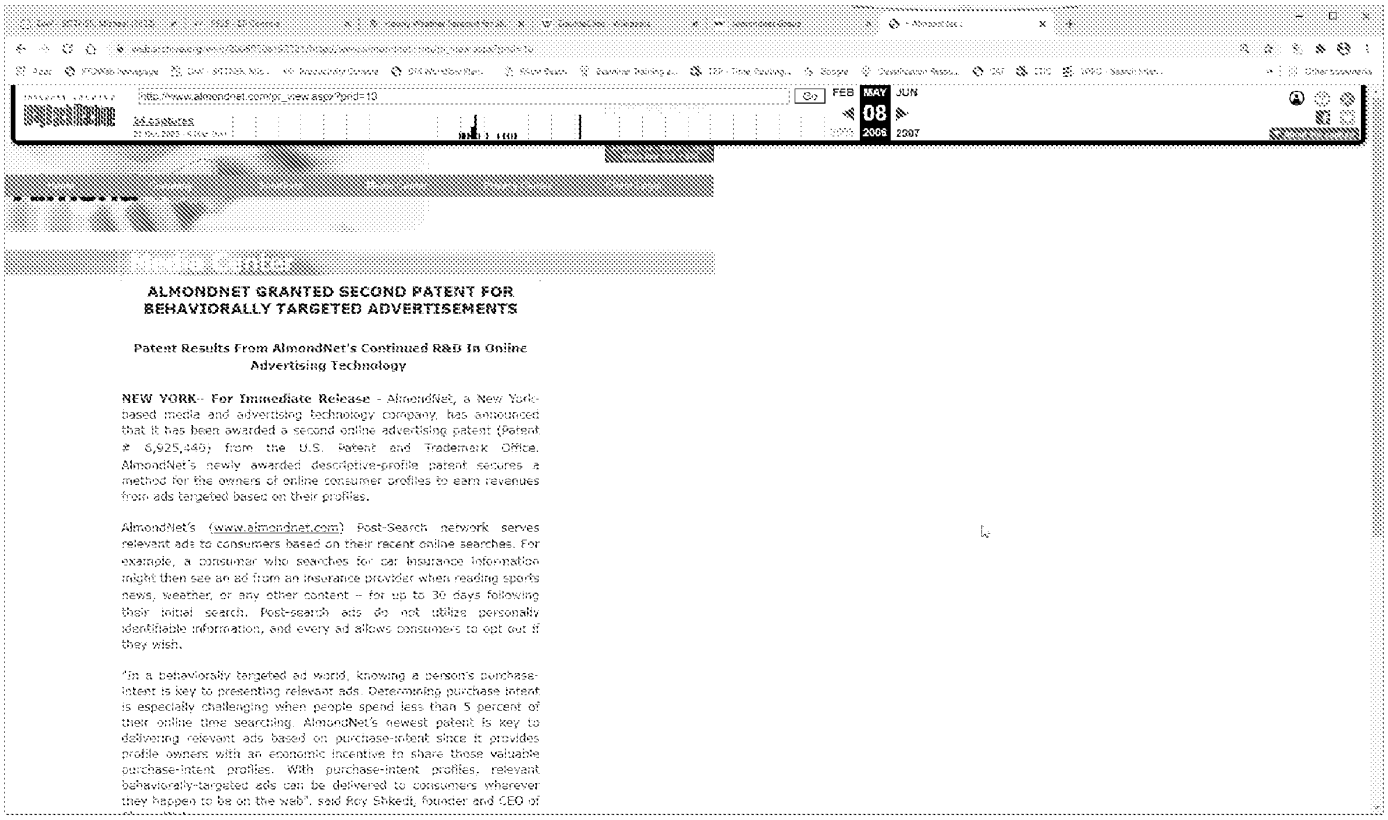
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

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.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



ALMONDNET GRANTED SECOND PATENT FOR BEHAVIORALLY TARGETED ADVERTISEMENTS

Patent Results From AlmondNet's Continued R&D In Online Advertising Technology

NEW YORK– For Immediate Release - AlmondNet, a New York-based media and advertising technology company, has announced that it has been awarded a second online advertising patent (Patent # 8,925,446) from the U.S. Patent and Trademark Office. AlmondNet's newly awarded descriptive-profile patent secures a method for the owners of online consumer profiles to earn revenues from ads targeted based on their profiles.

AlmondNet's (www.almondnet.com) Post-Search network serves relevant ads to consumers based on their recent online searches. For example, a consumer who searches for car insurance information might then see an ad from an insurance provider when reading sports news, weather, or any other content – for up to 30 days following their initial search. Post-search ads do not utilize personally identifiable information, and every ad allows consumers to opt out if they wish.

"In a behaviorally targeted ad world, knowing a person's purchase-intent is key to presenting relevant ads. Determining purchase intent is especially challenging when people spend less than 5 percent of their online time searching. AlmondNet's newest patent is key to delivering relevant ads based on purchase-intent since it provides profile owners with an economic incentive to share those valuable purchase-intent profiles. With purchase-intent profiles, relevant behaviorally-targeted ads can be delivered to consumers wherever they happen to be on the web", said Roy Shkedi, founder and CEO of

Dialog

Report Information from Dialog

February 26 2021 13:12
Created by My Research account: (Michael Sittner)

Search Strategy

Databases: ABI/INFORM® Professional Advanced, Abstracts in New Technology & Engineering, AdisInsight: Drugs, AdisInsight: Trials, Adis Pharmacoeconomics & Outcomes News, AGRICOLA, AGRIS, Allied & Complementary Medicine™, Analytical Abstracts, APA PsycInfo®, Aqualine, Aquatic Science & Fisheries Abstracts (ASFA), Australian Education Index, BIOSIS® Toxicology, BIOSIS Previews®, British Library Inside Conferences, British Nursing Index, Business & Industry, CAB ABSTRACTS, Chemical Business Newsbase, Chemical Engineering & Biotechnology Abstracts, Chemical Safety Newsbase, Civil Engineering Abstracts, Current Contents® Search, Derwent Drug File, Derwent Drug Registry, DH-DATA: Health Administration, Medical Toxicology & Environmental Health, DIOGENES® FDA Regulatory Updates, Drug Information Fulltext, Earthquake Engineering Abstracts, EconLit, Ei Compendex®, Ei EnCompassLIT, Embase®, EMCare®, ERIC, ESPICOM Pharmaceutical & Medical Device News, FDAnews, FLUIDEX (Fluid Engineering Abstracts), Foodline®: MARKET, Foodline®: PRODUCT, Foodline®: SCIENCE, FSTA®, Gale Group Computer Database™, Gale Group Health Periodicals Database, Gale Group New Product Announcements / Plus®, Gale Group Newsletter Database™, Gale Group PharmaBiomed Business Journals, Gale Group PROMT®, Gale Group Trade & Industry Database™, GEOBASE□, GeoRef, Global Health, HSELINE: Health and Safety, ICONDA - International Construction Database, IMS Company Profiles, IMS New Product Focus, IMS Pharma Trademarks, IMS R&D Focus, IMS R&D Focus Drug News, Inspec®, International Pharmaceutical Abstracts, Jane's Defense & Aerospace News, King's Fund, KOSMET: Cosmetic Science, Lancet Titles, Material Safety Datasheets -OHS™, Mechanical & Transportation Engineering Abstracts, MEDLINE®, Meteorological & Geoastrophysical Abstracts, Morressier Life Science Conference Abstracts and Posters, New England Journal of Medicine, Northern Light Life Sciences Conference Abstracts, NTIS: National Technical Information Service, Oceanic Abstracts, PAIS International, Paperbase, PAPERCHEM, ProQuest Advanced Tech & Aerospace Professional, ProQuest Biological & Health Science Professional, ProQuest Dissertations and Theses Professional, ProQuest Environmental Science Professional, ProQuest Materials Research Professional, ProQuest Newsstand Professional, ProQuest Technology Research Professional, Prous Science Daily Essentials, Prous Science Drug Data Report, Prous Science Drugs Of The Future™, Registry of Toxic Effects of Chemical Substances (RTECS®), SciSearch®: a Cited Reference Science Database, Social SciSearch®, ToxFile®, Transport Research International Documentation, TULSA™ (Petroleum Abstracts), UBM Computer Full Text, Weldasearch®, Zoological Record

Set#	Searched for	Results
S17	(s16 and selling)	6°
S16	(s4 and cookie)	34°
S15	(S1 and S4)	1°
S14	(s13 and advertiser and publisher)	0°
S13	(((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade Journals" OR "Conference Papers & Proceedings") NOT ("Wire Feeds" OR "Newspapers" OR "Magazines"))))) and (stype.exact(("Scholarly Journals" OR "Conference Papers & Proceedings") NOT "Dissertations & Theses"))	9°
S12	(((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade	18°

	Journals" OR "Conference Papers & Proceedings") NOT ("Wire Feeds" OR "Newspapers" OR "Magazines"))))) and (stype.exact(("Scholarly Journals" OR "Trade Journals" OR "Conference Papers & Proceedings") NOT "Dissertations & Theses"))	
S11	(s10 and advertiser and publisher)	11°
S10	S1 and S2	488°
S9	((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade Journals" OR "Conference Papers & Proceedings") NOT ("Wire Feeds" OR "Newspapers" OR "Magazines"))))	31°
S8	((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619))	58°
S7	(Datonics or (roy near/2 shkedi) or (Almond near/3 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade Journals" OR "Conference Papers & Proceedings" OR "Books" OR "Government & Official Publications" OR "Other Sources" OR "Working Papers") NOT ("Newspapers" OR "Wire Feeds" OR "Magazines" OR "Blogs, Podcasts, & Websites"))))	737°
S6	(Datonics or (roy near/2 shkedi) or (Almond near/3 (Net or group))) and (pd(<20050619))	1243°
S5	(Datonics or (roy near/2 shkedi) or (Almond near/3 (Net or group))) and (pd(<20060619))	1351°
S4	((profile near/15 link[*4]) near/15 (tag or cookie or (tracking pre/0 pixel))) and (pd(<20060619))	104°
S3	(profile near/15 (cookie or tag or (tracking pre/0 pixel))) and (pd(<20060619))	10363*
S2	(profile and (cookie or tag or (tracking pre/0 pixel))) and (pd(<20060619))	208936*
S1	(partial near/6 profile) and (pd(<20060619))	11093*

* Duplicates are removed from the search, but included in the result count.
° Duplicates are removed from the search and from the result count.

Document 1 of 6

Personalization versus Privacy: An Empirical Examination of the Online Consumer's Dilemma

Author: Chellappa, Ramnath K; Sin, Raymond G

Publication info: Information Technology and Management 6.2-3: 181-202. Springer Nature B.V. (Apr 2005)

ProQuest document link

Abstract (summary): Personalization refers to the tailoring of products and purchase experience to the tastes of individual consumers based upon their personal and preference information. Recent advances in information acquisition and processing technologies have allowed online vendors to offer varieties of web-based personalization that not only increases switching costs, but also serves as important means of acquiring valuable customer information. However, investments in online personalization may be severely undermined if consumers do not use these services due to privacy concerns. In the absence of any empirical evidence that seeks to understand this consumer dilemma, our research develops a parsimonious model to predict consumers' usage of online personalization as a result of the tradeoff between their value for personalization and concern for privacy. In addition to this tradeoff, we find that a consumer's intent to use personalization services is positively influenced by her trust in the vendor. Our findings suggest that: 1. online vendors can improve their abilities to acquire and use customer information through trust building activities; 2. it is of critical importance that vendors understand and evaluate the different values consumers may place in enjoying various types of personalization. [PUBLICATION ABSTRACT]

Links: Check USPTO-STIC for Availability

Location: United States--US

Language: English

Publication title: Information Technology and Management

Volume: 6

Issue: 2-3

Pagination: 181-202

Publisher location: New York

DOI: http://dx.doi.org/10.1007/s10799-005-5879-y

Document type: Feature

Document URL: https://dialog.proquest.com/professional/docview/1944599852?accountid=161862

Copyright: Springer Science + Business Media, Inc. 2005

First available: 2010-06-05

Updates: 2014-08-31

Database: 3 databasesView listHide listABI/INFORM® Professional Advanced, ProQuest Advanced Tech &Aerospace Professional, ProQuest Technology Research Professional

Keywords in context:

Full text: ... profiles allows vendors to target customers on a oneto-one basis, which in turn helps them in improving customer satisfaction, developing customer loyalty, and increasing cross-selling possibilities [1,43]. For example, a consumer who has already personalized her shipping and gift information on one Web-based retailer may exhibit some inertia in moving ... to construct reasonably accurate consumer profiles. A recent report from the FTC2 observes, Although the information gathered by network advertisers is often anonymous (i.e., the profiles are linked to the identification number of the advertising networks cookie on the consumers computer rather than the name of a specific person), in some cases, the profiles derived from tracking consumers activities on the Web ... to explicitly disclose most of this information. In addition to solicited information, personally unidentifiable information also often involves the use of sophisticated tracking technologies, e.g., cookies, clear gifs, etc. Such technologies, though not identifying a customer individually, enable the information collecting entity to sketch an effective customer profile.(c) Personally identifiable ... what may be perceived to be an intrusive profile. For example, a recent survey by the Personalization consortium shows that only 62% of people accept cookies although it is well known that cookies do not carry any personal information but can only aid in creating the profile of an anonymous individual. Doubleclicks recent purchase of Abacus and the ...

Document 2 of 6

Examination of Internet marketing relative to traditional promotion in the development of Web site traffic

Author: Mark, John L.

Publication info: Capella University, ProQuest Dissertations Publishing, 2003. 3112988.

ProQuest document link

Abstract (English): The Internet revolution has dramatically changed the way businesses compete with each other; the way customers shop; and the way companies collect, store, and process data on customer behavior. This study examined Internet marketing relative to traditional promotion and its effectiveness in developing Web site traffic. The findings suggest that (a) traditional offline promotion (i.e., television advertising, radio commercials, and print advertising) has been integrated with online (Internet) marketing to achieve the objectives of building brand awareness, promoting core value and Web address, and reaching mass audiences; (b) personalization (i.e., treating customers as individuals and using interactive dialogue to provide personalized products and services to match their needs) reflects the core strategy in Internet marketing for generating repeated customer visits on the Web site; and (c) measuring Internet marketing response through the common metrics (i.e., unique visitors, length of the Web session, click-through ratio, and conversion rate) is every bit as important as tracking traditional promotion. The added advantage of measuring Internet marketing for effectiveness is the ability to link specific online advertising and promotions to a specific customer response.

Links: Check USPTO-STIC for Availability

Subject: Web sites;Studies;Marketing;Advertising;Interactive marketing

Classification: 0338: Marketing

Identifier / keyword: Social sciences, Internet, Marketing, Promotion, Web site traffic

Number of pages: 160

Publication year: 2003

Degree date: 2003

School code: 1351

Source: DAI-A 64/11, Dissertation Abstracts International

Place of publication: Ann Arbor

Country of publication: United States

ISBN: 978-0-496-60484-5

Advisor: DeCaro, Frank P.

University/institution: Capella University

University location: United States -- Minnesota

Degree: Ph.D.

Source type: Dissertations & Theses

Language: English

Document type: Dissertation/Thesis

Dissertation/thesis number: 3112988

ProQuest document ID: 305211661

Document URL: https://dialog.proquest.com/professional/docview/305211661?accountid=161862

Copyright: Database copyright ProQuest LLC; ProQuest does not claim copyright in the individual underlying works.

First available: 2010-06-17

Updates:
2013-07-232013-07-232014-01-152014-01-212015-08-282016-05-172020-05-052020-08-252020-09-102020-10-12

Database: ProQuest Dissertations and Theses Professional

Keywords in context:

Full text: ... traditional marketing mix. For example, promotion within the traditional marketing mix has encompassed the two distinct and often complementary sales tools of advertising and personal selling historically known as pull and push. The marketers attempt to pull the customer to a product, showcasing it in a non- Reproduced with permission of ... a top-down, bottom-up, or hybrid fashion (Thuraisingham, 1999). To judge the quality of the data mining with limited data from the Webs log files and cookie files, effective Web database management is critical. A key emerging technology for enhancing Web-mining quality is digital libraries (Internet data management), which are essentially digitized ... study by META (1997) forecast growth in the area of data mining driven by database marketing. The study cited applications such as customer-retention management, cross-selling and up-selling, channel and pricing analysis, and customer segmentation analysis. It mentioned that driven by the need for Internet database marketing, data-mining technology is rapidly becoming mainstream (Mena, 1999). One of the major data-mining applications is cookie technology, which allows a Web site to store a visitors information. The many reasons a Web site would use cookie technology include the ability to personalize information, provide help with online services, or simply collect demographic information. Cookie technology ensures an accounts confidentiality and security, making it easier for customers to navigate through the Web site (Brain, 2002). Within the Internet industry, marketers use cookie technology to track a visitors browsing and buying habits. In this realm, the technology enables marketers to target advertising banners based on customers interests. For example, cookie technology allows Amazon.com to tailor its appearance to suit a customers established preferences. Cookie technology also makes shopping cart technology possible. For example, when a customer selects item to purchase in an online shopping session, cookie technology makes it possible for the customer to continue shopping and to check out later (Brain, 2002). Reproduced with

permission of the copyright owner. Further ... customer (Greer &Murtaza, 2003). Amazon.com, a major Internet company with no physical storefront, has successfully applied the collaborative filtering technique, which is ideal for selling books, CDs, and videos. During a customers first purchase from Amazon.com, an account is opened. Upon each Reproduced with permission of the copyright owner. Further ... site. Zshop aimed to attract the thousands of small merchants who were eager to use the Web as a new distribution channel, including those currently selling through eBay (Carpenter, 2000). Through the Zshop program, Amazon.com hosts hundreds of small e-commerce providers on its own Web site. These shops gain access to ... lead to conclusions about the total number of visitors and visits that were made to a Web site. Data Integration. Web traffic data must be linked to the marketing databases, which include customer profiles and registration. Cookie technology provides an accurate method of creating this linkage, verifying that the same visitor has accessed the Web site regardless of the Internet Protocol (IP) address that is used to make the connection. A cookie is a unique identifying code that the Web server gives to the browser to store locally on the computer during the first visit to the Web site. The cookie is designed to identify Web site visitors as they come to the Web site. Cookies benefit Web visitors by making individual requests much more traceable, resulting in a greater understanding of how the Web site is being used and therefore creating a reliable Web measurement. Cookies also benefit Web visitors by allowing Web sites to recognize repeat visitors. For example, Amazon.com uses cookie technology to enable its one-click book ordering. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. Examination of Internet Marketing13 3 Filtering ... Coding and Common Server Log File Information Major coding stageData SourceKey Information 1.Awareness and search 2.Interest and evaluation 3.Desire and Trial 4.PurchaseCommon server log file/cookie Common server log file/cookie Common server log file/cookie Common server log file/cookieInternet protocol (IP) address, user name, and requests Internet protocol (IP) address, user name, and requests Internet protocol (IP) address, user name, ... Boudreau, M., Gefen, D., &Straub, D. (2001, March). Validation in information systems research: A state-of-the-art assessment. MIS Quarterly, 1-24. Brain, M. (2002). How Internet cookies work. How Stuff Works. Retrieved December 24, 2002, from http ://www.howstuffworks. com/cookie.htm Breen, B. (1999, September 16). Building stronger Internet identities. Marketing, 25-26. Brengman, M., Geuens, M., Weijters, B., Smith, S., &Swinyard, R. (2003). Segmenting ... than 90% of its traffic from sponsorship and advertising. The annual revenue in 2001 was $1 billion (Momingstar, 2002). eBay (www.eBay.com) is a cyber-forum for selling more than 8,000 categories of merchandise. It offers online person-to-person trading for buyers and sellers of personal items such as antiques, coins, collectibles, computers, memorabilia, ...

Document 3 of 6

Politicizing privacy: 'Focussing events' and the dynamics of conflict

Author: Todd, David Jeffrey Alan

Publication info: University of Victoria (Canada), ProQuest Dissertations Publishing, 2001. MQ58552.

ProQuest document link

Abstract (English): In the past, the issue of information privacy has rarely captured the attention of the political agenda beyond the enactment of national data protection regimes. However, there is compelling evidence to suggest that privacy is an "issue whose time has come". While analysis of the politics of privacy has tended to examine the various dimensions of the policy cycle, a rationalistic and technocratic approach obscures the often neglected and politically salient dimensions of privacy: the politicization of privacy issues and the dynamics of privacy conflicts. To explore this notion, two recent high-profile privacy conflicts are presented, one in the public sector of Canada over Human Resource Development Canada's 'Longitudinal Labour Force File', and one in the private sector involving the Internet advertiser DoubleClick Inc. Evidence of shared processes and similar dynamics is presented, as well as insights into the new politics of privacy and the emergence of a privacy industry.

Links: Check USPTO-STIC for Availability

Subject: Political science;Politics;Privacy;Conflicts;Studies;Marketing;Information systems

Classification: 0615: Political science0723: Information science0338: Marketing

Identifier / keyword: Communication and the arts, Social sciences

Number of pages: 158

Publication year: 2001

Degree date: 2001

School code: 0244

Source: MAI 39/05M, Masters Abstracts International

Place of publication: Ann Arbor

Country of publication: United States

ISBN: 978-0-612-58552-2

Advisor: Bennett, Colin J.

University/institution: University of Victoria (Canada)

University location: Canada

Degree: M.A.

Source type: Dissertations &Theses

Language: English

Document type: Dissertation/Thesis

Dissertation/thesis number: MQ58552

ProQuest document ID: 304727675

Document URL: https://dialog.proquest.com/professional/docview/304727675?accountid=161862

Copyright: Database copyright ProQuest LLC; ProQuest does not claim copyright in the individual underlying works.

First available: 2010-06-17

Updates: 2013-09-212013-09-212014-01-072015-08-262016-05-092020-08-252020-11-10

Database: ProQuest Dissertations and Theses Professional

Keywords in context:

Full text: ... that an organization that they are dealing with does not provide the protections that they desire, as in the case of a direct marketing company selling personal information about an individual in a list, that individual may choose to 'opt out1 of the distribution list to satisfy their privacy concerns. 79 ... interview. "There's a huge market out there for personal information, for marketing purposes in particular. We've already 0 t \ seen municipal and provincial governments selling databases." The Department of Human Resources had the opportunity to respond to the conflict in a number of newspapers across the country in the initial ... review of the current privacy legislation that governs the public sector.230 Another article focussed attention on other recent privacy issues, including Ontario's ministry of transport selling personal information to private companies earlier this year. The article also reported on an incident from last year when Elections Canada "misplaced" a Manitoba Highway ... to another privacy problem involving the "extreme right". As the Minister noted, "(i)t is

interesting that the Harris government, particularly the ministry of transportation, is selling confidential driver data including home addresses to private companies, the companies that the hon. member said should not have them. Do members know what hurts? ... educational records, motor vehicle registration, and telephone records. However, a number of activities that concern personal information are not protected by law, such as the selling of bank and medical records, and workplace surveillance such as keystroke monitoring. A number of states have state level sectoral legislation, and almost 278 Katz ... Review. Vol. 52, p. 1623. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 93 personal computers can reveal confidences by accepting cookies, also known as "persistent client-side hypertext transfer protocol files".289 Cookies are the digital equivalent of an identification tag, which website operators place on the hard drive of web users to identify the user as a previous visitor and allow the site to match the details of the previous visit. Most web browsers are configured, to automatically accept cookies, and consequently the placing of cookies goes unnoticed in the background, and without consent. I will further explore how the use of cookies can be problematic in a later section on online profiling. The second dimension of the privacy horror show is the collection of information by Internet ... up to eighty-five percent of web sites collect personal information.292 This information is typically collected using a variety of techniques, including through the use of cookies, through filling in information in online application and registration forms, and via sweepstake and contest schemes. In addition to personally identifiable information, other information ... or advertising supported software (adware) is a case in point. One way in which shareware293 authors can make money from a developed product, other than selling it to their users, is to offer a version of software that is supported by advertising. While many users will consider this a fair trade ... employ techniques that track the individual's activity on the Web. One of the most prevalent techniques to accommodate this is through the utilization of 'cookies'. There are two types of cookies: session cookies and persistent cookies. Session cookies are used to communicate to the web server that a particular individual is engaged in a session with the web server.298 Session cookies expire once the browser is closed. Persistent cookies, on the other hand, do not necessarily expire, and may be used to identify an individual when they return to the site that placed the cookie. "Web bugs" are also used to collect information on individuals. Also known as clear gifs or lxl gifs, web bugs are tiny one pixel ... bug image, the time that the bugged page was accessed, the type of browser that the individual is using, and the identification number of any cookie on the individual's computer that was placed by the web server. The existence of a web bug can 297 See DoubleClick's ad serving solutions at http://www-doubleclick.net/us/advertisers/adserving/default.asp7asp object 1 =& 298 For example, a session cookie might be used to confirm that an individual has certain permissions to access pages that might not be accessible by others, as in the case ... searching through the actual source code of the page that contains the web bug. In some circumstances, web bugs can be used to place a cookie on a computer to synchronize an email address with a cookie i.d., rendering an anonymous profile personally identifiable.299 Cookies and web bugs are limited in the types of information that they can collect. This includes the type of information that is on the website ... purchases, whether an individual "clicked" on an advertisement on a page (click-throughs), and the website address from which the individual came from (the referring page). Cookies can collect this information without the consumer ever even clicking on an advertisement banner. Typically, the information that is collected by network advertisers is anonymous. Rather than identifying individuals by name, profiles are often linked to the identification number of the cookie that is placed on the individual's computer by the advertisers web server. However, a number of network advertisers derive their profiles by merging the non-identifiable information in cookies with personally identifiable information. There are two common and prevalent methods of identifying an individual to merge personally and non-personally identifiable information to complete the ... information or the use of services such as free email. This information is then provided to the network advertiser. In this case, a previously anonymous profile consisting of information retrieved from cookies could be linked to an individual by a different identification number provided by a cookie containing the personal information. A second way that a profile can be made personally identifiable is if a website incorporates personally identifiable information into a URL (uniform resource locator) string that is transmitted to a network advertiser through its cookie. For 299 See Richard M. Smith's "The Web Bug FAQ", http://www.tiac.net/users/smiths/privacy/wbfaq.htm Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 98 ... on the Internet, these consumer profiles can be extremely detailed. Some network advertisers claim that their profiles contain as many as 800 different "interest categories".301 Cookies placed by network advertising companies can track individuals on any website that is served by the network advertiser, allowing data to be collected by the ... by network advertisers appear seamless on the web pages in which they are displayed. Furthermore, the visitor to the website has no knowledge that a cookie is being placed on his or her machine unless the default setting in the web browser being used to view the page has been changed to provide notification of cookie placement. Unless a website 300 In this regard, the URL string might be composed something like this: http://www.privacyinvasivesite.com/newuser/david todd/bd08091974g=male.htm In this hypothetical example, privacyinvasivesite.com lists ... vague language that does not communicate the implications of profiling. For example, network advertisers encourage their partner websites to post that "third parties" may use cookies to assist in the personalization of the surfing experience and to provide content relevant to your preferences. 304 DoubleClick, Inc. Press Release. DOUBLECLICK, INC. AND ... combination of this data with DoubleClick's profiles of online clickstream data provides the companies with an opportunity to deliver potentially perfectly

targeted advertisements. By using cookie technology to positively identify a web browser by an identification number and matching that information with identifying information, DoubleClick would know exactly who the person ... matched with the offline data. 305 ibid. 306 Craig Bicknell, "DoubleClick's Single Focus: You", wired news: www.wired.com June 14, 1999, 2:30 p.m. PDT. 307 The Cookie that DoubleClick places identifies the web browser, not the individual. For example, if a number of people used the same web browser for using the Internet, DoubleClick's Cookie records the navigational and transactional information of all the users from the same Cookie(s). Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 101 The Dynamics of Conflict Initial Publicity DoubleClick's decision to merge with ... privacy policy states Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 102 DoubleClick claims not to collect personal data through the cookies that are placed when an advertising banner is displayed, they do facilitate the exchange of data in its network of more than 1300 websites and ... of the copyright owner. Further reproduction prohibited without permission. 103 network out of 75 million people per month who view DoubleClick ads and receive their cookies. Escalation To protest the proposed merger of DoubleClick and Abacus, privacy advocates and consumer groups planned to launch a relentless campaign reminiscent of campaigns ... merger would only make economic sense if their intention was to link the 88 million household files in the Abacus database with the 30 million cookies in the DoubleClick DART database. The letter also described how the DoubleClick and Abacus network would combine information resources to profile consumers both on the ... the copyright owner. Further reproduction prohibited without permission. L04 opt-out mechanism that DoubleClick uses is particularly problematic. When one opts-out of the DoubleClick network, a cookie is placed on the machine that tells the DoubleClick server not to place a cookie. If someone deletes his or her cookie file, the opt-out cookie is also deleted and the individual will no longer be opted-out of the system. The coalition against DoubleClick noted the inadequacy of the cookie technique suggesting it was analogous to "an inn keeper offering do-not-disturb signs instead of locks on guest room doors."319 DoubleClick opponents also wanted assurances that the DART system, which delivers targeted ads to consumers with the use of cookies, would live up to the company's privacy policy. The policy promises not to collect "any personally identifiable information about you, such as your name, ... state that "if you are willing to issue a guarantee that the merged entity and successors will never associate a name and address with a cookie without the affirmative informed consent of the individual concerned, please state this in public."321 In addition to formally objecting to the DoubleClick and Abacus merger ... A workshop on Online Profiling would be jointly sponsored by the FTC and the U.S. Department of Commerce to examine online advertising firms use of cookies and use of tracking technologies to develop targeted, user-profile based advertising campaigns. On the eve of the FTC Online Profiling workshop, a number of rights ... 339 "Open Letter sent to managers of socially responsible mutual funds", 11/19/1999. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 112 cookies served per week with 2 billion personally identifiable consumer catalog transaction records was described by Jason Catlett as "a full frontal attack, funded by Wall ... January 27, 2000, a Californian woman filed a suit in Marin County Superior Court against DoubleClick, accusing the Web advertising firm of unlawfully collecting and selling consumers' private information.349 The lawsuit, Judnick vs. DoubleClick Inc., 343 This inriicatps that this type of information is cookie information. 344 DoubleClick Press Release: "DoubleClick Completes Merger with Abacus Direct". November 23, 1999. http://ir.doubleclick.net/ireve/ir site-zhtml?tickep=DCLK&script=410&lavout=-6&item id=66808 345 USA Today, January 25, 2000. 346 Courtney ... practices. 353 "Who appointed them the Big Brother of cyberspace?" asked 350 Reuters, "DoubleClick sued over privacy: Internet advertising company accused of unlawfully obtaining and selling consumers private personal information." January 28, 2000. www.zdnet.com/zdnn/sto ries/news/0.4S86.2429053.00.html?chkpt=zdnnrla 351 Sandheep Junnarkar, "DoubleClick accused of unlawful consumer data use". CNET News.com, January 28, 2000. http://www.cnet.com/news/0-1005-20Q-1534533.html ... notify consumers of DoubleClick's data-collection practices and offer an opportunity to opt-out. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 118 cookie with "two clicks".369 Doubleclick also announced that it would provide full page advertisements in the New York Times and other papers across the country. Doubleclick ... respectfully request that the FTC enjoin Doubleclick and the Abacus Alliance from tying individuals' names, addresses, phone numbers, and emails to information collected through DoubleClick's cookies; and, prohibit Web sites from registering their subscribers or visitors in the Abacus Alliance profiling system without their affirmative consent, which cannot be made ... were being 'outed' for their relationship with Doubleclick. When visitors used the Alta Vista search engine, each term search was relayed to Doubleclick via a cookie. Alta Vista later reversed the practice of recording search terms in cookie files. Fallout On March 2, 2000, Doubleclick issued a Press Release with a statement from the company CEO Kevin O'Connor: "Over the past few weeks, ... for the Digital Age. Toronto: University of Toronto Press. 1996. p. 68-93. Reuters, "Doubleclick sued over privacy: Internet advertising company accused of unlawfully obtaining and selling consumers private personal information." Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 155 January 28, 2000. www.zdnet.com/zdnn/stories/news/0.4586.2429053.00.html?chkpt=zdrmr1a Regan, Priscilla M. Legislating ...

Document 4 of 6

The institutionalization of conflicts in cyberspace: A study of the conflict over online privacy

Author: Leizerov, Sagi

Publication info: George Mason University, ProQuest Dissertations Publishing, 2001. 3003055.

ProQuest document link

Abstract (English): The disheartening condition of consumers' privacy online is a burning issue that is of great interest to the public, the hi-tech industry and the U.S. government. Pursuing several research objectives, this study attempted to understand the major forces operating behind the conflict over online privacy for improving its management as well as the management of other Internet conflicts.

The main objective of this research was to understand what aspects of the online marketplace affect the approaches different Internet companies take regarding their customers' personal privacy and, consequently, reveal the forces affecting the institutionalization (management) of Internet conflicts in general. A broader research objective, a theoretical derivative of the previous objective, was the development of the theory of conflict institutionalization in respect to large-scale, technology-oriented conflicts.

To accomplish the above objectives, 145 randomly selected websites of the following denominations were studied: (a) websites of different industries; (b) websites of different commercial types; (c) Internet companies that are privately held and publicly held; (d) websites that have an 'off-line' affiliation and those that operate solely online; (e) websites that target consumers of a specific gender; and, (f) websites that participate in privacy seal programs. A content analysis questionnaire was designed for analyzing the privacy practices of the websites in the sample on 6 different variables. Those 6 variables were: (1) compliance with privacy regulations; (2) attitude of compliance with privacy regulations; (3) intrusiveness in data collection; (4) integrity; (5) trust building through responsible privacy practices; and, (6) transparency and accountability.

The research objectives were accomplished, and both specific and general findings were consequently derived. The specific findings are presented in the format of recommendations to Internet users for protecting their privacy, as well as policy recommendations aimed at the FTC for improving the management of this conflict. From a broader perspective, the study was successful in identifying economic, commercial and consumer-related variables that can be generalized for the analysis of other Internet conflicts. Finally, the findings allowed for the development of the theory of conflict-institutionalization by identifying elements of complexity that can impede such processes in the future.

Links: Check USPTO-STIC for Availability

Subject: Political science;Public administration;Conflicts;Privacy;Internet;Studies;Marketing;Consumers

Classification: 0338: Marketing0615: Political science0617: Public administration

Identifier / keyword: Social sciences, Conflict, Consumer profile, E-commerce, Institutionalization, Online, Privacy

Number of pages: 345

Publication year: 2001

Degree date: 2001

School code: 0883

Source: DAI-A 62/02, Dissertation Abstracts International

Place of publication: Ann Arbor

Country of publication: United States

ISBN: 978-0-493-11936-6

Advisor: Druckman, Daniel

University/institution: George Mason University

University location: United States -- Virginia

Degree: Ph.D.

Source type: Dissertations &Theses

Language: English

Document type: Dissertation/Thesis

Dissertation/thesis number: 3003055

ProQuest document ID: 304768475

Document URL: https://dialog.proquest.com/professional/docview/304768475?accountid=161862

Copyright: Database copyright ProQuest LLC; ProQuest does not claim copyright in the individual underlying works.

First available: 2010-06-17

Updates:
2013-09-272013-09-272014-01-092015-08-282016-05-052020-08-172020-08-272020-10-082020-11-02

Database: ProQuest Dissertations and Theses Professional

Keywords in context:

Full text: ... data trails can capture the websites the individual visits and provide a "profile" of her online life (Mulligan &Berman, 1999). Technologies such as "cookies" that are written directly onto a users hard drive, enable websites to surreptitiously collect information about an individuals online activities and store it for future use. Designed for the benign purpose of enabling websites to recognize a repeat visitor and respond accordingly, cookies were quickly adopted by websites to facilitate the tracking of a specific individual's activities at websites for the purpose of customizing content and advertising. Other companies combine information generated through the use of cookies with personal information collected from other non-Internet related sources into fully identifiable profiles of the individual's online and offline behavior. One has to keep in ... without permission. 19 Evidence of the growing market for detailed personal profiles of individuals is rampant on the Internet. Personalized portals, the pervasive use of cookies, or other bits of data that websites store on visitors' computers aid sites to personalize and target content and advertising (these terms are further ... without making many purchases (Berry &Linoff, 1997). Enterprises have two distinct types of external use for the information in their databases. The first is selling customers information to other companies (Gandy, 1993; Smith, 1994). For instance, Safeway charges 5.5 cents per name to suppliers who want their coupons or special ... send to customers, ads that are directly tied to the consumption habits of those individuals. The second common external use of customer information is the selling of lists of customers according to unique characteristics that distinguish the group and are of interest to the buying company (Linowes, 1989; Smith, 1994; Garfinkel, ... one of the most well known ways for companies to collect detailed personal information about an individuals purchasing habits. Credit card companies are notorious for selling the personal information of their customers after dividing them into different consumers types and groups. Even without the cooperation of credit card companies, when customers ... a million and an unwanted solicitation is quickly disposed of. In 1996, when New

Jersey Senator Richard Cody tried to pass a bill outlawing the selling of personal information, the Direct Marketing Association (DMA) argued in its defense that the nations $600 billion direct marketing industry would fall apart (Garfinkel, 2000). ... renovate, websites are relatively easy to manipulate. The continuos computerized monitoring of consumers online is a particularly valuable tool in the hands of online retailers selling products and services, because of the basic mutability of online environments (Peters, 1999). Cookies One of most common tools in the hands of Internet companies for the purpose of monitoring their customers is the use of cookies. An Internet cookie is a unique piece of code that is sent by a website and saved on a surfers hard-drive. This cookie sends the information it holds regarding the users previous selections on the website whenever this site is revisited. Cookies contain information such as log-in or registration data, online shopping cart selections, user preferences, and other websites visited. (Center for Democracy and Technology, 2000c; Gruenwald, 1998). There are a number of valid reasons for a company to use cookies on a site. These reasons include, among others, security, personalization of content, marketing and customer service. Research indicates that cookies can be a legitimate tool for the purpose of improving users online experience without impinging upon their privacy. To better understand what the online world would be like in the absence of cookies, it is instructive to consider how a supermarket would fair if it could not organize their aisles based on the behavior of Reproduced with ... a storekeeper could not greet a repeat visitor (Cohen, 2000; Mabley, 2000b). However, there is an important, yet widely ignored, distinction between the use of cookie tracking on a single companys sites versus tracking across different sites. Simply, Cookies were originally designed in such a way that only the site that sets them can identify them. In other words, the early developers of the ... invisible images on their ads that are pulled from the networked sites, companies who produce banner ads have succeeded in overcoming the technology limitations of cookies and can now track users throughout the Internet. The concern of privacy advocates is that these cookie profiles would then be linked with third-party consumer databases that contain off-line information such as name, address and date of birth (Peters, 1999; Mabley, 2000b; U.S. Senate, 2000). Internet Advertising ... do not merely supply banner ads; they also gather data about the consumers who view their ads. This is accomplished primarily by the use of cookies and web bugs which track the individuals actions on the Internet. Among the types of information that can be collected by network advertisers are the ... is one of the criteria studied in this research. The information gathered by network advertisers is often, but not always, anonymous. In other words, the profiles are frequently linked to the identification number of the advertising networks cookie on the consumers computer, rather than to the name of a specific person. These data are generally referred to as non-personally identifiable information. In some ... upon how the personal information is retrieved and processed by the website, the personally identifying information may be transmitted to the network advertiser through its cookie (FTC, 2000e). Consumer data can be analyzed in a number of ways. It can be combined with demographic and psychographic data from other sources, it ... a consumer on any website served by that company, thereby allowing data collection across disparate and unrelated sites on the Internet. In addition, because the cookies and web bugs used by ad networks are generally persistent, their tracking occurs over an extended period of time, resuming each time the individual logs ... with solutions such as annonymizers (i.e., software that allows one to either surf the net without transmitting any identifiable information or that transmit false information), cookie cleaners (software that rejects cookies and erases them from computers hard drives), and various encryption software that allow for the encryption of messages (Peters, 1999; U.S. Senate, 2000; Abreu, 2000; ... from their customers (category E in section 3 A of the CAQ). Part 4 measures integrity as it corresponds with admitting to the use of cookies and allowing third parties to use cookies on the domain. Part 5 focuses on trust building measures that the sites in the sample may or may not take to create social bonds ... example, alaskaairline.com). The websites assigned to the health' category were those companies that offered medical information or medicine (webmd.com). To the 'retail' industry any website selling consumer products that do not fall under any of the other industry categories studied were assigned (americangreetings.com). The websites assigned to the 'entertainment and sports' ... of information, a search engine, personalization services and a free email service (yahoo.com). The sample was also divided according to the companies commercial type. Websites selling products were categorized as retailers. Websites selling services (online travel agents, for instance) were categorized as sellers of services. Websites that provide information or services for free (as portals do) were categorized ... a site was categorized as targeting a specific gender if the content or products it offered indicated such an orientation. For example, rampage.com, a website selling women fashion and women.com, a site providing feminine information, were both categorized as womens websites. The third stage of the gender assignment was based on ... presented on the website. The research was conducted using Microsofts Internet Explorer 5.0. The browser was configured to alert on any attempt to place a cookie on the computer. All cookies were erased from the computers hard drive before reviewing the next website. The research was done on a single computer to avoid any hardware related ... ignores the adoption of practices that would not reflect positively on their companies balance-sheets in the near future (Laverty, 1996; Loescher, 1984). Not only that selling online profiles of consumers can be an important financial contribution to a struggling upstart, handing consumer information appropriately and securing it may require expanses for ... for identifying the right options are delineated in appendix 1). To evaluate the attitude of compliance with the security practice, the question of third party cookies is used. Influenced by the obtrusive practices of online advertising agencies and online direct marketers (see chapter 4 for the discussions titled online advertising agencies and online profiling), question 2.5 touches on whether the sites tested allowed third parties to place cookies on their consumers hard-drives. This practice puts the personal information of Internet users in the

hands of companies with security and privacy practices of which the user is unaware. The issue of third party cookies is of concern mainly because it is often done without alerting the attention of the consumer (unless the consumer re-configures its Internet browser as was done in this research) and the cookies placed can be of an extremely obtrusive nature, to the extent that the third party can follow the consumer to other websites she may visit ... with the customer). Another aspect of intrusion that was recorded in this section of the research is whether the site allowed third parties to place cookies on their users hard drives. The use of cookies by the site itself was not considered as an intrusive act since, as was discussed in chapter 4, cookies, when placed by the domain itself, often have a legitimate and functional purpose. The risks to privacy in third parties cookies are presented above in the discussion of part 2 of the CAQ. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 180 ... the sample was measured by configuring the browser to notify whenever the site or a third party working with the site attempted to place a cookie on the computers hard-drive. A website would be considered to be lacking in integrity only if the use of cookies (by the site or a third party) is rejected or is not discussed in its privacy policy or statement. In the discussion of part 3 of the CAQ, it was stated that the use of cookies by the domain is considered as functional rather than intrusive and therefore incurred no penalty. Part 4 of the CAQ does not subscribe to a different dogma. A domain incurs a penalty here for placing a cookie on its users hard drives only if it fails to notify the user of this practice or outright lies about it. Explaining CAQ Part 5 ... difference was found among the seven industries on most of the questions in part 2. Question 2.5 (whether the domain allowed third parties to place cookies on its users hard drives or not) was the only question in part 2 where a difference of statistical significance was found. The Kruskal Wallis ... had the highest mean rank for this question (98.25) (suggesting that companies belonging to this industry were least inclined to allow third parties to place cookies on their users hard drives), while Portals had the lowest mean rank (46.9; less than half of the Travel industry). Reproduced with permission of the ... t-test results for that same question were t(143)= -2.26, p=.012 (one-tailed) with the means of38.07 for the companies giving information and 42.92 for the companies selling products and services. Due to great variations in the sizes of the three groups and considering the proportionally small size of the sell services group ... significantly on most of the questions in part 2 of the CAQ. Only on question 2.5 (whether the domain allows for third parties to place cookies on users hard drives) and question 2T5 (total grade for attitude of compliance with the FIP) did the two commercial types differ significantly. Table 1.2b ... their integrity. The Kruskal Wallis test was applied for testing the differences between the seven industries on their integrity in regard to their use of cookies on the domain, as well as the use of cookies by third parties on the domain. The seven industries were found to significantly differ on both question 4.1 and 4.2 (significance of .004 and .011 ... of integrity (88.36 and 88.18 respectively), while Portals and especially the Health industry presented low (i.e. lack of) integrity in regard to the use of cookies on their sites (62.25 and 46.55 respectively). Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 197 Results for CAQ part 5 ... results for that same question were t(143)= -3.08, p=.001 (one-tailed) with the means of 57.98 for the companies giving information and 67.14 for the companies selling products or services. Due to great Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 199 variations in the sizes of the ... The t-tests results were as follows. Disparity between information needed and information collected (question 3.1): t(143)= -4.37, p<.001 (one-tailed). Allows the use of third party cookies in domain (question 3.2): t(139.91)= -2.83, p=.002 (one-tailed, equal variances not assumed). Total of part 3 (question 3T2): t(143)= -4.61, p<.001. Results for CAQ part ... questions and their total statistically differed as indicated in hypothesis 2.3. Question 4.1, which studied the integrity of companies in regard to their use of cookies in the domain, had the following t-test results: t(91.87)= -2.91, p=.002 (one-tailed, equal variances not assumed). Question 4.2, which studied the integrity of companies in regard to the use of cookies by third parties on their domain, had the following t-test results: t(129.08)= -2.31, p=.012 (one-tailed, equal variances not assumed). Question 4T2, which totaled the two ... the site and the information it actually collected had the following results: t(143)= 2.5, p=.006 (one-tailed). Question 3.2, which studied the use of third parties cookies on the domains had the following results: t(122.29)= 3.29, p=.0005 (one- Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 205 tailed, ... their total presented statistically significant differences in accordance with hypothesis 2.4. Question 4.1, which studied the integrity of companies in regard to their use of cookies in the domain had the following t-test results: t(143)= 2.34, p=.011 (one-tailed). Question 4.2, which studied the integrity of companies in regard to the use of third parties cookies on the domain had the following results: t(143)= 2.06, p=.02 (one-tailed). Question 4T2, which totaled the two preceding questions had the following results: t(143)= 2.67, ... found between the two Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 217 samples grades for question 2.5 (allowing third party cookies on the domain). The t-test results for this question were t(65.99)= -3.42, p<.001 (one-tailed, equal variances not assumed). As was indicated above, the two samples ... compliance). Correlating 4T2 with question 2.5 found a correlation of, r(143)= .329, p=.001, which suggests that sites that do not allow third parties to use cookies on their domain present higher degrees of integrity in revealing their cookies-related practices. Question 6.3, visibility of the link to the privacy policy on the homepage, was correlated with a few of the other questions. A ... to Internet users for protecting their privacy online. These options include, simply providing a false name when possible, setting the Internet browser to reject all cookies, and using special software to encrypt and anonymize themselves while online. The more savvy Internet users are in using computers and their applications, the ... economic potential. Beyond a firms economic potential, a publicly traded company has

a better chance to survive because of the funds it can generate by selling its common stocks. Popularity increases a companys chances of survival because it indicates consumers interest. In its report of May 2000 (FTC, 2000d), the FTC ... other third parties that might be working with a particular site, the users are encouraged to set their Internet browser to notify them before a cookie is placed on their hard drive. This author does not recommend rejecting all cookies because cookies served by the domain itself (i.e., the website of choice) can greatly contribute to the interaction with the site and improve the consumers online experience. The cookie notification function of both Netscape and Explorer (the two most common browsers on the market today) provides users with a Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 243 detailed message that includes the name of the company that is attempting to place the cookie. This allows the users to reject only those cookies that do not bear the name of the domain they visit. Recommendations derived from the research can be divided into the general and the specific. ... withheld from them, but strict control by Internet users over the collection of their personal information while interacting with such companies (including the use of cookies and clear-gifs by the domain and its affiliates) is important to retaining control over personal privacy. It is also recommended that users prefer sites that ... prohibited without permission. 245 5.1 confirmed, intrusiveness indicates a lack of integrity by the site in the use of both their own and third party cookies. Internet users do not need to refer to part 3 of the CAQ for calculating whether a site is intrusive or not. When asked ... information for free commercial type, although evident in the off-line world (e.g., newspapers that are given away with no charge and make their profit by selling advertising space) is hardly as prevalent in the off-line marketplace as they are online. This complex of similarities and differences between the off-line and online ... Privacy? The Industry Standardl May 15, 51. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. APPENDIX 1: GLOSSARY OF RELATED TERMS Cookie = A packet of information sent by a website to the computer of its visitor and then sent back by the original website each time the visitor revisits it. Cookies can contain any arbitrary information the website chooses and are used to authenticate or identify a registered users of the website without requiring them to ... C=3 D=1 3.2Does not allow third parties to use cookiesY=9 N=1 3T2Total grade for category Part 4 Integrity 4.1Does not admit to the use of cookies but attempted to place a cookieYes=l No=9 4.2Does not admit to the use of cookies by third parties, but third parties attempted to place a cookieYes=l No=9 4T2Total grade for category 9 The degree of information collected by the site ...

Document 5 of 6

Pardon me, am I personally identifiable?

Author: Goodby, Jeffrey

Publication info: Print 54.6: 115,152. F & W Publications, Inc. (Nov/Dec 2000)

ProQuest document link

Abstract (summary): Goodby discusses how advertising on the Internet evolved from irritating but successful banners to an insidious tool for studying how consumers buy, what they care about, what they think and who they are. These methods work by placing a "cookie" on an individual's computer, which won't reveal any identifiable information about the person but will reveal one's IP address, domain type, browser type, operating system and what web pages one views.

Links: Check USPTO-STIC for Availability

Location: Silicon Valley-California, San Francisco California

Language: English

Publication title: Print

Volume: 54

Issue: 6

Pagination: 115,152

CODEN: PRNTD3

Publisher location: New York

Document type: Commentary

Document URL: https://dialog.proquest.com/professional/docview/231142716?accountid=161862

Copyright: Copyright R.C. Publications, Incorporated Nov/Dec 2000

First available: 2010-06-10

Updates: 2013-12-18

Database: ABI/INFORM® Professional Advanced (1971 - current)

Keywords in context:

Abstract: ... insidious tool for studying how consumers buy, what they care about, what they think and who they are. These methods work by placing a "cookie" on an individual's computer, which won't reveal any identifiable information about the person but will reveal one's IP address, domain type, browser type, operating ...

Full text: ... ever known for studying how we buy, what we care about, what we think, and who we are. That's where the big money is now, selling this information, and it's worth thinking about what's going to happen next. This research is being carried out by companies with names like DoubleClick, CMGI, ... many think, without adequate or explicit-enough permission. When you visit a particular Web site or respond to an ad, a coded identifier called a "cookie" is placed into your computer. While the cookie doesn't expose your actual identity, it does give the researcher a lot of "non-personally identifiable" information about you: your IP address, domain type (.net, .com, ... of the Web's ebb and flow. What advertisers really desire, however, is "personally identifiable" research, in which actual names and addresses are attached to the cookies. Researchers get this information in a couple of controversial ways, generally referred to as "opt out" or "opt in." When you're filling out a ... to opt out. If you fail to notice the box, or think it's not worth checking, this will often be taken as express permission to link your name to the cookie and start merchandising the daylights out of your personal profile. Other advertisers may ask you to "opt in," or check the box if you indeed desire to be ineluded for "enhancement" or "advertising personalized ... that it can "deliver" over "20 million opt-in names in 260 categories." In fact, in a wave of enthusiasm over the future of matching up cookies with personalized information, a number of online researchers have recently affiliated with direct marketing houses, adding even more depth to the profiles they're selling. DoubleClick merged with Abacus Direct; 24/7 set up a special agreement with a company called Naviant that collects product registration information. By the end of 1998, the whole personalized information selling business had become one big optimistic party, spilling out into the street, toasting a future in which our buying, our choices, and even our thinking ... price up. After all, the biggest shareholders are sitting around the board table." I asked him whether he knew of any actual instances of people selling such lists in the past. "Believe it," he said. "If they can, they will. They could, and they have." Off in some distant server closet, I could feel the cookies slouching inexorably toward the personal identity lists. Something to think about the next time you Buy In One Click. Jeffrey Goodby is a founding partner ...

Document 6 of 6

MATCHING ADS TO EYEBALLS FIRM TRACKS NET SURFERS TO MAKE DATABASES - MINUS PERSONAL DATA: [THIRD Edition]

Author: Bray, Hiawatha

Publication info: Boston Globe [Boston, Mass] 22 Feb 2000: D.1.

ProQuest document link

Abstract (summary): Mention the Internet company CMGI Inc., and people think first of its sky-high stock price, or perhaps a string of glittering acquisitions, such as the popular AltaVista Internet search service. But for CMGI chief David Wetherell, the heart of the business is Engage Technologies Inc., a five-year-old firm that has

quietly collected a treasury of detailed information about millions of Internet users.

Engage is vital to the plan. It exists to capture data on the millions of visitors to CMGI's own sites, as well as to many other Web locations. Using custom software, Engage figures out Web surfers' tastes and interests. That information lets Engage target them with advertising that's far more likely to attract eyeballs - and dollars.

Perhaps the most impressive thing about the Engage database is what's not in it: personal information about Internet users. Engage thinks it's found a way to reliably deliver personalized information to Web surfers without knowing who they are.

Links: Check USPTO-STIC for Availability

Subtitle: [THIRD Edition]

Language: English

Publication title: Boston Globe

Pagination: D.1

Publisher location: Boston, Mass.

Document type: Feature

Document URL: https://dialog.proquest.com/professional/docview/405334740?accountid=161862

Copyright: Copyright Boston Globe Newspaper Feb 22, 2000

First available: 2010-06-26

Updates: 2015-11-07

Database: ProQuest Newsstand Professional

Keywords in context:

Full text: ... name and address data," Schaut says. "There's no e- mail address . . . no user-identifiable data." This is made possible by the use of cookies - little bits of coded information that can be loaded onto a Web surfer's computer. When you visit a particular Web site, such as Yahoo, the site's computer can put a cookie onto your computer. And you can create a customized version of the Yahoo site, with only those features you want to see. Whenever you return, the Yahoo computer will read the cookie on your computer to recall the features you asked for. All of this can be done without collecting any personal information from the user. Cookies were invented to allow Web sites to deliver personalized services without having to know anything about the person. But cookies are used in a more controversial way by Emerge's biggest rival, New York-based DoubleClick Inc. Founded in 1996, DoubleClick also built its business plan around ... firm that would precisely target Internet advertising to the most likely prospects and to measure the ads' success. Only in July 1999 did Engage begin selling its Engage Knowledge profiling service. By then, the company had created a network of popular Web sites where visitors receive cookies. Once Engage attaches a cookie to someone's Web browser, the company can track that person's travels to any other site in the Engage network. The system tracks "recency, frequency, and ... is run through a sophisticated program that assigns a numerical score to the user's interest in stocks and links it to the user's Engage Knowledge cookie. At least 35 million Internet surfers have been tracked by Engage, and each of them has a profile that measures interest in 800 different categories. "We're selling a score," says Andonian, a set of numbers that estimates your likely interests and tastes. This score is used to send targeted ads. Visit any Engage-linked Web site, and it will use your cookie to look up an anonymous but detailed profile. This profile determines which ads you'll see. Show a customer an ad for a product that truly interests him, and it's much more likely ...

Bibliography

Citation style: APA 6th - American Psychological Association, 6th Edition

Chellappa, R. K., & Sin, R. G. (2005). Personalization versus privacy: An empirical examination of the online consumer's dilemma. Information Technology and Management, 6(2-3), 181-202. doi:http://dx.doi.org/10.1007/s10799-005-5879-y

Mark, J. L. (2003). Examination of internet marketing relative to traditional promotion in the development of web site traffic (3112988). Available from ProQuest Dissertations and Theses Professional. (305211661). Retrieved from https://dialog.proquest.com/professional/docview/305211661?accountid=161862

Todd, D. J. A. (2001). Politicizing privacy: 'Focussing events' and the dynamics of conflict (MQ58552). Available from ProQuest Dissertations and Theses Professional. (304727675). Retrieved from https://dialog.proquest.com/professional/docview/304727675?accountid=161862

Leizerov, S. (2001). The institutionalization of conflicts in cyberspace: A study of the conflict over online privacy (3003055). Available from ProQuest Dissertations and Theses Professional. (304768475). Retrieved from https://dialog.proquest.com/professional/docview/304768475?accountid=161862

Goodby, J. (2000). Pardon me, am I personally identifiable? Print, 54(6), 115-115,152. Retrieved from https://dialog.proquest.com/professional/docview/231142716?accountid=161862

Bray, H. (2000, Feb 22). MATCHING ADS TO EYEBALLS FIRM TRACKS NET SURFERS TO MAKE DATABASES - MINUS PERSONAL DATA: [THIRD edition]. Boston Globe Retrieved from https://dialog.proquest.com/professional/docview/405334740?accountid=161862

Contact ProQuest

Copyright © 2021 ProQuest LLC. All rights reserved. - **Error! Hyperlink reference not valid.**

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

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

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

26362 7590 03/03/2021
LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

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

Certificate of Mailing or Transmission

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

Louis J. Hoffman	(Typed or printed name)
/Louis J. Hoffman/	(Signature)
3/12/2021	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

TITLE OF INVENTION: Providing collected profiles to media properties having specified interests

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1200	$0.00	$0.00	$1200	06/03/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
SITTNER, MICHAEL J	3622	705-014660

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

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

1 Louis J. Hoffman
2
3

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Datonics, LLC

(B) RESIDENCE: (CITY and STATE OR COUNTRY): Long Island City, NY

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

4a. Fees submitted: ☒ Issue Fee ☐ Publication Fee (if required) ☐ Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

☒ Electronic Payment via EFS-Web ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Louis J. Hoffman/ Date March 12, 2021

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

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
UTILITY APPL ISSUE FEE	1501	1	1200	1200

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**1200**

Electronic Acknowledgement Receipt	
EFS ID:	42171196
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman
Filer Authorized By:	
Attorney Docket Number:	14 PP CON4
Receipt Date:	12-MAR-2021
Filing Date:	09-FEB-2018
Time Stamp:	17:33:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$1200
RAM confirmation Number	E20213BH34594012
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	21-03-12-DAT-PP_CON4-IssueFeeTransmittal-PTOL-85.pdf	1984711 28cfe3a02674cffc8ea1c5ee0878e409aaa57c23	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30320 32847f94839ce08576c7c6e7da0e3ec37f2cf381	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	2015031		

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

26362 7590 03/03/2021

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER
SITTNER, MICHAEL J

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 03/03/2021

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

TITLE OF INVENTION: Providing collected profiles to media properties having specified interests

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1200	$0.00	$0.00	$1200	06/03/2021

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

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

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

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

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

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via EFS-Web.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

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

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

26362 7590 03/03/2021

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

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

Certificate of Mailing or Transmission

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

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

TITLE OF INVENTION: Providing collected profiles to media properties having specified interests

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1200	$0.00	$0.00	$1200	06/03/2021

EXAMINER	ART UNIT	CLASS-SUBCLASS
SITTNER, MICHAEL J	3622	705-014660

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-09 or more recent) attached. **Use of a Customer Number is required.**

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

1_____
2_____
3_____

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

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

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

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

4a. Fees submitted: ❑Issue Fee ❑Publication Fee (if required) ❑Advance Order - # of Copies _____

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

❑ Electronic Payment via EFS-Web ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

❑ Applicant asserting small entity status. See 37 CFR 1.27

❑ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.
NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.
NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 03/03/2021

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	
ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 03/03/2021

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

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 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, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

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

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

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

Notice of Allowability	**Application No.** 15/893,354	**Applicant(s)** Shkedi, Roy	
	Examiner MICHAEL J SITTNER	**Art Unit** 3622	**AIA (FITF) Status** No

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

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

1. ☑ This communication is responsive to PTAB Decision (9/21/2020).
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☑ The allowed claim(s) is/are 34-47 . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see **http://www.uspto.gov/patents/init_events/pph/index.jsp** or send an inquiry to **PPHfeedback@uspto.gov.**

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

   Certified copies:

   a) ☐ All b) ☐ Some *c) ☐ None of the:

   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

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

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

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

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

Attachment(s)

1. ☑ Notice of References Cited (PTO-892)
2. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.
4. ☑ Interview Summary (PTO-413), Paper No./Mail Date. 02/26/2021.
5. ☑ Examiner's Amendment/Comment
6. ☑ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/MICHAEL J SITTNER/
Primary Examiner, Art Unit 3622

DETAILED ACTION

Status of Claims

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

2. This action is in reply to the PTAB decision issued 9/21/2020 in view of agreements with Applicant's representative during Examiner initiated Interview held on 2/25/2021.

3. Claims 1-33 were previously canceled by preliminary amendment.

4. Claims 48-61 are canceled by Examiner Amendment.

5. Claims 34-47 have been amended by Examiner Amendment.

6. Claims 34-47 have been examined and are currently pending.

Amendment

7. The present Office Action is based upon claims filed on 09/14/2018 as modified by the Examiner amendment 02/25/2021.

Examiner's Amendment

8. Authorization for this examiner's amendment was given in a communication with Louis J. Hoffman, Reg. No.: 38,918 on 02/26/2021.

9. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Examiner Amendment

Claim 1-33. (Canceled)

Claims 48-61. (Canceled)

34. (Examiner Amendment)

A method of causing delivery of electronic advertisements based on provided profiles comprising: (a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches

a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor; (b) wherein the profile owner computer is programmed: (i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and (ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a); and (c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

35. (Previously presented) The method of claim 34 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

36. (Previously presented) The method of claim 35 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

37. (Previously presented) The method of claim 36 wherein the tag identifies the mobile phone.

38. (Previously presented) The method of claim 36 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was

received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

39. (Previously presented) The method of claim 35 wherein the second device is a computer and further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer.

40. (Previously presented) The method of claim 39 wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement.

41. (Previously presented) The method of claim 34 further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer.

42. (Previously presented) The method of claim 41 wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

43. (Previously presented) The method of claim 34 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

44. (Previously presented) The method of claim 43 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

45. (Previously presented) The method of claim 34 wherein the tag comprises personally identifiable information identifying the visitor.

46. (Previously presented) The method of claim 34 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

47. (Previously presented) The method of claim 34 wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

Reasons For Allowance

10. Claims 34-47 are allowed.

11. Regarding independent claim 34 the following references which have been found to be the closest applicable prior art to applicant's invention, do not teach either alone or in combination all of the features as claimed:

Kublickis et al. (US 2007/0067297 A1; hereinafter, "Kublickis")

Jaschke et al. (U.S. 2007/0130005 A1; hereinafter, "Jaschke")

Horowitz (U.S. 2005/0097204 A1; hereinafter, "Horowitz")

12. The Examiner has carefully considered Applicant's arguments (hereinafter, "Remarks") in Reply Brief filed 12/02/2019 as well as the **Patent Board Decision** (mailed 9/21/2020) in which the following terms "**media property entity**" and "**media property equipment**" (PTAB Decision, pgs. 7-8) were defined as

follows: "…"We determine that "media property entity" (shortened to "entity" at page 5 of the Specification) refers to an "owner" in a legal/business context; and "media property equipment" refers to hardware or hardware/software such as a web site, a computer, a mobile device, a TV set, a TV set top box, or any other device (Spec. 5) in a technology context."" In view of this definition of these terms, and although Jaschke teaches (as noted per PTAB Decision, pg. 8) "…for example, Figure 1 of Jaschke teaches an advertiser entity 110 and advertiser equipment 132 as distinct items. Similarly, a profiler entity 100 and profiler equipment 131 are distinct items…"

Nonetheless, the Examiner finds that neither Jaschke, Kublickis, nor Horowitz alone or in combination teach all of the features of the claims as Amended per Examiner Amendment, provided in the section titled **Examiner Amendment**.

For example, although the Examiner finds that Jaschke teaches various features as claimed, as shown herein below for ease of reference, Jaschke is not found to teach all of the features as amended by Examiner Amendment and neither Kublickis nor Horowitz are found to cure these deficiencies.

Jaschke, as shown, is found to teach the following features of independent claim 34:

> ***A method of causing delivery of electronic advertisements based on provided profiles comprising:***
> ***(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information*** (Jaschke, see at least Fig. 1 and [0064]-[0065] teaching, e.g.: "…The brokerage processor 138 [*central database associated with the computer system*] requests the target profile [*profile information*] of that particular target 190 [*of the visitor*] by accessing one or more target profile databases located on one or more target profile processors 131 [*profile owner computer*]… target profile may include one or more factors…"; see also at least [0052]-[0056] and [0076]-[0077] teaching e.g.: "The target profile is a data representation of a target 190 [*a visitor*]. The information is collected through (1)… (2)… (3)… (4) the active data input of third parties concerning that particular target

190 into databases of target profile processors 131 [*profile owner computer*]… Targets 190 may offer information to profilers 100 [e.g. *profile owner*] at a price,…"),

which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system (Jaschke, see at least [0059]-[0064], e.g.: "…correlating [*matching*] target profile data [*profile information associated with the visitor*] with the advertisers' associated descriptions [*kind of profiles requested by an entity*]…"; note [0061]: "The associated description [*kind of profiles requested by an entity*] is a reflection/virtual representation of the ideal target 190 suitable for that particular advertisement."; applicant's "entity" requesting profiles reads on Jaschke's advertiser; Note per [0022]: "A consumer information broker [entity controlling the computer system] can also be an …advertiser [entity requesting a type of profile], marketer, profiler [profile owner], … or any combination thereof."

Therefore, although per [0022] Jaschke teaches a "consumer information broker" [entity controlling the computer system] *can* be an advertiser [entity requesting a type of profile], Examiner finds that Jaschke may not explicitly teach, in a single embodiment, that his "consumer information broker" [entity controlling the computer system] *is* one of the advertisers [entity] who has provided an advertising description [requested kind of profile] relevant to the target [visitor]. However, whether explicitly stated or not, the Examiner finds that in view of the aforementioned teachings of Jaschke, especially at [0022], there is teaching and suggestion to try this combination and therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention to have tried such a combination suggested by Jaschke, i.e. per [0022], where a "consumer information broker [entity controlling the computer system]" is indeed also one of the "advertisers", providing a description, [entity requesting a type of profile] for a target [visitor] because per MPEP 2143(I) (G) Some teaching, suggestion, or motivation in the prior art (e.g. Jaschke's teachings at [0022]) that would have led one of ordinary skill to modify the prior art reference teachings to arrive at the claimed invention is obvious. The motivation may be implicit and may be found in the knowledge of one of ordinary skill in the art, or, in some cases, from the

nature of the problem to be solved. Id. at 1366, 80 USPQ2d at 1649)***, wherein a tag[1] associated with a visitor device serves as a link to the profile information associated with the visitor*** (Jaschke, see at least [0029]-[0030], e.g.: "…Once a target [visitor] accesses any of those platforms, an advertisement trigger or indication of availability [tag] is sent over the communications network to a consumer information broker. This can be implemented using cookies [a type of *tag associated with a visitor device*] on the PC 172 of the target 190,… SIM [another type *of tag associated with a visitor device*]… or any other means of uniquely identifying a user. After receiving notification of an advertising opportunity, the consumer information broker requests the target profile from one or more target profile processor(s) …"; the means of uniquely identifying the user, e.g. a cookie, serves as a link to the requested target profile [*profile information associated with the visitor*].)

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities (Jaschke, see at least Fig. 4 and [0019]-[0022]. Furthermore, herein Jaschke teaches "Consumer information brokers manage (1) the process of identifying advertisement platforms… determining [*automatically select*] the winning advertiser [*media property entity*]…"; and per [0028]-[0031]: "…After receiving notification of an advertising opportunity, the consumer information broker requests the target profile [*profile information about a visitor*] from one or more target profile processor(s) and correlates [*based on a comparison*] the target profile [*(A) profile information about a visitor]* to the associated description *[(B) a plurality of stored requests*] of each advertiser [*media property entity*] participating in the bidding process… the target profile is a data representation of the target [visitor]…"; note also at least [0064]-[0073].

The Examiner finds that the only difference between the limitation and the teachings of

[1] Regarding "tag", As noted supra: Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], "*A tag generally is a unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…"*. According to spec [6:10-11], *"…the tag could be whatever the software wants it to be, including a cookie of any domain."*

the prior art is that Jaschke may not explicitly teach, in a single embodiment, that his "Consumer information broker" is actually Jaschke's "profiler" [*profile owner*]. However, as noted *supra* at [0022] a "consumer information broker" can be a "profiler" [*profile owner*] and therefore, there is teaching and suggestion to try this combination and therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention to have tried such a combination suggested by Jaschke where his "consumer information broker" is also his "profiler" [profile owner] and therefore the computer system controlled by such a "consumer information broker" would be that of the "profiler" [*profile owner*] and would also perform the steps described by Jaschke at [0028]-[0031] because per MPEP 2143(I) (G) Some teaching, suggestion, or motivation in the prior art (e.g. Jaschke's teachings at [0022]) that would have led one of ordinary skill to modify the prior art reference teachings to arrive at the claimed invention is obvious. The motivation may be implicit and may be found in the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solved. Id. at 1366, 80 USPQ2d at 1649)***, one of which media property entities is the entity controlling the computer system*** (Again, as already noted *supra* e.g. per at least [0022] in view of [0053]-[0059], Jaschke's "consumer information broker" [entity controlling the computer system] may also be an "advertiser" [a media property entity] wishing to advertiser to the visitor and would be obvious, for rationale noted *supra*, that the "consumer information broker" [entity controlling the computer system] is also one of the "advertisers" [a media property entity])***, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system*** (Jaschke, again see at least Fig. 4 and [0030], also see at least [0031] and [0061]; Applicant's "each stored request being for requested profiles…" reads on Jaschke's received "associated description of each advertiser"; e.g. per [0061]: "…the advertisers 110 send an associated description, a bid, a bid increment, …to the consumer information broker 130. The associated description is a reflection/virtual representation of the ideal target 190 suitable for that particular advertisement.")

[(b)(ii)…]

(c) later, when the visitor device is available to receive an advertisement, with the

computer system, (i) using the tag[2] of part (a) that is associated with the visitor device to access the profile information stored in the central database (Jaschke, again see at least [0029]-[0030], e.g.: "…Once a target accesses any of those platforms [*later, when the visitor device is available to receive an advertisement*], an advertisement trigger or indication of availability is sent over the communications network to a consumer information broker. This can be implemented using cookies [*a tag associated with a visitor device –i.e. the tag of part (a)*] on the PC 172 of the target 190… After receiving notification of an advertising opportunity, the consumer information broker requests the target profile from one or more target profile processor(s) …"; the cookie serves as the link to request access to the target profile)***, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor*** (Jaschke, see at least [0029]-[0032], teaching e.g.: "…After receiving notification of an advertising opportunity, the consumer information broker requests the target profile [using the profile information linked to the tag] from one or more target profile processor(s) and correlates the target profile to the associated description of each advertiser participating in the bidding process... In a preferred embodiment, the consumer information broker selects an appropriate advertisement from the winning advertiser's reference to marketing materials. After the advertisement has been selected, it is conveyed to the target [*automatically cause delivery of an electronic advertisement to the visitor device*]…"; see also at least Fig. 4 and [0081]-[0087] e.g.: "…The present invention therefore offers the ability to customize advertisements based on the profile of a specific target 190 [*the electronic advertisement is dependent on the profile information associated with the visitor*]. For this purpose the target profile is correlated to each advertisement characterization of the winning advertiser 110. The advertisement whose advertisement characterization best matches the target profile is selected and delivered to the target 190.")

---

[2] Regarding "tag", As noted supra under "claim interpretation": Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], *"A tag generally is a unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…"*. According to spec [6:10-11], *"…the tag could be whatever the software wants it to be, including a cookie of any domain."*

Although Jaschke is found to teach the aforementioned features, Jaschke does not explicitly teach the feature (b)(ii) as amended and shown herein below:

> ***(b) wherein the profile owner computer is programmed:***
>
> ***(ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a);***

Respectfully, although as shown *supra* Jaschke teaches "A consumer information broker [entity controlling the computer system] may be an "advertiser" [media property entity] as well as teaching various other features as claimed, and Jaschke also teaches use of "cookies" [tags] to collect user information, e.g. per at least [0029]-[0030], e.g.: "…Once a target accesses any of those platforms [*later, when the visitor device is available to receive an advertisement*], an advertisement trigger or indication of availability is sent over the communications network to a consumer information broker. This can be implemented using cookies [*a tag associated with a visitor device –i.e. the tag of part (a)*] on the PC 172 of the target 190… After receiving notification of an advertising opportunity, the consumer information broker requests the target profile from one or more target profile processor(s) …"; where it is understood that information in Jaschke's cookie may serve as a link to request access to his "target profile". And although Jaschke teaches per [0028]-[0031] e.g.: "…After receiving notification of an advertising opportunity, the consumer information broker requests the target profile [*profile information about a visitor*] from one or more target profile processor(s) and correlates [*based on a comparison*] the target profile [*(A) profile information about a visitor]* to the associated description *[(B) a plurality of stored requests*] of each advertiser [*media property entity*] participating in the bidding process… the target profile is a data representation of the target [visitor]…" nonetheless, the Examiner finds that Jaschke does not teach all of the nuances of the amended feature within the context of all the other features as claimed.

That is, in view of the claims as a whole, Jaschke does not teach ***(b) wherein the profile owner computer is programmed:***

(ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a);

Furthermore, as Jaschke is not found to teach the combination of features as claimed and Examiner finds that neither Kublickis nor Horowitz cure the deficiencies of Jaschke, the Examiner has respectfully withdrawn the remaining prior art rejection.

Response to Arguments

13. Examiner acknowledges Applicant's Reply Brief Filed 12/02/2019 and PTAB Decision 09/21/2020. In view of the findings, as noted *supra*, and in view of Examiner initiated Interview and Examiner Amendment, the Examiner has withdrawn all outstanding rejections presented in Final Office Action mailed 10/18/2018.

14. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferable accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Sittner whose telephone number is 571-270-3984. The examiner can normally be reached 7:30 AM – 5:00PM (Mon. – Thur.), and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter H. Choi can be reached at (469) 295-9171.

16. 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.

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

/Michael J Sittner/

Primary Examiner, Art Unit 3622

Examiner-Initiated Interview Summary	**Application No.** 15/893,354	**Applicant(s)** Shkedi, Roy		
	Examiner MICHAEL J SITTNER	**Art Unit** 3622	**AIA (First Inventor to File) Status** No	**Page** 1 of 1

All Participants (applicant, applicants representative, PTO personnel)	**Title**	**Type**
MICHAEL J SITTNER	Primary Examiner	Telephonic
Louis J. Hoffman (Reg. No.: 38,918)	Attorney of Record	

Date of Interview: 25 February 2021

Issues Discussed:

35 U.S.C. 103

Examiner scheduled an interview (2/25/2021) to discuss proposed amendments which Examiner believes would place application in condition for allowance. Applicant's attorney discussed these proposed amendments and Authorization for this examiner's amendment was given in a communication with Louis J. Hoffman, Reg. No.: 38,918 on 02/26/2021.

/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	

Applicant is reminded that a complete written statement as to the substance of the interview must be made of record in the application file. It is the applicants responsibility to provide the written statement, unless the interview was initiated by the Examiner and the Examiner has indicated that a written summary will be provided. See MPEP 713.04
Please further see:
MPEP 713.04
Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews, paragraph (b)
37 CFR § 1.2 Business to be transacted in writing

Applicant recordation instructions: It is not necessary for applicant to provide a separate record of the substance of interview.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Notice of References Cited	Application/Control No. 15/893,354	Applicant(s)/Patent Under Reexamination Shkedi, Roy	
	Examiner MICHAEL J SITTNER	Art Unit 3622	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20030163370-A1	08-2003	Chen, Simon S.	G06Q30/0254	705/14.52
*	B	US-20070067297-A1	03-2007	Kublickis; Peter Joseph	G06Q30/02	1/1
	C					
*	D	2005/0097204 A1	05-2005	Horowitz, Russell C.	G06Q30/02	705/14.69
*	E	2007/0130005 A1	06-2007	Jaschke; Michael	G06Q30/02	705/14.66
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	NPL - Bartell et al. - The MediaXact System - A Framework for Personalized Electronic Commerce Services, Bell Labs Technical Jounal; April- June 1999 (Year: 1999)
	V	
	W	
	X	

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

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	Art Unit
	MICHAEL J SITTNER	3622

CPC							
Symbol						Type	Version
G06Q	/	30	/	0255		F	2013-01-01
G06Q	/	30	/	02		I	2013-01-01
G06Q	/	30	/	0269		I	2013-01-01

CPC Combination Sets								
Symbol						Type	Set	Ranking	Version
	/		/						

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	14	
/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	26 February 2021	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	34	2

U.S. Patent and Trademark Office — Part of Paper No.: 20201216

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

INTERNATIONAL CLASSIFICATION				
CLAIMED				
G06Q30/02	/	30	/	02

NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**
705	14.66

CROSS REFERENCES(S)						
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**					

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 14	
/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622 (Primary Examiner) 26 February 2021 (Date)	O.G. Print Claim(s) 34	O.G. Print Figure 2

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

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

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
-	1	-	10	-	19	-	28	4	37	13	46	-	55		
-	2	-	11	-	20	-	29	5	38	14	47	-	56		
-	3	-	12	-	21	-	30	6	39	-	48	-	57		
-	4	-	13	-	22	-	31	7	40	-	49	-	58		
-	5	-	14	-	23	-	32	8	41	-	50	-	59		
-	6	-	15	-	24	-	33	9	42	-	51	-	60		
-	7	-	16	-	25	1	34	10	43	-	52	-	61		
-	8	-	17	-	26	2	35	11	44	-	53				
-	9	-	18	-	27	3	36	12	45	-	54				

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 14	
/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622 (Primary Examiner) 26 February 2021 (Date)	O.G. Print Claim(s) 34	O.G. Print Figure 2

U.S. Patent and Trademark Office Part of Paper No.: 20201216

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	Art Unit
	MICHAEL J SITTNER	3622

CPC - Searched*		
Symbol	**Date**	**Examiner**
G06Q30/02 all with text	06/11/2018	MJS
G06F7/04 all with text	06/11/2018	MJS
H04L 9/32 all with text	06/11/2018	MJS
G06Q30/02; /0207-/0277 all with text	12/17/2020	MJS
G06Q30/02; /0207-/0277 all with text; H04L 9/32 all with text; G06F7/04 all with text	02/05/2021	MJS
G06Q30/02; /0207-/0277 all with text	02/26/2021	MJS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
705	14 all with text	06/11/2018	MJS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	Art Unit
	MICHAEL J SITTNER	3622

Search Notes		
Search Notes	**Date**	**Examiner**
See East Search History	06/11/2018	MJS
Assignee Search	06/11/2018	MJS
Inventor Search	06/11/2018	MJS
Review of Parent Applications and related Art	06/11/2018	MJS
PLUS Search	06/11/2018	MJS
See updated East Search	12/17/2020	MJS
Updated East Search	02/03/2021	MJS
Updated NPL Search	02/05/2021	MJS
Updated East Search	02/05/2021	MJS
Updated East Search	02/25/2021	MJS
Updated Interference Search	02/26/2021	MJS
Updated NPL Search	02/26/2021	MJS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
G06Q30	G06Q30/02; /0207-/0277 all with text	02/25/2021	MJS

/MICHAEL J SITTNER/ Primary Examiner, Art Unit 3622	

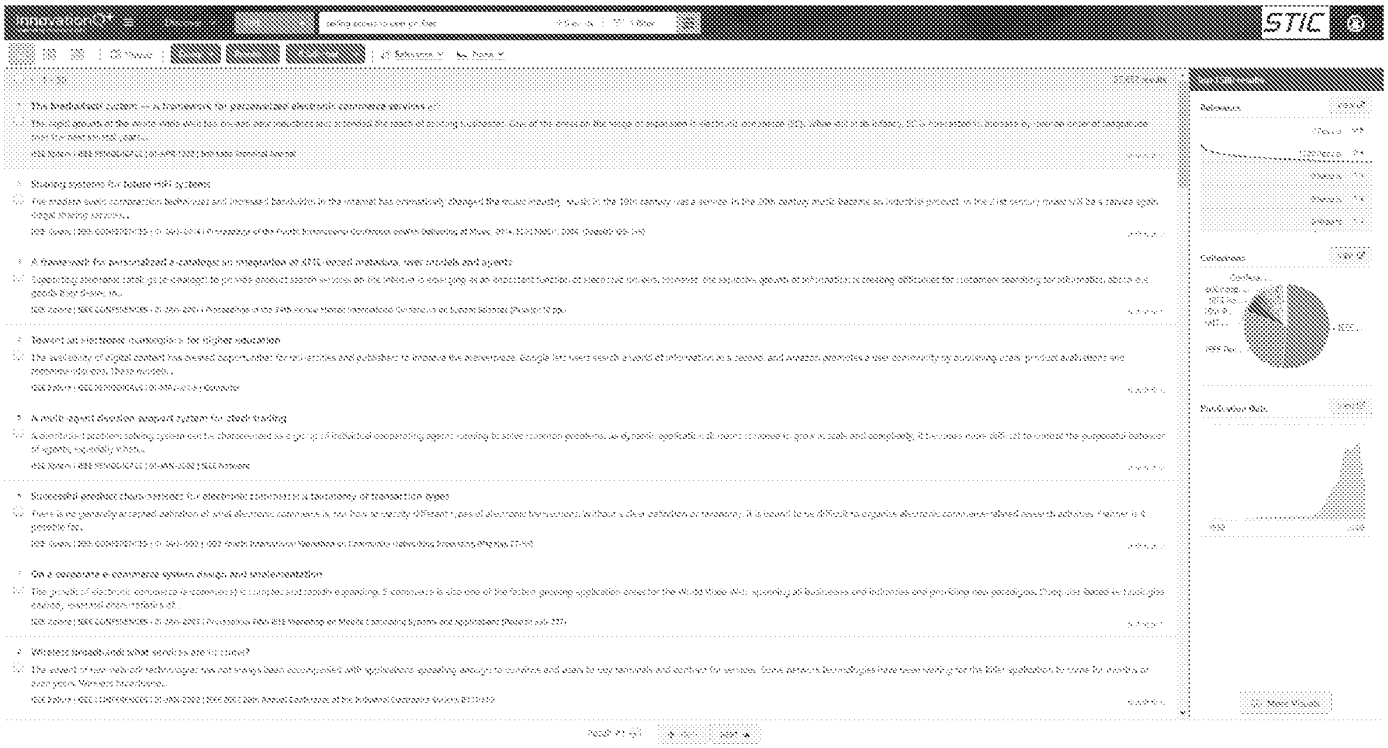
Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

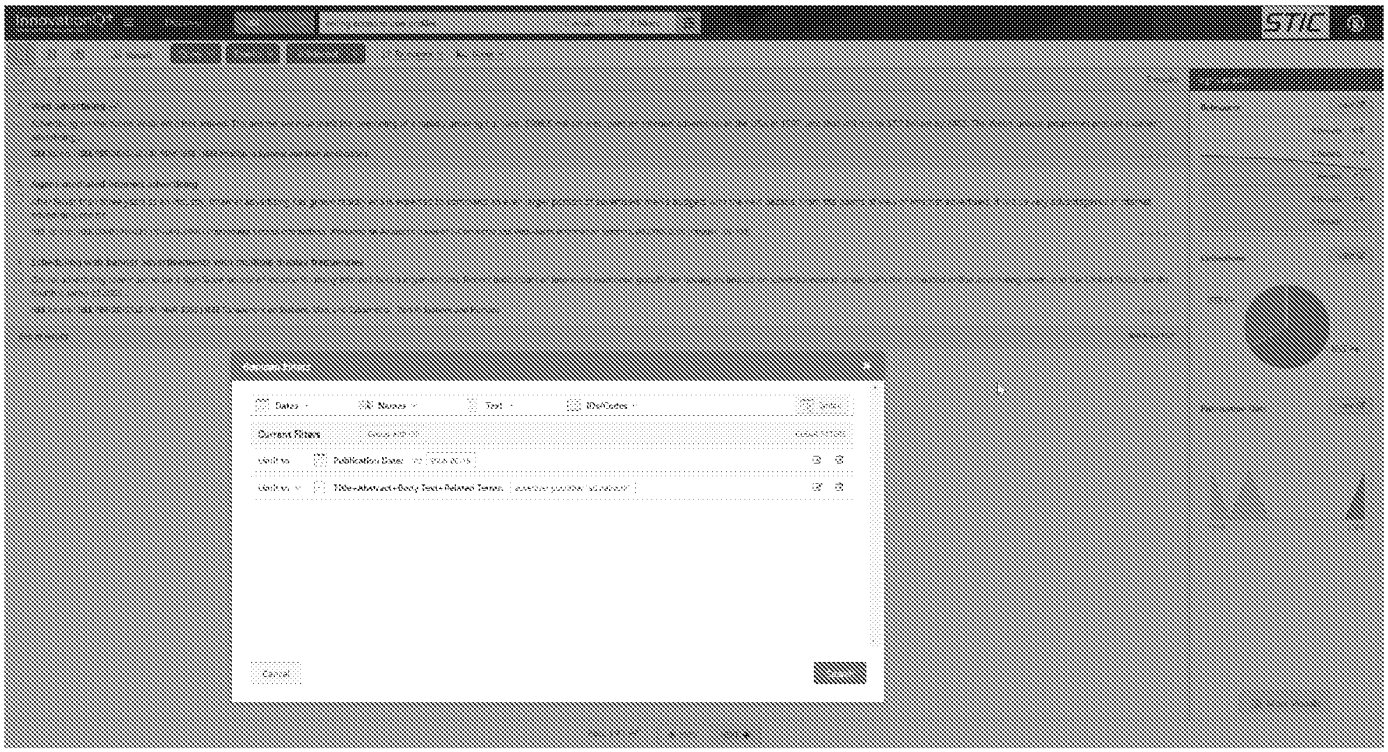
✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS

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

CLAIM		DATE								
Final	Original	06/11/2018	10/14/2018	12/17/2020	02/25/2021					
	34	✓	✓	✓	=					
	35	✓	✓	✓	=					
	36	✓	✓	✓	=					
	37	✓	✓	✓	=					
	38	✓	✓	✓	=					
	39	✓	✓	✓	=					
	40	✓	✓	✓	=					
	41	✓	✓	✓	=					
	42	✓	✓	✓	=					
	43	✓	✓	✓	=					
	44	✓	✓	✓	=					
	45	✓	✓	✓	=					
	46	✓	✓	✓	=					
	47	✓	✓	✓	=					
	48	✓	✓	✓	-					
	49	✓	✓	✓	-					
	50	✓	✓	✓	-					
	51	✓	✓	✓	-					
	52	✓	✓	✓	-					
	53	✓	✓	✓	-					
	54	✓	✓	✓	-					
	55	✓	✓	✓	-					
	56	✓	✓	✓	-					
	57	✓	✓	✓	-					
	58	✓	✓	✓	-					
	59	✓	✓	✓	-					
	60	✓	✓	✓	-					
	61	✓	✓	✓	-					




STIC
Dates
Sources
Text
IPC/CPC Codes
Current Filters
Publication Date
Cancel

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	278,099	705/14.1$.ccls. 705/14.2$.ccls. 705/14.3$.ccls. 705/14.4$.ccls. 705/14.5$.ccls. 705/14.6$.ccls. 705/14.7$.ccls. G06Q30/0207-30/0277.cpc. G06Q30/02.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:09
L2	191	(AlmondNet).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:10
L3	7	(Almond near3 (net or group)).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:10
L4	18	((("DATONICS") near3 ("LLC"))).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:10
L5	316	((("SHKEDI") near3 ("Roy"))).INV.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:10
L6	709	(Almond).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:10

L7	1,056	L2 L3 L4 L5 L6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:11
L8	347	L7 and @pd<"20050619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:12
L9	527	(report$4 or identify$5) (profile near4 owner)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:15
L10	14,572	partial near6 profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:15
L11	4	L9 and L10	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:15
L12	0	L8 and L11	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:16
L13	22	L1 and L8	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:16

L14	10	L13 and profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:16
L15	1	L14 and (cookie or tag or pixel or track$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:18
L24	1	L15 and advertiser	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:55
L25	4	L11 and (cookie or tag or pixel or track$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:56
L26	0	L25 and advertiser	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:57
L27	1	L8 and profile and (cookie or tag or pixel or track$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:58
L28	0	L10 and L27	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:58

L29	880,384	profile and (cookie or tag or pixel or track$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:58
L30	4,480	L10 and L29	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:59
L31	572	L1 and L30	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 11:59
L32	46	L31 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:59
L33	6	L7 and L32	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 11:59
L34	0	L33 and @pd<"20050619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 12:00
L35	40	L32 not L33	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 12:00

L36	5	arrang$4 profile link$4 (tag or cookie or pixel)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2021/02/26 12:02
L37	0	arrang$4 profile link$4 (tag or cookie or pixel)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	ON	2021/02/26 12:02
L38	0	L36 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/26 12:03
S1	4	(("6839680") or ("6446261")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/25 11:31
S2	36	@ad<"20060619" and (collect$6 with profil$6 with (buy$6 or purchas$6) with (sell or selling or sales or vend or vend$6))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/25 11:43
S3	2	("20110314092").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/30 16:10
S4	0	@ad<"20060619" and (tracking adj pixel) and (1x1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:10

S5	137	@ad<"20060619" and (tracking adj pixel)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S6	0	@ad<"20060619" and (tracking adj pixel) and (S3 adj x adj S3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S7	0	@ad<"20060619" and (S3 adj x adj S3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S8	7,504	@ad<"20060619" and ("1 x 1")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S9	0	@ad<"20060619" and (tracking adj pixel) and (URL adj redirect)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:31
S10	2	@ad<"20060619" and (tracking adj pixel) and (URL near4 redirect)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:31
S11	425,010	@ad<"20060619" and ((profile adj owner) with report$6 or compensation)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 19:44

S12	13	@ad<"20060619" and ((profile adj owner) with (report$6 or compensation))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 19:45
S13	13	@ad<"20060619" and ((profile adj owner) with (report$6 or compensation))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 20:59
S14	12,396	@ad<"20060619" and ((profile) with (report$6 or compensation)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 20:59
S15	4,096	@ad<"20060619" and ((profile) near3 (report$6 or compensation)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:00
S17	258	@ad<"20060619" and ((profile) near3 (report$6 or compensation) with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:01
S18	0	@ad<"20060619" and (profile with report$6 with compensation with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:01
S19	165	@ad<"20060619" and (profile with compensation with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02

S20	486	@ad<"20060619" and (profile with report with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02
S21	65	@ad<"20060619" and (profile near3 compensation with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02
S22	148	@ad<"20060619" and (profile near3 report with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02
S23	71	@ad<"20060619" and (report$6 near3 profile near3 (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:03
S24	106	@ad<"20060619" and (cookie near3 profile near3 information)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 22:25
S25	0	@ad<"20060619" and (cookie near3 profile near3 locat$6 near3 database)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/31 12:38
S26	23	@ad<"20060619" and (cookie profile locat$6 database)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2016/08/31 12:38

S27	0	@ad<"20060619" and (cookie profile locat$6 database)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	ON	2016/08/31 12:38
S28	2	("20070130005").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/31 13:25
S29	8	(("20070067297") or ("20070130005") or ("20030083938")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2018/06/11 16:12
S30	3	(US-20070130005-$ or US-20070067297-$ or US-20030083938-$).did.	US-PGPUB	OR	ON	2018/06/11 16:13
S31	268,511	705/14.1$.ccls. 705/14.2$.cds. 705/14.3$.ccls. 705/14.4$.cds. 705/14.5$.ccls. 705/14.6$.cds. 705/14.7$.ccls. G06Q30/0207-30/0277.cpc. G06Q30/02.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:30
S32	3	((("DATONICS") near3 ("LLC"))).AS,AANM.	USPAT	OR	ON	2020/07/29 12:30
S33	158	((("SHKEDI") near3 ("Roy"))).INV.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2020/07/29 12:30
S34	331	(collect$6 with profil$6 with (buy$6 or purchas$6) with (sell or selling or sales or vend or vend$6))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:50
S35	2	("20110314092").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	OFF	2020/07/29 12:50

			JPO; DERWENT; IBM_TDB			
S37	2	(tracking adj pixel) and (1x1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:50
S38	2	(tracking adj pixel) and ("1x1")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:51
S39	4	(tracking adj pixel) and ("1 x 1")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:51
S40	0	(tracking adj pixel) and ("1 by 1")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:51
S41	1,137,861	((profile adj owner) with report$6 or compensation)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:51
S42	365	(cookie near3 profile near3 information)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:52
S43	3	(S32 or S33) and @pd<"20050619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2020/07/29 12:52

			DERWENT; IBM_TDB			
S44	0	S43 and (ad adj network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:53
S45	3	S43 and advertiser	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/07/29 12:53
S46	274,504	705/14.1$.ccls. 705/14.2$.cds. 705/14.3$.ccls. 705/14.4$.cds. 705/14.5$.ccls. 705/14.6$.cds. 705/14.7$.ccls. G06Q30/0207-30/0277.cpc. G06Q30/02.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:20
S47	3	((("DATONICS") near3 ("LLC"))).AS,AANM.	USPAT	OR	ON	2020/12/17 18:21
S48	161	((("SHKEDI") near3 ("Roy"))).INV.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2020/12/17 18:21
S49	274,504	705/14.1$.ccls. 705/14.2$.cds. 705/14.3$.ccls. 705/14.4$.cds. 705/14.5$.ccls. 705/14.6$.cds. 705/14.7$.ccls. G06Q30/0207-30/0277.cpc. G06Q30/02.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:21
S50	316	((("SHKEDI") near3 ("Roy"))).INV.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:21
S51	18	((("DATONICS") near3 ("LLC"))).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2020/12/17 18:21

			DERWENT; IBM_TDB			
S52	324	S47 S48 S50 S51	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:22
S53	17	S52 and @pd<"20050619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:22
S54	67,675	S46 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:23
S55	0	automatic$4 (report$4 or identify$5) profile used owner deliver$4 (content or advertis$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2020/12/17 18:26
S56	0	(report$4 or identify$5) profile used owner deliver$4 (content or advertis$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2020/12/17 18:26
S57	50	(provid$4 or display$4) profile owner deliver$4 (content or advertis$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2020/12/17 18:26
S58	4	S52 and S57	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2020/12/17 18:27

			DERWENT; IBM_TDB			
S59	0	S53 and S57	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:27
S60	4	S57 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:28
S61	4	S60 not S58	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:28
S62	28	(provid$4 or display$4) analytics profile deliver$4 (content or advertis$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2020/12/17 18:31
S63	0	S62 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:31
S64	64	(provid$4 or display$4) report$4 profile deliver$4 (content or advertis$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2020/12/17 18:32
S65	9	S64 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2020/12/17 18:32

			DERWENT; IBM_TDB			
S66	9	S65 not S58	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:32
S67	4,388	conversion near5 report	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:35
S68	1,405	S67 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:35
S69	85	S46 and S68	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:35
S70	73	S69 and (analysis or analytics)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:36
S71	18	S69 and analytics	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:36
S72	18	S71 and advertis$5	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2020/12/17 18:36

			DERWENT; IBM_TDB			
S73	12	(US-20030065557-$ or US-20070256095-$ or US-20070124767-$ or US-20070033104-$ or US-20030069786-$ or US-20040193482-$ or US-20070088604-$ or US-20070061187-$ or US-20050192873-$ or US-20030050845-$ or US-20030074206-$).did. or (US-7991732-$).did.	US-PGPUB; USPAT	OR	ON	2020/12/17 18:36
S74	12	S73 and (conversion near5 report) and analytics	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:37
S75	0	(profile near5 conversion near5 report) and analytics	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:39
S76	9	(profile near5 conversion near5 report)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:39
S77	3	S76 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:39
S78	218	demographic near3 profile near6 report$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:41

S79	4,376	(target or demographic or user or visitor) near3 profile near6 report$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:41
S80	974	S79 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:41
S81	198	S46 and S80	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:42
S82	1	S81 and (report$5 with reach)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2020/12/17 18:57
S83	2	("20070130005").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/03 17:14
S84	59	("2007/0130005").URPN.	USPAT	OR	ON	2021/02/03 17:14
S85	2	S84 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:14
S86	1	S85 and profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2021/02/03 17:15

			DERWENT; IBM_TDB			
S87	2,532	profile adj (owner or provider)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:19
S88	14,247	(target$4 adj (profile or criteria))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:20
S89	149	S87 and S88	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:20
S90	50	S89 and broker$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:20
S91	5	S90 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:20
S92	2	S91 and (tag or cookie or pixel)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:21
S93	2	(US-20070260514-$ or US-20050195077-$).did.	US-PGPUB	OR	ON	2021/02/03 17:22
S94	2	S93 and S87 and S88	US-PGPUB; USPAT; USOCR;	OR	ON	2021/02/03 17:23

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S95	537	visitor near5 (profile adj (info or data or information))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:26
S96	1,241,475	(tag or cookie or (tracking adj pixel))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:26
S97	3,418	(profile adj owner) or (profile adj broker) or (data adj broker)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:26
S98	5,677	(profile adj owner) or (profile adj broker) or ((data or information) adj broker)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:27
S99	240	(select$4 or determin$4) near6 (winning near3 advertiser)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:28
S100	0	S95 and S96 and S97 and S98 and S99	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:28
S101	9	S96 and S97 and S98 and S99	US-PGPUB; USPAT; USOCR; FPRS; EPO;	OR	ON	2021/02/03 17:29

			JPO; DERWENT; IBM_TDB			
S102	0	S101 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:29
S103	12	S95 and S96 and S97 and S98	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:29
S104	0	S103 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:29
S105	0	S95 and S97 and S98 and S99	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:29
S106	0	S95 and S98 and S99	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:30
S107	1,142	S96 and S97 and S98	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:30
S108	156	S107 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2021/02/03 17:30

			DERWENT; IBM_TDB			
S109	1	S108 and (winning near3 advertiser)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/03 17:31
S110	0	(application adj service adj provider) with ((ad or advertisement or advertising) near3 serving)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 14:30
S111	1	(ASP) with ((ad or advertisement or advertising) near3 serving)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 14:31
S112	26,774	double adj click	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:03
S113	8,218	S112 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:03
S114	277,248	705/14.1$.ccls. 705/14.2$.ccls. 705/14.3$.ccls. 705/14.4$.ccls. 705/14.5$.ccls. 705/14.6$.ccls. 705/14.7$.ccls. G06Q30/0207-30/0277.cpc. G06Q30/02.cpc.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:04
S115	282	S113 and S114	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	ON	2021/02/05 15:06

			DERWENT; IBM_TDB			
S116	62	S115 and publisher	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:06
S118	60	S116 and network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:06
S119	31	S118 and profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:06
S120	19	S119 and publishers	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:06
S121	12	S120 and tag	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:08
S122	6	S121 and cookie	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:08
S123	7	(US-20060200259-$ or US-20050038900-$ or US-20020004744-$ or US-20010042016-$ or US-20020002488-$ or US-	US-PGPUB; USPAT	OR	ON	2021/02/05 15:08

		20090106100-$).did. or (US-8005724-$).did.				
S124	7	S123 and tag and publisher and profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:08
S125	118	(profile near3 (owner or provider)) and affiliate and publisher and advertiser	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:29
S126	4	S125 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:30
S127	0	S126 and tag	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:30
S128	0	S126 and cookie	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:30
S129	4	S126 and track$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:30
S130	3	(US-20020059228-$ or US-20050203800-$ or US-20050004837-$).did.	US-PGPUB	OR	ON	2021/02/05 15:32

S131	3	S130 and (profile near3 (owner or provider)) and publisher and advertiser	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:32
S132	59	(profile near3 (owner or provider)) and publisher and advertiser and (profile with (tag with cookie))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:34
S133	0	S132 and @ad<"20060619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:34
S134	0	S132 and @ad<"20070619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:35
S135	8	S132 and @ad<"20080619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:35
S136	161	((("SHKEDI") near3 ("Roy"))).INV.	US-PGPUB; USPAT; USOCR; EPO; JPO; DERWENT	OR	ON	2021/02/05 15:50
S137	3	((("DATONICS") near3 ("LLC"))).AS,AANM.	USPAT	OR	ON	2021/02/05 15:50
S138	316	((("SHKEDI") near3 ("Roy"))).INV.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:50

S139	18	((("DATONICS") near3 ("LLC"))).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:50
S140	7	(Almond near3 (net or group)).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:51
S141	708	(Almond).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:51
S142	191	(AlmondNet).AS,AANM.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:51
S143	1,055	S136 S137 S138 S139 S140 S141 S142	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:51
S144	347	S143 and @pd<"20050619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:52
S145	2	("6925440").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 15:52

S146	1	S145 and @pd<"20050619"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:58
S147	1	S145 and @pd<"20050407"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:59
S148	2	S145 and @pd<"200500101"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2021/02/05 15:59
S149	1	("200023928").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2021/02/05 17:02

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L16	1	media property entity controll$4 computer arrang$4 profile linked (tag or cookie or pixel)	US-PGPUB; USPAT	WITH	ON	2021/02/26 11:37
L17	512	(report$4 or identify$5) (profile near4 owner)	US-PGPUB; USPAT	WITH	ON	2021/02/26 11:39
L18	100	L17 and @ad<"20060619"	US-PGPUB; USPAT	OR	ON	2021/02/26 11:39
L19	74	L18 and (cookie or tag or (track$4 with pixel))	US-PGPUB; USPAT	OR	ON	2021/02/26 11:40
L20	32	L19 and (publisher or (ad adj network) or (media adj property adj entity))	US-PGPUB; USPAT	OR	ON	2021/02/26 11:43
L21	0	L19 and (media adj property adj entity)	US-PGPUB; USPAT	OR	ON	2021/02/26 11:51
L22	0	L19 and (media near3 property near3 entity)	US-PGPUB; USPAT	OR	ON	2021/02/26 11:51

2/26/2021 12:03:22 PM
C:\Users\msittner1\Documents\EAST\Workspaces\15893354b - continuation of 14080999 - Shkedi - collection and selling of profile information.wsp

Dialog

Report Information from Dialog

February 26 2021 13:12
Created by My Research account: (Michael Sittner)

Search Strategy

Databases: ABI/INFORM® Professional Advanced, Abstracts in New Technology & Engineering, AdisInsight: Drugs, AdisInsight: Trials, Adis Pharmacoeconomics & Outcomes News, AGRICOLA, AGRIS, Allied & Complementary Medicine™, Analytical Abstracts, APA PsycInfo®, Aqualine, Aquatic Science & Fisheries Abstracts (ASFA), Australian Education Index, BIOSIS® Toxicology, BIOSIS Previews®, British Library Inside Conferences, British Nursing Index, Business & Industry, CAB ABSTRACTS, Chemical Business Newsbase, Chemical Engineering & Biotechnology Abstracts, Chemical Safety Newsbase, Civil Engineering Abstracts, Current Contents® Search, Derwent Drug File, Derwent Drug Registry, DH-DATA: Health Administration, Medical Toxicology & Environmental Health, DIOGENES® FDA Regulatory Updates, Drug Information Fulltext, Earthquake Engineering Abstracts, EconLit, Ei Compendex®, Ei EnCompassLIT, Embase®, EMCare®, ERIC, ESPICOM Pharmaceutical & Medical Device News, FDAnews, FLUIDEX (Fluid Engineering Abstracts), Foodline®: MARKET, Foodline®: PRODUCT, Foodline®: SCIENCE, FSTA®, Gale Group Computer Database™, Gale Group Health Periodicals Database, Gale Group New Product Announcements / Plus®, Gale Group Newsletter Database™, Gale Group PharmaBiomed Business Journals, Gale Group PROMT®, Gale Group Trade & Industry Database™, GEOBASE□, GeoRef, Global Health, HSELINE: Health and Safety, ICONDA - International Construction Database, IMS Company Profiles, IMS New Product Focus, IMS Pharma Trademarks, IMS R&D Focus, IMS R&D Focus Drug News, Inspec®, International Pharmaceutical Abstracts, Jane's Defense & Aerospace News, King's Fund, KOSMET: Cosmetic Science, Lancet Titles, Material Safety Datasheets -OHS™, Mechanical & Transportation Engineering Abstracts, MEDLINE®, Meteorological & Geoastrophysical Abstracts, Morressier Life Science Conference Abstracts and Posters, New England Journal of Medicine, Northern Light Life Sciences Conference Abstracts, NTIS: National Technical Information Service, Oceanic Abstracts, PAIS International, Paperbase, PAPERCHEM, ProQuest Advanced Tech & Aerospace Professional, ProQuest Biological & Health Science Professional, ProQuest Dissertations and Theses Professional, ProQuest Environmental Science Professional, ProQuest Materials Research Professional, ProQuest Newsstand Professional, ProQuest Technology Research Professional, Prous Science Daily Essentials, Prous Science Drug Data Report, Prous Science Drugs Of The Future™, Registry of Toxic Effects of Chemical Substances (RTECS®), SciSearch®: a Cited Reference Science Database, Social SciSearch®, ToxFile®, Transport Research International Documentation, TULSA™ (Petroleum Abstracts), UBM Computer Full Text, Weldasearch®, Zoological Record

Set#	Searched for	Results
S17	(s16 and selling)	6°
S16	(s4 and cookie)	34°
S15	(S1 and S4)	1°
S14	(s13 and advertiser and publisher)	0°
S13	(((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade Journals" OR "Conference Papers & Proceedings") NOT ("Wire Feeds" OR "Newspapers" OR "Magazines"))))) and (stype.exact(("Scholarly Journals" OR "Conference Papers & Proceedings") NOT "Dissertations & Theses"))	9°
S12	(((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade	18°

	Journals" OR "Conference Papers & Proceedings") NOT ("Wire Feeds" OR "Newspapers" OR "Magazines"))))) and (stype.exact(("Scholarly Journals" OR "Trade Journals" OR "Conference Papers & Proceedings") NOT "Dissertations & Theses"))	
S11	(s10 and advertiser and publisher)	11°
S10	S1 and S2	488°
S9	((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade Journals" OR "Conference Papers & Proceedings") NOT ("Wire Feeds" OR "Newspapers" OR "Magazines"))))	31°
S8	((roy near/2 shkedi) or (Almond pre/0 (Net or group))) and (pd(<20050619))	58°
S7	(Datonics or (roy near/2 shkedi) or (Almond near/3 (Net or group))) and (pd(<20050619) and (stype.exact(("Scholarly Journals" OR "Dissertations & Theses" OR "Trade Journals" OR "Conference Papers & Proceedings" OR "Books" OR "Government & Official Publications" OR "Other Sources" OR "Working Papers") NOT ("Newspapers" OR "Wire Feeds" OR "Magazines" OR "Blogs, Podcasts, & Websites"))))	737°
S6	(Datonics or (roy near/2 shkedi) or (Almond near/3 (Net or group))) and (pd(<20050619))	1243°
S5	(Datonics or (roy near/2 shkedi) or (Almond near/3 (Net or group))) and (pd(<20060619))	1351°
S4	((profile near/15 link[*4]) near/15 (tag or cookie or (tracking pre/0 pixel))) and (pd(<20060619))	104°
S3	(profile near/15 (cookie or tag or (tracking pre/0 pixel))) and (pd(<20060619))	10363*
S2	(profile and (cookie or tag or (tracking pre/0 pixel))) and (pd(<20060619))	208936*
S1	(partial near/6 profile) and (pd(<20060619))	11093*

* Duplicates are removed from the search, but included in the result count.
° Duplicates are removed from the search and from the result count.

Document 1 of 6

Personalization versus Privacy: An Empirical Examination of the Online Consumer's Dilemma

Author: Chellappa, Ramnath K; Sin, Raymond G

Publication info: Information Technology and Management 6.2-3: 181-202. Springer Nature B.V. (Apr 2005)
ProQuest document link

Abstract (summary): Personalization refers to the tailoring of products and purchase experience to the tastes of individual consumers based upon their personal and preference information. Recent advances in information acquisition and processing technologies have allowed online vendors to offer varieties of web-based personalization that not only increases switching costs, but also serves as important means of acquiring valuable customer information. However, investments in online personalization may be severely undermined if consumers do not use these services due to privacy concerns. In the absence of any empirical evidence that seeks to understand this consumer dilemma, our research develops a parsimonious model to predict consumers' usage of online personalization as a result of the tradeoff between their value for personalization and concern for privacy. In addition to this tradeoff, we find that a consumer's intent to use personalization services is positively influenced by her trust in the vendor. Our findings suggest that: 1. online vendors can improve their abilities to acquire and use customer information through trust building activities; 2. it is of critical importance that vendors understand and evaluate the different values consumers may place in enjoying various types of personalization. [PUBLICATION ABSTRACT]

Links: Check USPTO-STIC for Availability

Location: United States--US

Language: English

Publication title: Information Technology and Management

Volume: 6

Issue: 2-3

Pagination: 181-202

Publisher location: New York

DOI: http://dx.doi.org/10.1007/s10799-005-5879-y

Document type: Feature

Document URL: https://dialog.proquest.com/professional/docview/1944599852?accountid=161862

Copyright: Springer Science + Business Media, Inc. 2005

First available: 2010-06-05

Updates: 2014-08-31

Database: 3 databasesView listHide listABI/INFORM® Professional Advanced, ProQuest Advanced Tech &Aerospace Professional, ProQuest Technology Research Professional

Keywords in context:

Full text: ... profiles allows vendors to target customers on a oneto-one basis, which in turn helps them in improving customer satisfaction, developing customer loyalty, and increasing cross-selling possibilities [1,43]. For example, a consumer who has already personalized her shipping and gift information on one Web-based retailer may exhibit some inertia in moving ... to construct reasonably accurate consumer profiles. A recent report from the FTC2 observes, Although the information gathered by network advertisers is often anonymous (i.e., the profiles are linked to the identification number of the advertising networks cookie on the consumers computer rather than the name of a specific person), in some cases, the profiles derived from tracking consumers activities on the Web ... to explicitly disclose most of this information. In addition to solicited information, personally unidentifiable information also often involves the use of sophisticated tracking technologies, e.g., cookies, clear gifs, etc. Such technologies, though not identifying a customer individually, enable the information collecting entity to sketch an effective customer profile.(c) Personally identifiable ... what may be perceived to be an intrusive profile. For example, a recent survey by the Personalization consortium shows that only 62% of people accept cookies although it is well known that cookies do not carry any personal information but can only aid in creating the profile of an anonymous individual. Doubleclicks recent purchase of Abacus and the ...

Document 2 of 6

Examination of Internet marketing relative to traditional promotion in the development of Web site traffic

Author: Mark, John L.

Publication info: Capella University, ProQuest Dissertations Publishing, 2003. 3112988.

ProQuest document link

Abstract (English): The Internet revolution has dramatically changed the way businesses compete with each other; the way customers shop; and the way companies collect, store, and process data on customer behavior. This study examined Internet marketing relative to traditional promotion and its effectiveness in developing Web site traffic. The findings suggest that (a) traditional offline promotion (i.e., television advertising, radio commercials, and print advertising) has been integrated with online (Internet) marketing to achieve the objectives of building brand awareness, promoting core value and Web address, and reaching mass audiences; (b) personalization (i.e., treating customers as individuals and using interactive dialogue to provide personalized products and services to match their needs) reflects the core strategy in Internet marketing for generating repeated customer visits on the Web site; and (c) measuring Internet marketing response through the common metrics (i.e., unique visitors, length of the Web session, click-through ratio, and conversion rate) is every bit as important as tracking traditional promotion. The added advantage of measuring Internet marketing for effectiveness is the ability to link specific online advertising and promotions to a specific customer response.

Links: Check USPTO-STIC for Availability

Subject: Web sites;Studies;Marketing;Advertising;Interactive marketing

Classification: 0338: Marketing

Identifier / keyword: Social sciences, Internet, Marketing, Promotion, Web site traffic

Number of pages: 160

Publication year: 2003

Degree date: 2003

School code: 1351

Source: DAI-A 64/11, Dissertation Abstracts International

Place of publication: Ann Arbor

Country of publication: United States

ISBN: 978-0-496-60484-5

Advisor: DeCaro, Frank P.

University/institution: Capella University

University location: United States -- Minnesota

Degree: Ph.D.

Source type: Dissertations & Theses

Language: English

Document type: Dissertation/Thesis

Dissertation/thesis number: 3112988

ProQuest document ID: 305211661

Document URL: https://dialog.proquest.com/professional/docview/305211661?accountid=161862

Copyright: Database copyright ProQuest LLC; ProQuest does not claim copyright in the individual underlying works.

First available: 2010-06-17

Updates:
2013-07-232013-07-232014-01-152014-01-212015-08-282016-05-172020-05-052020-08-252020-09-102020-10-12

Database: ProQuest Dissertations and Theses Professional

Keywords in context:

Full text: ... traditional marketing mix. For example, promotion within the traditional marketing mix has encompassed the two distinct and often complementary sales tools of advertising and personal selling historically known as pull and push. The marketers attempt to pull the customer to a product, showcasing it in a non- Reproduced with permission of ... a top-down, bottom-up, or hybrid fashion (Thuraisingham, 1999). To judge the quality of the data mining with limited data from the Webs log files and cookie files, effective Web database management is critical. A key emerging technology for enhancing Web-mining quality is digital libraries (Internet data management), which are essentially digitized ... study by META (1997) forecast growth in the area of data mining driven by database marketing. The study cited applications such as customer-retention management, cross-selling and up-selling, channel and pricing analysis, and customer segmentation analysis. It mentioned that driven by the need for Internet database marketing, data-mining technology is rapidly becoming mainstream (Mena, 1999). One of the major data-mining applications is cookie technology, which allows a Web site to store a visitors information. The many reasons a Web site would use cookie technology include the ability to personalize information, provide help with online services, or simply collect demographic information. Cookie technology ensures an accounts confidentiality and security, making it easier for customers to navigate through the Web site (Brain, 2002). Within the Internet industry, marketers use cookie technology to track a visitors browsing and buying habits. In this realm, the technology enables marketers to target advertising banners based on customers interests. For example, cookie technology allows Amazon.com to tailor its appearance to suit a customers established preferences. Cookie technology also makes shopping cart technology possible. For example, when a customer selects item to purchase in an online shopping session, cookie technology makes it possible for the customer to continue shopping and to check out later (Brain, 2002). Reproduced with

permission of the copyright owner. Further ... customer (Greer &Murtaza, 2003). Amazon.com, a major Internet company with no physical storefront, has successfully applied the collaborative filtering technique, which is ideal for selling books, CDs, and videos. During a customers first purchase from Amazon.com, an account is opened. Upon each Reproduced with permission of the copyright owner. Further ... site. Zshop aimed to attract the thousands of small merchants who were eager to use the Web as a new distribution channel, including those currently selling through eBay (Carpenter, 2000). Through the Zshop program, Amazon.com hosts hundreds of small e-commerce providers on its own Web site. These shops gain access to ... lead to conclusions about the total number of visitors and visits that were made to a Web site. Data Integration. Web traffic data must be linked to the marketing databases, which include customer profiles and registration. Cookie technology provides an accurate method of creating this linkage, verifying that the same visitor has accessed the Web site regardless of the Internet Protocol (IP) address that is used to make the connection. A cookie is a unique identifying code that the Web server gives to the browser to store locally on the computer during the first visit to the Web site. The cookie is designed to identify Web site visitors as they come to the Web site. Cookies benefit Web visitors by making individual requests much more traceable, resulting in a greater understanding of how the Web site is being used and therefore creating a reliable Web measurement. Cookies also benefit Web visitors by allowing Web sites to recognize repeat visitors. For example, Amazon.com uses cookie technology to enable its one-click book ordering. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. Examination of Internet Marketing13 3 Filtering ... Coding and Common Server Log File Information Major coding stageData SourceKey Information 1.Awareness and search 2.Interest and evaluation 3.Desire and Trial 4.PurchaseCommon server log file/cookie Common server log file/cookie Common server log file/cookie Common server log file/cookieInternet protocol (IP) address, user name, and requests Internet protocol (IP) address, user name, and requests Internet protocol (IP) address, user name, ... Boudreau, M., Gefen, D., &Straub, D. (2001, March). Validation in information systems research: A state-of-the-art assessment. MIS Quarterly, 1-24. Brain, M. (2002). How Internet cookies work. How Stuff Works. Retrieved December 24, 2002, from http ://www.howstuffworks. com/cookie.htm Breen, B. (1999, September 16). Building stronger Internet identities. Marketing, 25-26. Brengman, M., Geuens, M., Weijters, B., Smith, S., &Swinyard, R. (2003). Segmenting ... than 90% of its traffic from sponsorship and advertising. The annual revenue in 2001 was $1 billion (Morningstar, 2002). eBay (www.eBay.com) is a cyber-forum for selling more than 8,000 categories of merchandise. It offers online person-to-person trading for buyers and sellers of personal items such as antiques, coins, collectibles, computers, memorabilia, ...

Document 3 of 6

Politicizing privacy: 'Focussing events' and the dynamics of conflict

Author: Todd, David Jeffrey Alan

Publication info: University of Victoria (Canada), ProQuest Dissertations Publishing, 2001. MQ58552.

ProQuest document link

Abstract (English): In the past, the issue of information privacy has rarely captured the attention of the political agenda beyond the enactment of national data protection regimes. However, there is compelling evidence to suggest that privacy is an "issue whose time has come". While analysis of the politics of privacy has tended to examine the various dimensions of the policy cycle, a rationalistic and technocratic approach obscures the often neglected and politically salient dimensions of privacy: the politicization of privacy issues and the dynamics of privacy conflicts. To explore this notion, two recent high-profile privacy conflicts are presented, one in the public sector of Canada over Human Resource Development Canada's 'Longitudinal Labour Force File', and one in the private sector involving the Internet advertiser DoubleClick Inc. Evidence of shared processes and similar dynamics is presented, as well as insights into the new politics of privacy and the emergence of a privacy industry.

Links: Check USPTO-STIC for Availability

Subject: Political science;Politics;Privacy;Conflicts;Studies;Marketing;Information systems

Classification: 0615: Political science0723: Information science0338: Marketing

Identifier / keyword: Communication and the arts, Social sciences

Number of pages: 158

Publication year: 2001

Degree date: 2001

School code: 0244

Source: MAI 39/05M, Masters Abstracts International

Place of publication: Ann Arbor

Country of publication: United States

ISBN: 978-0-612-58552-2

Advisor: Bennett, Colin J.

University/institution: University of Victoria (Canada)

University location: Canada

Degree: M.A.

Source type: Dissertations &Theses

Language: English

Document type: Dissertation/Thesis

Dissertation/thesis number: MQ58552

ProQuest document ID: 304727675

Document URL: https://dialog.proquest.com/professional/docview/304727675?accountid=161862

Copyright: Database copyright ProQuest LLC; ProQuest does not claim copyright in the individual underlying works.

First available: 2010-06-17

Updates: 2013-09-212013-09-212014-01-072015-08-262016-05-092020-08-252020-11-10

Database: ProQuest Dissertations and Theses Professional

Keywords in context:

Full text: ... that an organization that they are dealing with does not provide the protections that they desire, as in the case of a direct marketing company selling personal information about an individual in a list, that individual may choose to 'opt out1 of the distribution list to satisfy their privacy concerns. 79 ... interview. "There's a huge market out there for personal information, for marketing purposes in particular. We've already 0 t \ seen municipal and provincial governments selling databases." The Department of Human Resources had the opportunity to respond to the conflict in a number of newspapers across the country in the initial ... review of the current privacy legislation that governs the public sector.230 Another article focussed attention on other recent privacy issues, including Ontario's ministry of transport selling personal information to private companies earlier this year. The article also reported on an incident from last year when Elections Canada "misplaced" a Manitoba Highway ... to another privacy problem involving the "extreme right". As the Minister noted, "(i)t is

interesting that the Harris government, particularly the ministry of transportation, is selling confidential driver data including home addresses to private companies, the companies that the hon. member said should not have them. Do members know what hurts? ... educational records, motor vehicle registration, and telephone records. However, a number of activities that concern personal information are not protected by law, such as the selling of bank and medical records, and workplace surveillance such as keystroke monitoring. A number of states have state level sectoral legislation, and almost 278 Katz ... Review. Vol. 52, p. 1623. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 93 personal computers can reveal confidences by accepting cookies, also known as "persistent client-side hypertext transfer protocol files".289 Cookies are the digital equivalent of an identification tag, which website operators place on the hard drive of web users to identify the user as a previous visitor and allow the site to match the details of the previous visit. Most web browsers are configured, to automatically accept cookies, and consequently the placing of cookies goes unnoticed in the background, and without consent. I will further explore how the use of cookies can be problematic in a later section on online profiling. The second dimension of the privacy horror show is the collection of information by Internet ... up to eighty-five percent of web sites collect personal information.292 This information is typically collected using a variety of techniques, including through the use of cookies, through filling in information in online application and registration forms, and via sweepstake and contest schemes. In addition to personally identifiable information, other information ... or advertising supported software (adware) is a case in point. One way in which shareware293 authors can make money from a developed product, other than selling it to their users, is to offer a version of software that is supported by advertising. While many users will consider this a fair trade ... employ techniques that track the individual's activity on the Web. One of the most prevalent techniques to accommodate this is through the utilization of 'cookies'. There are two types of cookies: session cookies and persistent cookies. Session cookies are used to communicate to the web server that a particular individual is engaged in a session with the web server.298 Session cookies expire once the browser is closed. Persistent cookies, on the other hand, do not necessarily expire, and may be used to identify an individual when they return to the site that placed the cookie. "Web bugs" are also used to collect information on individuals. Also known as clear gifs or lxl gifs, web bugs are tiny one pixel ... bug image, the time that the bugged page was accessed, the type of browser that the individual is using, and the identification number of any cookie on the individual's computer that was placed by the web server. The existence of a web bug can 297 See DoubleClick's ad serving solutions at http://www-doubleclick.net/us/advertisers/adserving/default.asp7asp object 1 =& 298 For example, a session cookie might be used to confirm that an individual has certain permissions to access pages that might not be accessible by others, as in the case ... searching through the actual source code of the page that contains the web bug. In some circumstances, web bugs can be used to place a cookie on a computer to synchronize an email address with a cookie i.d., rendering an anonymous profile personally identifiable.299 Cookies and web bugs are limited in the types of information that they can collect. This includes the type of information that is on the website ... purchases, whether an individual "clicked" on an advertisement on a page (click-throughs), and the website address from which the individual came from (the referring page). Cookies can collect this information without the consumer ever even clicking on an advertisement banner. Typically, the information that is collected by network advertisers is anonymous. Rather than identifying individuals by name, profiles are often linked to the identification number of the cookie that is placed on the individual's computer by the advertisers web server. However, a number of network advertisers derive their profiles by merging the non-identifiable information in cookies with personally identifiable information. There are two common and prevalent methods of identifying an individual to merge personally and non-personally identifiable information to complete the ... information or the use of services such as free email. This information is then provided to the network advertiser. In this case, a previously anonymous profile consisting of information retrieved from cookies could be linked to an individual by a different identification number provided by a cookie containing the personal information. A second way that a profile can be made personally identifiable is if a website incorporates personally identifiable information into a URL (uniform resource locator) string that is transmitted to a network advertiser through its cookie. For 299 See Richard M. Smith's "The Web Bug FAQ", http://www.tiac.net/users/smiths/privacy/wbfaq.htm Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 98 ... on the Internet, these consumer profiles can be extremely detailed. Some network advertisers claim that their profiles contain as many as 800 different "interest categories".301 Cookies placed by network advertising companies can track individuals on any website that is served by the network advertiser, allowing data to be collected by the ... by network advertisers appear seamless on the web pages in which they are displayed. Furthermore, the visitor to the website has no knowledge that a cookie is being placed on his or her machine unless the default setting in the web browser being used to view the page has been changed to provide notification of cookie placement. Unless a website 300 In this regard, the URL string might be composed something like this: http://www.privacyinvasivesite.com/newuser/david todd/bd08091974g=male.htm In this hypothetical example, privacyinvasivesite.com lists ... vague language that does not communicate the implications of profiling. For example, network advertisers encourage their partner websites to post that "third parties" may use cookies to assist in the personalization of the surfing experience and to provide content relevant to your preferences. 304 DoubleClick, Inc. Press Release. DOUBLECLICK, INC. AND ... combination of this data with DoubleClick's profiles of online clickstream data provides the companies with an opportunity to deliver potentially perfectly

targeted advertisements. By using cookie technology to positively identify a web browser by an identification number and matching that information with identifying information, DoubleClick would know exactly who the person ... matched with the offline data. 305 ibid. 306 Craig Bicknell, "DoubleClick's Single Focus: You", wired news: www.wired.com June 14, 1999, 2:30 p.m. PDT. 307 The Cookie that DoubleClick places identifies the web browser, not the individual. For example, if a number of people used the same web browser for using the Internet, DoubleClick's Cookie records the navigational and transactional information of all the users from the same Cookie(s). Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 101 The Dynamics of Conflict Initial Publicity DoubleClick's decision to merge with ... privacy policy states Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 102 DoubleClick claims not to collect personal data through the cookies that are placed when an advertising banner is displayed, they do facilitate the exchange of data in its network of more than 1300 websites and ... of the copyright owner. Further reproduction prohibited without permission. 103 network out of 75 million people per month who view DoubleClick ads and receive their cookies. Escalation To protest the proposed merger of DoubleClick and Abacus, privacy advocates and consumer groups planned to launch a relentless campaign reminiscent of campaigns ... merger would only make economic sense if their intention was to link the 88 million household files in the Abacus database with the 30 million cookies in the DoubleClick DART database. The letter also described how the DoubleClick and Abacus network would combine information resources to profile consumers both on the ... the copyright owner. Further reproduction prohibited without permission. L04 opt-out mechanism that DoubleClick uses is particularly problematic. When one opts-out of the DoubleClick network, a cookie is placed on the machine that tells the DoubleClick server not to place a cookie. If someone deletes his or her cookie file, the opt-out cookie is also deleted and the individual will no longer be opted-out of the system. The coalition against DoubleClick noted the inadequacy of the cookie technique suggesting it was analogous to "an inn keeper offering do-not-disturb signs instead of locks on guest room doors."319 DoubleClick opponents also wanted assurances that the DART system, which delivers targeted ads to consumers with the use of cookies, would live up to the company's privacy policy. The policy promises not to collect "any personally identifiable information about you, such as your name, ... state that "if you are willing to issue a guarantee that the merged entity and successors will never associate a name and address with a cookie without the affirmative informed consent of the individual concerned, please state this in public."321 In addition to formally objecting to the DoubleClick and Abacus merger ... A workshop on Online Profiling would be jointly sponsored by the FTC and the U.S. Department of Commerce to examine online advertising firms use of cookies and use of tracking technologies to develop targeted, user-profile based advertising campaigns. On the eve of the FTC Online Profiling workshop, a number of rights ... 339 "Open Letter sent to managers of socially responsible mutual funds", 11/19/1999. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 112 cookies served per week with 2 billion personally identifiable consumer catalog transaction records was described by Jason Catlett as "a full frontal attack, funded by Wall ... January 27, 2000, a Californian woman filed a suit in Marin County Superior Court against DoubleClick, accusing the Web advertising firm of unlawfully collecting and selling consumers' private information.349 The lawsuit, Judnick vs. DoubleClick Inc., 343 This inriicatps that this type of information is cookie information. 344 DoubleClick Press Release: "DoubleClick Completes Merger with Abacus Direct". November 23, 1999. http://ir.doubleclick.net/ireve/ir site-zhtml?tickep=DCLK&script=410&lavout=-6&item id=66808 345 USA Today, January 25, 2000. 346 Courtney ... practices. 353 "Who appointed them the Big Brother of cyberspace?" asked 350 Reuters, "DoubleClick sued over privacy: Internet advertising company accused of unlawfully obtaining and selling consumers private personal information." January 28, 2000. www.zdnet.com/zdnn/sto ries/news/0.4S86.2429053.00.html?chkpt=zdnnrla 351 Sandheep Junnarkar, "DoubleClick accused of unlawful consumer data use". CNET News.com, January 28, 2000. http://www.cnet.com/news/0-1005-20Q-1534533.html ... notify consumers of DoubleClick's data-collection practices and offer an opportunity to opt-out. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 118 cookie with "two clicks".369 Doubleclick also announced that it would provide full page advertisements in the New York Times and other papers across the country. Doubleclick ... respectfully request that the FTC enjoin Doubleclick and the Abacus Alliance from tying individuals' names, addresses, phone numbers, and emails to information collected through DoubleClick's cookies; and, prohibit Web sites from registering their subscribers or visitors in the Abacus Alliance profiling system without their affirmative consent, which cannot be made ... were being 'outed' for their relationship with Doubleclick. When visitors used the Alta Vista search engine, each term search was relayed to Doubleclick via a cookie. Alta Vista later reversed the practice of recording search terms in cookie files. Fallout On March 2, 2000, Doubleclick issued a Press Release with a statement from the company CEO Kevin O'Connor: "Over the past few weeks, ... for the Digital Age. Toronto: University of Toronto Press. 1996. p. 68-93. Reuters, "Doubleclick sued over privacy: Internet advertising company accused of unlawfully obtaining and selling consumers private personal information." Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 155 January 28, 2000. www.zdnet.com/zdnn/stories/news/0.4586.2429053.00.html?chkpt=zdrmr1a Regan, Priscilla M. Legislating ...

Document 4 of 6

The institutionalization of conflicts in cyberspace: A study of the conflict over online privacy

Author: Leizerov, Sagi

Publication info: George Mason University, ProQuest Dissertations Publishing, 2001. 3003055.

ProQuest document link

Abstract (English): The disheartening condition of consumers' privacy online is a burning issue that is of great interest to the public, the hi-tech industry and the U.S. government. Pursuing several research objectives, this study attempted to understand the major forces operating behind the conflict over online privacy for improving its management as well as the management of other Internet conflicts.

The main objective of this research was to understand what aspects of the online marketplace affect the approaches different Internet companies take regarding their customers' personal privacy and, consequently, reveal the forces affecting the institutionalization (management) of Internet conflicts in general. A broader research objective, a theoretical derivative of the previous objective, was the development of the theory of conflict institutionalization in respect to large-scale, technology-oriented conflicts.

To accomplish the above objectives, 145 randomly selected websites of the following denominations were studied: (a) websites of different industries; (b) websites of different commercial types; (c) Internet companies that are privately held and publicly held; (d) websites that have an 'off-line' affiliation and those that operate solely online; (e) websites that target consumers of a specific gender; and, (f) websites that participate in privacy seal programs. A content analysis questionnaire was designed for analyzing the privacy practices of the websites in the sample on 6 different variables. Those 6 variables were: (1) compliance with privacy regulations; (2) attitude of compliance with privacy regulations; (3) intrusiveness in data collection; (4) integrity; (5) trust building through responsible privacy practices; and, (6) transparency and accountability.

The research objectives were accomplished, and both specific and general findings were consequently derived. The specific findings are presented in the format of recommendations to Internet users for protecting their privacy, as well as policy recommendations aimed at the FTC for improving the management of this conflict. From a broader perspective, the study was successful in identifying economic, commercial and consumer-related variables that can be generalized for the analysis of other Internet conflicts. Finally, the findings allowed for the development of the theory of conflict-institutionalization by identifying elements of complexity that can impede such processes in the future.

Links: Check USPTO-STIC for Availability

Subject: Political science;Public administration;Conflicts;Privacy;Internet;Studies;Marketing;Consumers

Classification: 0338: Marketing0615: Political science0617: Public administration

Identifier / keyword: Social sciences, Conflict, Consumer profile, E-commerce, Institutionalization, Online, Privacy

Number of pages: 345

Publication year: 2001

Degree date: 2001

School code: 0883

Source: DAI-A 62/02, Dissertation Abstracts International

Place of publication: Ann Arbor

Country of publication: United States

ISBN: 978-0-493-11936-6

Advisor: Druckman, Daniel

University/institution: George Mason University

University location: United States -- Virginia

Degree: Ph.D.

Source type: Dissertations &Theses

Language: English

Document type: Dissertation/Thesis

Dissertation/thesis number: 3003055

ProQuest document ID: 304768475

Document URL: https://dialog.proquest.com/professional/docview/304768475?accountid=161862

Copyright: Database copyright ProQuest LLC; ProQuest does not claim copyright in the individual underlying works.

First available: 2010-06-17

Updates:
2013-09-272013-09-272014-01-092015-08-282016-05-052020-08-172020-08-272020-10-082020-11-02

Database: ProQuest Dissertations and Theses Professional

Keywords in context:

Full text: ... data trails can capture the websites the individual visits and provide a "profile" of her online life (Mulligan &Berman, 1999). Technologies such as "cookies" that are written directly onto a users hard drive, enable websites to surreptitiously collect information about an individuals online activities and store it for future use. Designed for the benign purpose of enabling websites to recognize a repeat visitor and respond accordingly, cookies were quickly adopted by websites to facilitate the tracking of a specific individual's activities at websites for the purpose of customizing content and advertising. Other companies combine information generated through the use of cookies with personal information collected from other non-Internet related sources into fully identifiable profiles of the individual's online and offline behavior. One has to keep in ... without permission. 19 Evidence of the growing market for detailed personal profiles of individuals is rampant on the Internet. Personalized portals, the pervasive use of cookies, or other bits of data that websites store on visitors' computers aid sites to personalize and target content and advertising (these terms are further ... without making many purchases (Berry &Linoff, 1997). Enterprises have two distinct types of external use for the information in their databases. The first is selling customers information to other companies (Gandy, 1993; Smith, 1994). For instance, Safeway charges 5.5 cents per name to suppliers who want their coupons or special ... send to customers, ads that are directly tied to the consumption habits of those individuals. The second common external use of customer information is the selling of lists of customers according to unique characteristics that distinguish the group and are of interest to the buying company (Linowes, 1989; Smith, 1994; Garfinkel, ... one of the most well known ways for companies to collect detailed personal information about an individuals purchasing habits. Credit card companies are notorious for selling the personal information of their customers after dividing them into different consumers types and groups. Even without the cooperation of credit card companies, when customers ... a million and an unwanted solicitation is quickly disposed of. In 1996, when New

Jersey Senator Richard Cody tried to pass a bill outlawing the selling of personal information, the Direct Marketing Association (DMA) argued in its defense that the nations $600 billion direct marketing industry would fall apart (Garfinkel, 2000). ... renovate, websites are relatively easy to manipulate. The continuos computerized monitoring of consumers online is a particularly valuable tool in the hands of online retailers selling products and services, because of the basic mutability of online environments (Peters, 1999). Cookies One of most common tools in the hands of Internet companies for the purpose of monitoring their customers is the use of cookies. An Internet cookie is a unique piece of code that is sent by a website and saved on a surfers hard-drive. This cookie sends the information it holds regarding the users previous selections on the website whenever this site is revisited. Cookies contain information such as log-in or registration data, online shopping cart selections, user preferences, and other websites visited. (Center for Democracy and Technology, 2000c; Gruenwald, 1998). There are a number of valid reasons for a company to use cookies on a site. These reasons include, among others, security, personalization of content, marketing and customer service. Research indicates that cookies can be a legitimate tool for the purpose of improving users online experience without impinging upon their privacy. To better understand what the online world would be like in the absence of cookies, it is instructive to consider how a supermarket would fair if it could not organize their aisles based on the behavior of Reproduced with ... a storekeeper could not greet a repeat visitor (Cohen, 2000; Mabley, 2000b). However, there is an important, yet widely ignored, distinction between the use of cookie tracking on a single companys sites versus tracking across different sites. Simply, Cookies were originally designed in such a way that only the site that sets them can identify them. In other words, the early developers of the ... invisible images on their ads that are pulled from the networked sites, companies who produce banner ads have succeeded in overcoming the technology limitations of cookies and can now track users throughout the Internet. The concern of privacy advocates is that these cookie profiles would then be linked with third-party consumer databases that contain off-line information such as name, address and date of birth (Peters, 1999; Mabley, 2000b; U.S. Senate, 2000). Internet Advertising ... do not merely supply banner ads; they also gather data about the consumers who view their ads. This is accomplished primarily by the use of cookies and web bugs which track the individuals actions on the Internet. Among the types of information that can be collected by network advertisers are the ... is one of the criteria studied in this research. The information gathered by network advertisers is often, but not always, anonymous. In other words, the profiles are frequently linked to the identification number of the advertising networks cookie on the consumers computer, rather than to the name of a specific person. These data are generally referred to as non-personally identifiable information. In some ... upon how the personal information is retrieved and processed by the website, the personally identifying information may be transmitted to the network advertiser through its cookie (FTC, 2000e). Consumer data can be analyzed in a number of ways. It can be combined with demographic and psychographic data from other sources, it ... a consumer on any website served by that company, thereby allowing data collection across disparate and unrelated sites on the Internet. In addition, because the cookies and web bugs used by ad networks are generally persistent, their tracking occurs over an extended period of time, resuming each time the individual logs ... with solutions such as annonymizers (i.e., software that allows one to either surf the net without transmitting any identifiable information or that transmit false information), cookie cleaners (software that rejects cookies and erases them from computers hard drives), and various encryption software that allow for the encryption of messages (Peters, 1999; U.S. Senate, 2000; Abreu, 2000; ... from their customers (category E in section 3 A of the CAQ). Part 4 measures integrity as it corresponds with admitting to the use of cookies and allowing third parties to use cookies on the domain. Part 5 focuses on trust building measures that the sites in the sample may or may not take to create social bonds ... example, alaskaairline.com). The websites assigned to the health' category were those companies that offered medical information or medicine (webmd.com). To the 'retail' industry any website selling consumer products that do not fall under any of the other industry categories studied were assigned (americangreetings.com). The websites assigned to the 'entertainment and sports' ... of information, a search engine, personalization services and a free email service (yahoo.com). The sample was also divided according to the companies commercial type. Websites selling products were categorized as retailers. Websites selling services (online travel agents, for instance) were categorized as sellers of services. Websites that provide information or services for free (as portals do) were categorized ... a site was categorized as targeting a specific gender if the content or products it offered indicated such an orientation. For example, rampage.com, a website selling women fashion and women.com, a site providing feminine information, were both categorized as womens websites. The third stage of the gender assignment was based on ... presented on the website. The research was conducted using Microsofts Internet Explorer 5.0. The browser was configured to alert on any attempt to place a cookie on the computer. All cookies were erased from the computers hard drive before reviewing the next website. The research was done on a single computer to avoid any hardware related ... ignores the adoption of practices that would not reflect positively on their companies balance-sheets in the near future (Laverty, 1996; Loescher, 1984). Not only that selling online profiles of consumers can be an important financial contribution to a struggling upstart, handing consumer information appropriately and securing it may require expanses for ... for identifying the right options are delineated in appendix 1). To evaluate the attitude of compliance with the security practice, the question of third party cookies is used. Influenced by the obtrusive practices of online advertising agencies and online direct marketers (see chapter 4 for the discussions titled online advertising agencies and online profiling), question 2.5 touches on whether the sites tested allowed third parties to place cookies on their consumers hard-drives. This practice puts the personal information of Internet users in the

hands of companies with security and privacy practices of which the user is unaware. The issue of third party cookies is of concern mainly because it is often done without alerting the attention of the consumer (unless the consumer re-configures its Internet browser as was done in this research) and the cookies placed can be of an extremely obtrusive nature, to the extent that the third party can follow the consumer to other websites she may visit ... with the customer). Another aspect of intrusion that was recorded in this section of the research is whether the site allowed third parties to place cookies on their users hard drives. The use of cookies by the site itself was not considered as an intrusive act since, as was discussed in chapter 4, cookies, when placed by the domain itself, often have a legitimate and functional purpose. The risks to privacy in third parties cookies are presented above in the discussion of part 2 of the CAQ. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 180 ... the sample was measured by configuring the browser to notify whenever the site or a third party working with the site attempted to place a cookie on the computers hard-drive. A website would be considered to be lacking in integrity only if the use of cookies (by the site or a third party) is rejected or is not discussed in its privacy policy or statement. In the discussion of part 3 of the CAQ, it was stated that the use of cookies by the domain is considered as functional rather than intrusive and therefore incurred no penalty. Part 4 of the CAQ does not subscribe to a different dogma. A domain incurs a penalty here for placing a cookie on its users hard drives only if it fails to notify the user of this practice or outright lies about it. Explaining CAQ Part 5 ... difference was found among the seven industries on most of the questions in part 2. Question 2.5 (whether the domain allowed third parties to place cookies on its users hard drives or not) was the only question in part 2 where a difference of statistical significance was found. The Kruskal Wallis ... had the highest mean rank for this question (98.25) (suggesting that companies belonging to this industry were least inclined to allow third parties to place cookies on their users hard drives), while Portals had the lowest mean rank (46.9; less than half of the Travel industry). Reproduced with permission of the ... t-test results for that same question were t(143)= -2.26, p=.012 (one-tailed) with the means of38.07 for the companies giving information and 42.92 for the companies selling products and services. Due to great variations in the sizes of the three groups and considering the proportionally small size of the sell services group ... significantly on most of the questions in part 2 of the CAQ. Only on question 2.5 (whether the domain allows for third parties to place cookies on users hard drives) and question 2T5 (total grade for attitude of compliance with the FIP) did the two commercial types differ significantly. Table 1.2b ... their integrity. The Kruskal Wallis test was applied for testing the differences between the seven industries on their integrity in regard to their use of cookies on the domain, as well as the use of cookies by third parties on the domain. The seven industries were found to significantly differ on both question 4.1 and 4.2 (significance of .004 and .011 ... of integrity (88.36 and 88.18 respectively), while Portals and especially the Health industry presented low (i.e. lack of) integrity in regard to the use of cookies on their sites (62.25 and 46.55 respectively). Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 197 Results for CAQ part 5 ... results for that same question were t(143)= -3.08, p=.001 (one-tailed) with the means of 57.98 for the companies giving information and 67.14 for the companies selling products or services. Due to great Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 199 variations in the sizes of the ... The t-tests results were as follows. Disparity between information needed and information collected (question 3.1): t(143)= -4.37, p<.001 (one-tailed). Allows the use of third party cookies in domain (question 3.2): t(139.91)= -2.83, p=.002 (one-tailed, equal variances not assumed). Total of part 3 (question 3T2): t(143)= -4.61, p<.001. Results for CAQ part ... questions and their total statistically differed as indicated in hypothesis 2.3. Question 4.1, which studied the integrity of companies in regard to their use of cookies in the domain, had the following t-test results: t(91.87)= -2.91, p=.002 (one-tailed, equal variances not assumed). Question 4.2, which studied the integrity of companies in regard to the use of cookies by third parties on their domain, had the following t-test results: t(129.08)= -2.31, p=.012 (one-tailed, equal variances not assumed). Question 4T2, which totaled the two ... the site and the information it actually collected had the following results: t(143)= 2.5, p=.006 (one-tailed). Question 3.2, which studied the use of third parties cookies on the domains had the following results: t(122.29)= 3.29, p=.0005 (one- Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 205 tailed, ... their total presented statistically significant differences in accordance with hypothesis 2.4. Question 4.1, which studied the integrity of companies in regard to their use of cookies in the domain had the following t-test results: t(143)= 2.34, p=.011 (one-tailed). Question 4.2, which studied the integrity of companies in regard to the use of third parties cookies on the domain had the following results: t(143)= 2.06, p=.02 (one-tailed). Question 4T2, which totaled the two preceding questions had the following results: t(143)= 2.67, ... found between the two Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 217 samples grades for question 2.5 (allowing third party cookies on the domain). The t-test results for this question were t(65.99)= -3.42, p<.001 (one-tailed, equal variances not assumed). As was indicated above, the two samples ... compliance). Correlating 4T2 with question 2.5 found a correlation of, r(143)= .329, p=.001, which suggests that sites that do not allow third parties to use cookies on their domain present higher degrees of integrity in revealing their cookies-related practices. Question 6.3, visibility of the link to the privacy policy on the homepage, was correlated with a few of the other questions. A ... to Internet users for protecting their privacy online. These options include, simply providing a false name when possible, setting the Internet browser to reject all cookies, and using special software to encrypt and anonymize themselves while online. The more savvy Internet users are in using computers and their applications, the ... economic potential. Beyond a firms economic potential, a publicly traded company has

a better chance to survive because of the funds it can generate by selling its common stocks. Popularity increases a companys chances of survival because it indicates consumers interest. In its report of May 2000 (FTC, 2000d), the FTC ... other third parties that might be working with a particular site, the users are encouraged to set their Internet browser to notify them before a cookie is placed on their hard drive. This author does not recommend rejecting all cookies because cookies served by the domain itself (i.e., the website of choice) can greatly contribute to the interaction with the site and improve the consumers online experience. The cookie notification function of both Netscape and Explorer (the two most common browsers on the market today) provides users with a Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. 243 detailed message that includes the name of the company that is attempting to place the cookie. This allows the users to reject only those cookies that do not bear the name of the domain they visit. Recommendations derived from the research can be divided into the general and the specific. ... withheld from them, but strict control by Internet users over the collection of their personal information while interacting with such companies (including the use of cookies and clear-gifs by the domain and its affiliates) is important to retaining control over personal privacy. It is also recommended that users prefer sites that ... prohibited without permission. 245 5.1 confirmed, intrusiveness indicates a lack of integrity by the site in the use of both their own and third party cookies. Internet users do not need to refer to part 3 of the CAQ for calculating whether a site is intrusive or not. When asked ... information for free commercial type, although evident in the off-line world (e.g., newspapers that are given away with no charge and make their profit by selling advertising space) is hardly as prevalent in the off-line marketplace as they are online. This complex of similarities and differences between the off-line and online ... Privacy? The Industry Standardl May 15, 51. Reproduced with permission of the copyright owner. Further reproduction prohibited without permission. APPENDIX 1: GLOSSARY OF RELATED TERMS Cookie = A packet of information sent by a website to the computer of its visitor and then sent back by the original website each time the visitor revisits it. Cookies can contain any arbitrary information the website chooses and are used to authenticate or identify a registered users of the website without requiring them to ... C=3 D=1 3.2Does not allow third parties to use cookiesY=9 N=1 3T2Total grade for category Part 4 Integrity 4.1Does not admit to the use of cookies but attempted to place a cookieYes=l No=9 4.2Does not admit to the use of cookies by third parties, but third parties attempted to place a cookieYes=l No=9 4T2Total grade for category 9 The degree of information collected by the site ...

Document 5 of 6

Pardon me, am I personally identifiable?

Author: Goodby, Jeffrey

Publication info: Print 54.6: 115,152. F & W Publications, Inc. (Nov/Dec 2000)

ProQuest document link

Abstract (summary): Goodby discusses how advertising on the Internet evolved from irritating but successful banners to an insidious tool for studying how consumers buy, what they care about, what they think and who they are. These methods work by placing a "cookie" on an individual's computer, which won't reveal any identifiable information about the person but will reveal one's IP address, domain type, browser type, operating system and what web pages one views.

Links: Check USPTO-STIC for Availability

Location: Silicon Valley-California, San Francisco California

Language: English

Publication title: Print

Volume: 54

Issue: 6

Pagination: 115,152

CODEN: PRNTD3

Publisher location: New York

Document type: Commentary

Document URL: https://dialog.proquest.com/professional/docview/231142716?accountid=161862

Copyright: Copyright R.C. Publications, Incorporated Nov/Dec 2000

First available: 2010-06-10

Updates: 2013-12-18

Database: ABI/INFORM® Professional Advanced (1971 - current)

Keywords in context:

Abstract: ... insidious tool for studying how consumers buy, what they care about, what they think and who they are. These methods work by placing a "cookie" on an individual's computer, which won't reveal any identifiable information about the person but will reveal one's IP address, domain type, browser type, operating ...

Full text: ... ever known for studying how we buy, what we care about, what we think, and who we are. That's where the big money is now, selling this information, and it's worth thinking about what's going to happen next. This research is being carried out by companies with names like DoubleClick, CMGI, ... many think, without adequate or explicit-enough permission. When you visit a particular Web site or respond to an ad, a coded identifier called a "cookie" is placed into your computer. While the cookie doesn't expose your actual identity, it does give the researcher a lot of "non-personally identifiable" information about you: your IP address, domain type (.net, .com, ... of the Web's ebb and flow. What advertisers really desire, however, is "personally identifiable" research, in which actual names and addresses are attached to the cookies. Researchers get this information in a couple of controversial ways, generally referred to as "opt out" or "opt in." When you're filling out a ... to opt out. If you fail to notice the box, or think it's not worth checking, this will often be taken as express permission to link your name to the cookie and start merchandising the daylights out of your personal profile. Other advertisers may ask you to "opt in," or check the box if you indeed desire to be ineluded for "enhancement" or "advertising personalized ... that it can "deliver" over "20 million opt-in names in 260 categories." In fact, in a wave of enthusiasm over the future of matching up cookies with personalized information, a number of online researchers have recently affiliated with direct marketing houses, adding even more depth to the profiles they're selling. DoubleClick merged with Abacus Direct; 24/7 set up a special agreement with a company called Naviant that collects product registration information. By the end of 1998, the whole personalized information selling business had become one big optimistic party, spilling out into the street, toasting a future in which our buying, our choices, and even our thinking ... price up. After all, the biggest shareholders are sitting around the board table." I asked him whether he knew of any actual instances of people selling such lists in the past. "Believe it," he said. "If they can, they will. They could, and they have." Off in some distant server closet, I could feel the cookies slouching inexorably toward the personal identity lists. Something to think about the next time you Buy In One Click. Jeffrey Goodby is a founding partner ...

Document 6 of 6

MATCHING ADS TO EYEBALLS FIRM TRACKS NET SURFERS TO MAKE DATABASES - MINUS PERSONAL DATA: [THIRD Edition]

Author: Bray, Hiawatha

Publication info: Boston Globe [Boston, Mass] 22 Feb 2000: D.1.

ProQuest document link

Abstract (summary): Mention the Internet company CMGI Inc., and people think first of its sky-high stock price, or perhaps a string of glittering acquisitions, such as the popular AltaVista Internet search service. But for CMGI chief David Wetherell, the heart of the business is Engage Technologies Inc., a five-year-old firm that has

quietly collected a treasury of detailed information about millions of Internet users.

Engage is vital to the plan. It exists to capture data on the millions of visitors to CMGI's own sites, as well as to many other Web locations. Using custom software, Engage figures out Web surfers' tastes and interests. That information lets Engage target them with advertising that's far more likely to attract eyeballs - and dollars.

Perhaps the most impressive thing about the Engage database is what's not in it: personal information about Internet users. Engage thinks it's found a way to reliably deliver personalized information to Web surfers without knowing who they are.

Links: Check USPTO-STIC for Availability

Subtitle: [THIRD Edition]

Language: English

Publication title: Boston Globe

Pagination: D.1

Publisher location: Boston, Mass.

Document type: Feature

Document URL: https://dialog.proquest.com/professional/docview/405334740?accountid=161862

Copyright: Copyright Boston Globe Newspaper Feb 22, 2000

First available: 2010-06-26

Updates: 2015-11-07

Database: ProQuest Newsstand Professional

Keywords in context:

Full text: ... name and address data," Schaut says. "There's no e- mail address . . . no user-identifiable data." This is made possible by the use of cookies - little bits of coded information that can be loaded onto a Web surfer's computer. When you visit a particular Web site, such as Yahoo, the site's computer can put a cookie onto your computer. And you can create a customized version of the Yahoo site, with only those features you want to see. Whenever you return, the Yahoo computer will read the cookie on your computer to recall the features you asked for. All of this can be done without collecting any personal information from the user. Cookies were invented to allow Web sites to deliver personalized services without having to know anything about the person. But cookies are used in a more controversial way by Emerge's biggest rival, New York-based DoubleClick Inc. Founded in 1996, DoubleClick also built its business plan around ... firm that would precisely target Internet advertising to the most likely prospects and to measure the ads' success. Only in July 1999 did Engage begin selling its Engage Knowledge profiling service. By then, the company had created a network of popular Web sites where visitors receive cookies. Once Engage attaches a cookie to someone's Web browser, the company can track that person's travels to any other site in the Engage network. The system tracks "recency, frequency, and ... is run through a sophisticated program that assigns a numerical score to the user's interest in stocks and links it to the user's Engage Knowledge cookie. At least 35 million Internet surfers have been tracked by Engage, and each of them has a profile that measures interest in 800 different categories. "We're selling a score," says Andonian, a set of numbers that estimates your likely interests and tastes. This score is used to send targeted ads. Visit any Engage-linked Web site, and it will use your cookie to look up an anonymous but detailed profile. This profile determines which ads you'll see. Show a customer an ad for a product that truly interests him, and it's much more likely ...

Bibliography

Citation style: APA 6th - American Psychological Association, 6th Edition

Chellappa, R. K., & Sin, R. G. (2005). Personalization versus privacy: An empirical examination of the online consumer's dilemma. Information Technology and Management, 6(2-3), 181-202. doi:http://dx.doi.org/10.1007/s10799-005-5879-y

Mark, J. L. (2003). Examination of internet marketing relative to traditional promotion in the development of web site traffic (3112988). Available from ProQuest Dissertations and Theses Professional. (305211661). Retrieved from https://dialog.proquest.com/professional/docview/305211661?accountid=161862

Todd, D. J. A. (2001). Politicizing privacy: 'Focussing events' and the dynamics of conflict (MQ58552). Available from ProQuest Dissertations and Theses Professional. (304727675). Retrieved from https://dialog.proquest.com/professional/docview/304727675?accountid=161862

Leizerov, S. (2001). The institutionalization of conflicts in cyberspace: A study of the conflict over online privacy (3003055). Available from ProQuest Dissertations and Theses Professional. (304768475). Retrieved from https://dialog.proquest.com/professional/docview/304768475?accountid=161862

Goodby, J. (2000). Pardon me, am I personally identifiable? Print, 54(6), 115-115,152. Retrieved from https://dialog.proquest.com/professional/docview/231142716?accountid=161862

Bray, H. (2000, Feb 22). MATCHING ADS TO EYEBALLS FIRM TRACKS NET SURFERS TO MAKE DATABASES - MINUS PERSONAL DATA: [THIRD edition]. Boston Globe Retrieved from https://dialog.proquest.com/professional/docview/405334740?accountid=161862

Contact ProQuest

Copyright © 2021 ProQuest LLC. All rights reserved. - **Error! Hyperlink reference not valid.**

Bibliographic Data

Application No: 15/893,354

Foreign Priority claimed: ○ Yes ◉ No

35 USC 119 (a-d) conditions met: ☑ Yes ☐ No ☐ Met After Allowance

Verified and Acknowledged: /MICHAEL J SITTNER/ (Examiner's Signature) MJS (Initials)

Title: Providing collected profiles to media properties having specified interests

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
02/09/2018	705	3622	14 PP CON4
RULE			

APPLICANTS

Datonics, LLC, Long Island City, NY,

INVENTORS

Roy Shkedi, Forest Hills, NY, UNITED STATES

CONTINUING DATA

This application is a CON of 14080999 11/15/2013ABN

14080999 is a CON of 13631244 09/28/2012 PAT 8589210

13631244 is a CON of 11765433 06/19/2007 PAT 8280758

11765433 has PRO of 60805144 06/19/2006

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

03/14/2018

STATE OR COUNTRY

UNITED STATES

ADDRESS

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260
UNITED STATES

FILING FEE RECEIVED

$5,720

From: Louis J. Hoffman
To: Sittner, Michael
Subject: Re: application (15/893,354) - proposed amendment
Date: Friday, February 26, 2021 3:27:11 PM

Examiner Sittner,

Thank you for the productive call yesterday. Please also convey my appreciation to your new SPE, Mr. Waseem Ashras.

I have discussed the matter with my client and reviewed the language, and we are pleased to approve substitution of the language in your email yesterday for subpart (b)(ii) of the first independent claim and cancellation of the apparatus claims, by examiner's amendment in the notice of allowance. We understand that the underlining was intended for a different purpose and that the language will replace the subpart (b)(ii) entirely.

I will be phoning you now to provide verbal confirmation as you requested as well.

Thanks,
Louis

On 2/25/2021 1:55 PM, Sittner, Michael wrote:

> Hello Mr. Hoffman,
>
> Looking forward to speaking with you this afternoon.
>
> Regarding parent application (15/893,354), I propose we make an Examiner Amendment to replace part (b)(ii) of claim 34 (of 15/893,354) with the following:
>
> (ii) when the media property entity is the entity controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device, the tag being readable by equipment that is part of the computer system of part (a);
>
> This is similar to the amendment you have proposed for the child application.
>
> Best Regards,
>
> <!--[if !supportLists]-->- <!--[endif]-->Mike
>
> Michael Sittner
>
> Primary Examiner, AU 3622

From: Louis J. Hoffman <Louis@valuablepatents.com>
Sent: Wednesday, February 17, 2021 2:50 PM
To: Sittner, Michael <Michael.Sittner@USPTO.GOV>
Subject: Both Shkedi Providing Profiles applications

RE: the "tag" question, my thought is to replace part (b)(ii) of claim 34 with:

(ii) when the selected ad network is the ad network controlling the computer system, to automatically arrange for electronic storage of a requested profile linked to the tag that is associated with the visitor device and that is readable by equipment that is part of the computer system of part (a);

--
Hoffman Patent Firm
7689 East Paradise Lane, Suite 2
Scottsdale, Arizona 85260
tel: 480-948-3295
fax: 480-948-3387
www.valuablepatents.com

--
Hoffman Patent Firm
7689 East Paradise Lane, Suite 2
Scottsdale, Arizona 85260
tel: 480-948-3295
fax: 480-948-3387
www.valuablepatents.com

Web Search History

date, time	web site	search string
2/5/2021 2:26:39 PM	Google	what is double-click
2/5/2021 3:39:18 PM	Google	shkedi
2/5/2021 3:39:30 PM	Google	roy shkedi
2/5/2021 3:43:38 PM	Google	almondnet
2/5/2021 3:47:22 PM	Google	wayback machine

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 11/19/2020

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
11/19/2020	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROY SHKEDI

Appeal 2020-001216
Application 15/893,354
Technology Center 3600

Before MAHSHID D. SAADT, ALLEN R. MacDONALD, and IRVIN E. BRANCH, *Administrative Patent Judges*.

MacDONALD, *Administrative Patent Judge*.

DECISION ON REQUEST FOR REHEARING

Appellant filed a Request for Rehearing[1] under 37 C.F.R. § 41.52(a), requesting that we reconsider our Decision of September 21, 2020, wherein we ***reversed*** the Examiner's rejections of claims 34–61. We have reconsidered our Decision in light of Appellant's comments in the request, and are not persuaded that we misapprehended or overlooked arguments presented by Appellant.

Appellant's request is denied.

---

[1] "The request for rehearing must state with particularity the points believed to have been misapprehended or overlooked by the Board. Arguments not raised, and Evidence not previously relied upon, pursuant to §§ 41.37, 41.41, or 41.47 are not permitted in the request for rehearing except as permitted by paragraphs (a)(2) through (a)(4) of this section." 37 C.F.R. § 41.52(a)(1).

Appellant's Contentions & Interpretations of Law

A. Appellant interprets the law as follows:

> Appellant's undersigned counsel is ***not aware of any decisions or rules barring rehearing after Board reversal of all rejections***, and challenges to a Board decision are possible for any "applicant who is dissatisfied with the final decision of the" PTAB (35 U.S.C. § 141(a), see also § 145), so it seems logical that reconsideration is permissible.

Req. Reh'g 1 (emphasis added).[2]

B. Appellant contends that as to the Board Decision, the Board "overlooked" (Req. Reh'g 1) Appellant's asserted claim interpretation.

> The Decision (pp. 7–8) agrees with appellant that "media property entity" and "media property equipment" are different terms, but (except for explaining the differing "context") the Decision does not construe those terms. Specifically, ***the Board does not accept appellant's request*** to hold that "media property equipment" must be "part of the computer system that controls an ad space viewed by a visitor, at least temporarily." ***Nor does the Board give any reason for denying that claim construction.***

Req. Reh'g 2 (emphasis added).

> The Board should not simply make ***a modest correction*** of a single aspect of the Examiner's claim construction then return the case to the examiner to try again.

Req. Reh'g 5 (emphasis added).

---

[2] 35 U.S.C. § 141(a) EXAMINATIONS.–An applicant who is dissatisfied with the final decision in an appeal to the Patent Trial and Appeal Board under section 134(a) may appeal the Board's decision to the United States Court of Appeals for the Federal Circuit. By filing such an appeal, the applicant waives his or her right to proceed under section 145.

C. Appellant contends that as to the Board Decision, the Board "overlooked" (Req. Reh'g 1) Appellant's arguments as to Jaschke:

> The Decision, again, does not address what Jaschke discloses (except to say that Jaschke refers to advertiser entities and advertiser equipment with separate numerals). Again the Decision just "recommends" that the examiner "reevaluate."
>
> With respect, the question of whether Jaschke teaches the argued claim element has been fully briefed, and ***it is ripe for the Board to decide***.

Req. Reh'g 3–4 (emphasis added).

D. Appellant contends that as to the Board Decision, the Board "overlooked" (Req. Reh'g 1) Appellant's arguments as to combining Jaschke and Kublickis:

> Here again, the issue is fully briefed (see also slide 12), but the Decision does not address the question. Worse, the Decision "recommends" that the examiner "reevaluate the appropriateness" of the same combination, without addressing the fully briefed point that those references cannot logically be combined. Again, this issue should be decided.

Req. Reh'g 5.

ANALYSIS

A.

As to Appellant's interpretation of law, we disagree. Appellant appears to be arguing that a rehearing or appeal is permitted in any reversal of all rejections. This is not the law. Rather, rehearings as to Board decisions are limited by a requirement that Appellant "state with particularity the points believed to have been misapprehended or overlooked by the Board."

Further, Federal Circuit appeals as to Board decisions are limited by the prudential rule "counseling against prevailing party appeals." S*kyHawke Technologies, LLC v. Deca International Corp.*, 828 F.3d 1373, 1377 (2016). Although, in a unique factual scenario, the Federal Circuit may permit such an appeal. *Id.* 828 F.3d at 1378 ("[T]he court in *Priest* [582 F.2d 33 (C.C.P.A. 1978)] was within its rights to depart from the ordinary rule against prevailing party appeals but would not have been required to do so.").

B.

As to Appellant's above contention B, we disagree. The panel has not overlooked Appellant's argument. Rather, we found Appellant's claim construction argument persuasive.

Contrary to Appellant's rehearing argument, the Board ***did*** accept Appellant's request as to the claim construction. The Board quoted extensively from Appellant's Appeal Brief, including:

> a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor

(Decision 8), then stated:

> We agree with Appellant that the terms "media property entity" and "media property equipment" are distinct.

(Decision 7) and then concluded

> consistent with Appellant's arguments [] there is insufficient articulated reasoning to support the Examiner's finding that Kublickis or Jaschke discloses the argued "media property entity" claim limitations.

(Decision 8).

Appellant now characterizes this conclusion as "a modest correction of a single aspect of the Examiner's claim construction." Req. Reh'g 5.

This characterization is contradicted by Appellant's extensive Appeal Brief argument (Appeal Br. 6–13) that this correction of an examiner error is sufficient to reverse all the rejections.[3]

C.

As to Appellant's above contention C, the panel has not overlooked Appellant's argument as to Jaschke. Rather, we found Appellant's claim construction argument determinative as to the rejection. Appeal Br. 4. Further:

> We conclude the Examiner's analysis fails to meet [the required] standard because the Examiner's determination that the two terms "media property entity" and "media property equipment" are ***synonymous*** with each other is not properly founded.

Decision 7.

As the Examiner's claim construction lacked a proper foundation, any analysis of the teachings of the Jaschke reference as applied to that erroneous claim construction was inherently flawed. Once this improper foundation is determined to exist, any attempt by the Board to delve into the Examiner's findings as to Jaschke and Appellant's argument directed thereto is speculative. Although, the Board can provide advisory opinions at its discretion, there is no requirement that the Board do so.

Contrary to Appellant's assertion that "it is ripe for the Board to decide" (Req. Reh'g 4):

> We recommend[ed] that the Examiner reevaluate the appropriateness of a rejection under 35 U.S.C. § 103 based on

[3] 37 C.F.R. § 37(c)(1)(iv) "The arguments shall explain why the examiner erred as to each ground of rejection contested by appellant."

> the teachings of the Kublickis, Jaschke, and Horowitz references in light of the proper claim construction.

Decision 8.

Essentially, we agree with Appellant that the appealed claims were not examined as properly construed, but are unwilling to conclude that such an examination is not now required.

D.

As to Appellant's above contention D, the panel has not overlooked Appellant's argument as to combining Jaschke and Kublickis. Rather, as in the section C analysis directly above, we found Appellant's claim construction argument determinative as to the rejection.

DECISION

Based on the record before us, we deny Appellant's Request for Rehearing. Appellant has not persuasively identified any points the Board misapprehended or overlooked.

The Request for Rehearing is denied.

Outcome of Decision on Rehearing:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Denied	Granted
34–37, 39, 41–43, 45, 47–51 53–56, 58, 60, 61	103	Kublickis, Jaschke	34–37, 39, 41–43, 45, 47–51 53–56, 58, 60, 61	
38, 40, 44, 46, 52, 57, 59	103	Kublickis, Jaschke, Horowitz	38, 40, 44, 46, 52, 57, 59	
Overall Outcome			34–61	

Final Outcome of Appeal after Rehearing:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
34–37, 39, 41–43, 45, 47–51 53–56, 58, 60, 61	103	Kublickis, Jaschke		34–37, 39, 41–43, 45, 47–51 53–56, 58, 60, 61
38, 40, 44, 46, 52, 57, 59	103	Kublickis, Jaschke, Horowitz		38, 40, 44, 46, 52, 57, 59
Overall Outcome				34–61

TIME PERIOD FOR RESPONSE

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 1.136(a)(1)(iv).

DENIED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Appeal No.	:	2020-001216
Serial No.	:	15/893,354	Examiner	:	Sittner, Michael J.
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title	:	Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on October 21, 2020

REQUEST FOR REHEARING (IN PART)

Dear Sir:

Despite the Board having reversed the lone rejection, appellant respectfully requests partial rehearing of the Decision dated September 21, 2020. Appellant is not satisfied with the Decision because it invites the examiner to consider making the *same* rejection using different reasoning, which likely will lead to delay and expense of a further appeal. *See* Decision, p. 8 (holding that "the Examiner's articulated reasoning is insufficient" and reversing, but stating, "We recommend that the Examiner reevaluate the appropriateness of a rejection under 35 U.S.C. § 103 based on the teachings of the Kublickis, Jaschke, and Horowitz references in light of the proper claim construction.").

Appellant's undersigned counsel is not aware of any decisions or rules barring rehearing after Board reversal of all rejections, and challenges to a Board decision are possible for any "applicant who is dissatisfied with the final decision of the" PTAB (35 U.S.C. § 141(a), *see also* § 145), so it seems logical that reconsideration is permissible.

The "particular[] … points believed to have been … overlooked by the Board" in its Decision (*see* 37 C.F.R. § 41.52(a)(1)) are as follows:

1. "Media property equipment" requires "control of an ad space": In the Appeal Brief (p. 6), appellant "proposes that the Board construe 'media property equipment' as 'equipment, which is part of the computer system that controls an ad

space viewed by a visitor, at least temporarily' and 'media property entity' as 'an entity that controls media property equipment (as defined above).'" The Appeal Brief (p. 8) supports the proposed constructions by noting that "the specification proffers this basic definition: '**a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor.**'" [Emphasis in Appeal Brief]

The Decision (pp. 7-8) agrees with appellant that "media property entity" and "media property equipment" are different terms, but (except for explaining the differing "context") the Decision does not construe those terms. Specifically, the Board does not accept appellant's request to hold that "media property equipment" must be "part of the computer system that controls an ad space viewed by a visitor, at least temporarily." Nor does the Board give any reason for denying that claim construction.

As stated in the Reply Brief (p. 5), "The specification defines 'control of ad space' as key to a 'media property,' and the Board should not adopt a construction without it."

The examiner and appellant have fully briefed their respective positions on claim construction. Appellant also submitted a Power Point presentation (8/27/2020) for oral argument comparing the respective constructions and summarizing the specification (slides 2-5). Under the Decision, however, the examiner merely must "reevaluate" the reversed rejection, with "entity" and "equipment" addressed separately. If the examiner separates the two terms but maintains the same claim construction *substantively*, then appellant must undertake an entire second appeal, in which it would be necessary to re-brief and re-argue the same issue, at the cost of much money and several more years.

The Board should decide the claim construction issue based on the existing briefing, and in particular make clear that the proper construction of "media property equipment" is "equipment, which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily" ('control' being understood in a technology context) and that "media property entity" is "an entity that controls media property equipment" ('control' being understood in a legal/business context).

2. Jaschke's broker computer is not "programmed to automatically select a media property entity of a plurality of media property entities": The Appeal Brief (pp. 13-14) explains the following facts: (a) All pending claims include the requirement that a "profile owner computer" be "programmed to automatically select a media property entity of a plurality of media property entities." (b) "The examiner explicitly concedes that the primary reference, Kublickis, does not teach [claim 34] part (b)(i) but contends that it is taught by secondary reference, Jaschke." (c) "Jaschke's computer system does not disclose that the described broker computer is 'programmed to automatically select a media property entity of a plurality of media property entities' and thus does not correspond to the claim element." The Reply Brief (p. 8) explains further:

> There is no dispute about what Jaschke discloses. The appeal brief (pp. 13-14) describes Jaschke as follows, and the examiner's answer does not dispute this:
>
> > "Jaschke discloses a 'consumer information broker' that accepts advertiser bids and chooses one of several advertisers automatically. Various advertisers bid for delivery of their ads to a 'target' or user, and one of the advertisers is selected based on a calculation of which matches. *See* Jaschke's abstract, [0016], [0019], [0031-33], [0061], [0073-74]."
>
> The appeal brief explains (pp. 14-15) that Jaschke's broker's computer system is not "programmed to automatically select a media property entity of a plurality of media property entities"—and thus does not correspond to the claim element—because Jaschke's advertisers are not "media property entities" when the broker selects one of several advertisers.

The oral argument Power Point presentation summarizes the briefing (slides 6-8).

The Decision, again, does not address what Jaschke discloses (except to say that Jaschke refers to advertiser entities and advertiser equipment with separate numerals). Again the Decision just "recommends" that the examiner "reevaluate."

With respect, the question of whether Jaschke teaches the argued claim element has been fully briefed, and it is ripe for the Board to decide. Indeed, as noted in the Reply Brief quoted just above, the examiner *agrees* with appellant as to what Jaschke discloses: We disagree as to whether what Jaschke teaches actually meets the claim element or not. If the examiner maintains the same view of whether the claim element is met, then appellant must undertake a second appeal *on an already briefed question*.

The Board should decide the briefed issue. In doing so, it should rule that Jaschke's advertisers are not "media property entities" when Jaschke's broker selects one of them, because the advertisers do not control ad space at the time of the selection; thus Jaschke broker's computer system is not "programmed to automatically select a media property entity of a plurality of media property entities" as claimed.

3. <u>The examiner's "reasoning" for combining Jaschke and Kublicis is illogical</u>. For ease of decision (because Kublickis is a long document), appellant skips Part III of the Appeal Brief but respectfully requests the Board to address Part IV thereof, related to the lack of articulated reasoning to combine Jaschke and Kublickis.

The Appeal Brief (pp. 21-22, emphasis in original) explains that "it does not make logical sense that an ordinary artisan would have modified Kublickis to utilize Jaschke's technique. Kublickis works only with respect to a given website in current contact with a user's customized browser, so Kublickis has no need to *select* any website or media property among others (even assuming *arguendo* that Jaschke disclosed such)."

The FOA offers supposed reasons for combining the references, and appellant's challenge to that reasoning as illogical has been fully briefed. In the Reply Brief (p. 14), appellant pointed out that there is no real disagreement about the facts, either:

> [T]he appeal brief (pp. 21-22) explains that Kublickis has no need to select any website or media property because Kublickis's ad-delivery system works only with respect to *a given website in current contact with the custom browser*. The

examiner's answer does not express any disagreement with that factual assertion or reasoning.

Instead, the examiner's answer (p. 10) again argues, "Appellant is not arguing limitations from the claims" because the claims do not recite "selecting a media property" but rather "selecting a media property *entity*." Appellant's point, however, remains true even with that correction. To confirm the point with the examiner's correction handled: Kublickis's ad-delivery system works only with respect to a given website in current contact with the custom browser, and so Kublickis has no need to select any website or any other media property *entity*.

Here again, the issue is fully briefed (*see also* slide 12), but the Decision does not address the question. Worse, the Decision "recommends" that the examiner "reevaluate the appropriateness" of the *same combination*, without addressing the fully briefed point that those references cannot logically be combined. Again, this issue should be decided.

The Board should reach the three overlooked questions

The claims have been rejected based on the combination of Kublickis in view of Jaschke (with Horowitz added as to a few dependent claims only). That rejection should be fully evaluated, and fully decided. The Board should not simply make a modest correction of a single aspect of the examiner's claim construction then return the case to the examiner to try again.

The Board has authority to *remand* to the examiner, such as "for further consideration of a rejection pursuant to 37 CFR 41.50(a)(1) such as where the pertinence of the references is not clear …." MPEP 1211. A remand should occur only in limited circumstances not applicable here. First, Rule 50 does not apply. Second, the examiner's answer already fully explains the examiner's views as to the "pertinence of the references" (Jaschke and Kublickis). Indeed, as explained in parts 2 and 3 above, the pertinent facts about those references are not in serious dispute. But if the Board

believes that it would benefit from having the examiner provide "further explanation," then—rather than "recommending" that the examiner reconsider the rejection—the Board should retain jurisdiction of the appeal, "call upon the examiner for a further explanation" (*see* MPEP 1211, 1211.01), invite appellant to comment on the examiner's explanation (if needed), then send a decision on rehearing.

Absent such, the Board should fully reverse the rejection. With all due respect to the idea of judicial economy, appellant has explained reversible error in the examiner's rejection (*see* 37 C.F.R. § 41.37(c)(1)) and thus is entitled to decision. *See* 35 U.S.C. § 6(b)(1) (PTAB "*shall* … review adverse decisions of examiners") (emphasis added); *In re Frye*, Appeal No. 2009-006013, at 9-10 (B.P.A.I. Feb. 26, 2010) (precedential) (http://www.uspto.gov/ip/boards/bpai/decisions/prec/fd09006013.pdf) ("The panel then reviews the obviousness rejection for error *based upon the issues identified by appellant*, and in light of the arguments and evidence produced thereon.") (emphasis added) (*citing In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992) ("In reviewing the examiner's decision on appeal the Board *must necessarily* weigh all of the evidence and argument") (emphasis added)).

In short, where as here a rejection turns on dispositive questions that are fully briefed, the Board should decide them. To do otherwise is to invite a second appeal, needlessly, at appellant's heightened expense and after delay. *See* Rule 37 C.F.R. § 41.1(b) ("The provisions of Part 41 shall be construed to secure the just, speedy, and inexpensive resolution of every proceeding before the Board.").

Appellant respectfully requests rehearing for the purpose of having the Board decide the proper claim construction of the disputed terms, as indicated in part 1 above, and to make appropriate findings about the reference or the merits of the combination, by deciding either or both of the issues defined in parts 2 and 3 above. This request for rehearing has identified three points made in the appeal brief that the Board "overlooked" and that the Decision did not decide, without any justifiable explanation

for failing to reach those questions. The *primary* arguments made by appellant on appeal should not be "ducked."

The Board's decision on rehearing should modify the Decision to omit any sentence "recommending" that the examiner "reconsider" the same ground of rejection. There is no procedure for an examiner to get a "do over" of the *same* rejection *reversed* by the Board. Appellant ought not to be required to beg the examiner to change his mind after the examiner has twice (actually more than two times) refused to accept the same arguments (35 U.S.C. § 134(a) (allowing an appeal after *two*, not more, rejections)), nor should appellant be required to appeal twice to obtain the requested relief. The Board should continue to reverse the rejection, but, based on the overlooked issues listed above, appellant respectfully requests the Board to reverse the appealed rejection on the merits.

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: October 21, 2020

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

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

Electronic Acknowledgement Receipt

EFS ID:	40903563
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	21-OCT-2020
Filing Date:	09-FEB-2018
Time Stamp:	12:58:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Rehearing of Patent Board Decision	20-10-21-DAT-PP_CON4-ReqRehgPartBoard.pdf	144448 9407c3baf017230e7a2648015e254784491 8ce48	no	7

Warnings:

Information:	
Total Files Size (in bytes):	144448

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 09/24/2020

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
09/24/2020	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

RECORD OF ORAL HEARING

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROY SHKEDI

Appeal 2020-001216
Application 15/893,354
Technology Center 3600

Held virtually: September 1, 2020

BEFORE: MAHSHID D. SAADAT, ALLEN R. MacDONALD, and GENE E. BRANCH, Administrative Patent Judges.

A P P E A R A N C E S

ON BEHALF OF THE APPELLANT:

LOUIS J. HOFFMAN, ESQUIRE
LOUIS J. HOFFMAN, P.C.
7689 EAST PARADISE LANE, SUITE 2
SCOTTSDALE, ARIZONA 85260

The above-entitled matter came on for hearing on Tuesday, September 1, 2020, commencing at 9:38 a.m. EST, by video/by telephone.

(Proceedings begin at 9:38 a.m.)

JUDGE MacDONALD: Mr. Hoffman, this is Judge MacDonald.

We've looked over the appeal, and we find the conclusion you're presenting that the rejection can't stand as it's currently formulated, we agree with that, but we do have concerns with respect to the claim as it's currently formulated.

And we've looked back through the claims as they previously existed in the parent cases, and one of our concerns is, we're struggling to find where the media property entity, as you're defining it, is shown in the specifications.

We're just not -- we see the media property, and you point out in the -- I'm trying to recall if it's in the reply brief or in the brief -- that we should be able to figure out which version of media property, whether it's entity or equipment, from the context.

Yes, here it is. Which of the two is being referenced at various points in the specification is clear from context.

And when we read through the specification, our take is that, from the context -- each of the context that we see, it's media property equipment that's being talked about, so we're uncertain where there's a disclosure of the

media property entity.

Can you help us there? Can you point to somewhere in the specification that there is written description support for that kind of claim term?

MR. HOFFMAN: Sure. The entity is mentioned several places in the specification. Perhaps one of the most key places is on page 5 of the specification.

If you look at the slide numbered 3 in my slide presentation -- and I'm going to be referring to the slides by number at the lower right corner of the slide rather than the page number of the -- in the PowerPoint so that the cover sheet is not included.

So on page 3, there is the definition of media property, and it starts out by saying that -- as you observe, that it refers to equipment controlling ad space, but then it goes on to say -- and this is the part, actually, the examiner mentioned -- or any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space, whether the ad space is owned by that entity or the entity pays the owner.

So the ad space is -- so the equipment is being controlled by the entity, and the specification refers to that as the media property.

And as I wrote, and as you already observed, the term media property can refer to the equipment or the

entity, depending on the context.

JUDGE MacDONALD: Okay. I see what you're pointing to, but that doesn't address, really, my concern, because the -- let me doublecheck the language from the argument.

Yeah. Which of the two is being referenced at various points in the specification is clear from context.

So you're not talking about the entity term in the spec when you're making the statement in the arguments, you're talking about the media property.

So is there anyplace in the specification where media property is used to reference the entity that you're pointing to on page 5? Because I didn't see a shift in the terminology -- or a shift in the meaning of the term media property. I, at least, couldn't find an example in the specification where it was used to mean the entity that you're now pointing to, the --

MR. HOFFMAN: Well, I'm not sure if I can answer that.

I mean, the part that I mention on page 5 is the only place in the regular specification in which the word entity appears, but that is precisely in connection with the definition of media property.

JUDGE MacDONALD: Okay.

MR. HOFFMAN: And, in fact, the equipment has to be controlled by some -- well, actually, the other place is in

the drawings where the context refers to entities, although the word entity is -- so, for example, in Figure 1, it says, "Record profiles are kind of profiles media properties are looking for." Well, the equipment isn't looking for them, the entity --

JUDGE MacDONALD: Okay.

MR. HOFFMAN: -- is looking for them.

JUDGE MacDONALD: Okay.

MR. HOFFMAN: So there is a little bit of shifting back and forth in terms of the context.

But we should be careful to focus on the claim, and the word entity in the claim says, in Part A, "Which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system."

JUDGE MacDONALD: Well, that was my second question. Where is the -- now, I'm leaning towards -- I agreed with what you're saying about the entity on page 5 is it's reasonable to call that claim the media property entity. I think that's reasonable. At least --

MR. HOFFMAN: Right.

JUDGE MacDONALD: -- that's my first impression, now that you've explained it.

But where is the control in -- that entity is doing a control function?

Because the only place I'm finding control when I search for the term in the specification is by the equipment rather than by the entity.

MR. HOFFMAN: Well, I'll try to do another one on the fly here.

JUDGE MacDONALD: Well, before you do, let me add that one of my concerns with the use of the term control in the claim, which would be the second issue we come to, instruct me that it was being used in a different way than the term is used in the specification.

The specification is talking about control in the computer or equipment sense, whereas the claim appears to be talking about control by an entity, which is in the business or ownership or contractual sense, which is not the same thing.

In fact, that led to a concern, as we're looking through the claim, that when you're talking about the entity, you're talking about an ownership, and that this is really the abstract side, you know, the abstract -- a business relationship side of the computer system's process.

And that was not the case in the earlier form of the claims prior to the amendments. It's moved from the computer system interaction to the business interaction, and that wasn't -- it doesn't appear to have been clear to the examiner because they kept trying to pull media property

entity's definition into the computer side, which is, for purposes of their examination, tied into the equipment, which I don't think we agree with you, that's not appropriate for these claims, but that leads to these other concerns with respect to where the entity or media property entity was in the specification, which I think you've explained, but it doesn't appear that its control is technology control in a sense of a control within technology, but rather control within a business environment.

MR. HOFFMAN: Well, there was --

First of all, I don't believe the claim is directed to a business method, it's directed to a computer method. I had some complaints early on which, if you had looked at the file history, you would understand, where the examiner was concerned that we clearly distinguish between the entity and the equipment. And I think, you know, rightly so, he required us to make that kind of clear.

So first of all, let me just say, on page 5, there is an example where -- on line 26, where it talks about -- of the specification where it talks about the ad network's equipment in the case where the media property is one species of an ad network.

So we felt -- we did need to limit these claims to situations where the selection is -- you know, is being done -- where the profile on your computer -- well, let me

go back a second.

The purpose of this invention -- I think this may help if I backtrack a little bit before I answer your question more directly.

But what we're trying to do here is we've got these profile owner computer, which is identified in Part B of the claim. And that profile owner computer is -- the function of it is to act as an intermediary between profile suppliers who have various data with respect to the visitors and media properties which are going to be the websites or ad networks.

But the profile owner then has a series of requests from a series of, let's say, individuals or companies, which are basically the entities. And so those requests are in the profile owner computer, if you will, database.

So the profile owner computer stores a bunch of requests. Those requests are from the entities. And then, one of those gets selected, and the technology stuff starts to happen where those -- there is an arrangement to be tagged, the tag which is readable by the equipment of that entity, and so forth.

So when the selection is done, it says -- the specification teaches about it talking about selecting an entity, not selecting a computer. No one cares what computer is used, it's -- you know, you're selecting which

entity at that point. And then -- and the computer is doing that automatically based on the previous request.

And then that entity's computer is accessed for purposes of, you know, being able to read the tag so that that computer equipment can later recognize the visitor when the visitor, in Part C of the claim, later visits a media property website that is -- either website or other media property that is controlled in the other sense by the entity.

So we needed to mention both the entity and the equipment. And the word controlling that you pointed out in Part A where it says "entity controlling the computer system" is meant to, you know, try to keep that clear.

The examiner did, you know, request that we make some amendments, which we did, I believe it was in the parent before we got to -- before we filed this Track 1 continuation, but the amendments were, you know, meant to try to tie the entity to the equipment.

The sense of controlling, which you asked about in Part A where it says "entity controlling the computer system" -- when we refer, in the specification, to the ad network's equipment, we are trying to pick a word to express that concept. And the entity might rent the equipment, or buy the equipment, or hire the equipment, or something, but in any event, it's the ad entity's equipment, so we used the

word controlling in that sense.

That did tie to the, you know, parts you mentioned which talked about controlling ad space, which is a little bit different than the sense of controlling as you observed.

So the technical advantage of the invention was that previously, before this invention, the profile suppliers would have to work directly with a media property entity in order to identify a subset of visitors that make up the desired audience and to which the targeted advertisements could be provided, and then use that in order to use the profile supplier's profile information for that visitor.

So having the profile intermediating between the profile suppliers and the MP holding these stored requests, arranging for the tag, and then having the computer of the MP be able to target the ads later when the profile supplier -- you know, after the time the profile supplier has access to the visitor, performs a practical application that improves the field of targeted advertisement.

This claim focused on the -- focuses on the media property actions, but is only limited -- the media property computer's actions, but only when receiving data from that intermediate computer system of the PO.

So we needed to -- the problem with the claim, in terms of drafting the challenge for us in drafting it, was that we needed to clearly distinguish between the entities

and the equipment, and, you know, we think the specification -- I mean, I don't think there's any doubt the specification, you know, talks about that in both context.

JUDGE MacDONALD: Yes. I can agree that the entities are at least mentioned in the specification, but I'm still struggling to see the relationships that they claim as laying out.

And I'm also still struggling with what appears to me to be a mixing of ownership versus technology. I'm not quite clear how the claim, as it's laid out, is -- I see technology aspects, because you have equipment which is performing storage functions, you have a computer system with a central database, but as soon as the claim moves to the entity that's controlling the computer system, or the media property entity, or the fact that the selected media property entity is the entity controlling the computer system, every place that says entity, my reading of this is, okay, you're talking about the ownership aspect of this now.

At least it's not clear to me that, when you say media property entity or entity controlling the computer system, that you're talking about technology at that point.

MR. HOFFMAN: Well, we're trying to limit --

JUDGE BRANCH: Let me interrupt briefly just to give you a time check. We've got about two minutes left to go. It would be a good time to start closing up arguments.

MR. HOFFMAN: Okay. Well, we are trying to limit the context of the claim to an entity that controls an ad space. And that's the --

JUDGE MacDONALD: When you say that, entity controlling an ad space, do you mean technology controlling it or do you mean an owner controlling it?

MR. HOFFMAN: We mean an entity controlling a computer system that technologically has access to an ad space. And that entity is what is selected by the media property computer.

So the named company is going to be selected by the computer, and then that entity controls a computer system that, in turn, controls the ad space.

And so we needed to -- because the selection that's done in the storage -- the data that's stored is done, is done with the name of the entity, we needed to refer to the entity. But the entity then has to be -- you know, the entity's computer system is the one that does the technological activity here.

But we needed to -- we couldn't -- we needed to refer to the entity because we only wanted to claim computer systems of the sort that are controlled by this type of media property and not just any computer system that's, you know, controlled by somebody who doesn't control ad space.

So it was necessary to refer to the entity, that

doesn't mean the claim, as a whole, is directed to just an entity or that we're somehow claiming something done by a human. We're not. We're simply referring to the label of the entity that controls the computer system, consonant with the specification's reference to the entities -- or the media property's equipment, or media property's computer system, words like that.

JUDGE MacDONALD: Okay.

MR. HOFFMAN: This is not an easy claim to write, I might add.

JUDGE MacDONALD: This is Judge MacDonald.

I have no further questions at this point.

Judge Branch?

JUDGE BRANCH: I have no questions, either.

JUDGE MacDONALD: Judge Saadat?

JUDGE SAADAT: I have no question, also.

MR. HOFFMAN: Okay. I appreciate it.

If there's anything else I can help with as you're working forward on it, please feel free to figure out some way. Since this is not an examiner rejection --

JUDGE MacDONALD: Correct.

MR. HOFFMAN: -- we can work together.

JUDGE MacDONALD: You have significant number of options after we do our decision.

MR. HOFFMAN: Yeah. Right. Assuming there's

anything other than a straight reversal.

JUDGE MacDONALD: Correct.

MR. HOFFMAN: I understand. Thank you very much. I appreciate your help.

JUDGE MacDONALD: You're welcome.

We're now off the record.

(Proceedings conclude at 10:01 a.m.)

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 09/21/2020

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
09/21/2020	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROY SHKEDI

Appeal 2020-001216
Application 15/893,354
Technology Center 3600

Before MAHSHID D. SAADAT, ALLEN R. MacDONALD and IRVIN E. BRANCH, *Administrative Patent Judges*.

MacDONALD, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Pursuant to 35 U.S.C. § 134(a), Appellant[1] appeals from a Final Rejection of claims 34–61. Appeal Br. 12. Appellant has cancelled claims 1–33. Final Act. 2. We have jurisdiction under 35 U.S.C. § 6(b).

We REVERSE.

---

[1] Appellant identifies the real party in interest as Datonics, LLC. Appeal Br. 1.

CLAIMED SUBJECT MATTER

Claim 34 is illustrative of the claimed subject matter (emphasis, formatting, and bracketed material added):

> 34. A method of causing delivery of electronic advertisements based on provided profiles comprising:
>
> (a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles ***requested by an entity controlling the computer system***, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;
>
> (b) wherein the profile owner computer is programmed:
>
> (i) to automatically select a ***media property entity*** of a plurality of media property entities based on a comparison of
>
> [(A)] profile information about a visitor who electronically accessed electronic apparatus of a profile supplier
>
> with
>
> [(B)] a plurality of stored requests from the plurality of ***media property entities***,
>
> ***one of which media property entities is the entity controlling the computer system***, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles ***requested by the entity controlling the computer system***, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by ***equipment controlled by the selected media property entity***,

which equipment is part of the computer system of part (a) when ***the selected media property entity is the entity controlling the computer system***, and

which tag is the tag of part (a) when ***the selected media property entity is the entity controlling the computer system***; and

(c) later, when the visitor device is available to receive an advertisement, with the computer system,

(i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and

(ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

REFERENCES[2]

The Examiner relies on the following references:

Name	Reference	Date
Horowitz	US 2005/0097204 A1	May 5, 2005
Kublickis	US 2007/0067297 A1	Mar. 22, 2007
Jaschke	US 2007/0130005 A1	June 7, 2007

[2] All citations herein to patent and pre-grant publication references are by reference to the first named inventor only.

REJECTIONS

A.

The Examiner rejects claims 34–37, 39, 41–43, 45, 47–51, 53–56, 58, 60, and 61 under 35 U.S.C. § 103 as being unpatentable over the combination of Kublickis and Jaschke. Final Act. 5–17.

We select claim 34 as the representative claim for this rejection. The contentions discussed herein as to claim 34 are determinative as to this rejection. Therefore, except for our ultimate decision, we do not address the merit of the § 103 rejection of claims 35–37, 39, 41–43, 45, 47–51, 53–56, 58, 60, and 61 further herein.

B.

The Examiner rejects claims 38, 40, 44, 46, 52, 57, and 59 under 35 U.S.C. § 103 as being unpatentable over the combination of Kublickis, Jaschke, and Horowitz. Final Act. 18–23.

We select claim 49 as the representative claim for this rejection. The contentions discussed herein as to claim 34 are determinative as to this rejection. Therefore, except for our ultimate decision, we do not address the merit of the § 103 rejection of claims 38, 40, 44, 46, 52, 57, and 59 further herein.

OPINION

We have reviewed the Examiner's rejections in light of Appellant's arguments that the Examiner has erred. Appellant's contentions we discuss are determinative as to the rejections on appeal. Therefore, Appellant's other contentions are not discussed in detail herein.

A.

The Examiner determines as to the above "media property entity" of claim 34:

> **Media Property** and **Media Property entity** do appear to be given an "explicit" and "clear" definition in the specification and from a reading of this definition the two terms appear to be synonymous with each other. Provisional Specification (60/805,114) at pg. 5 provides the following definition:
>
> > "*. . . a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor. This definition of a media property will therefore include a web site, an ad network of sites where the ad network represents the ad space of different sites, a TV program, a cable company that represents some of the ad space within TV programs or TV channels, a TV network, any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space could be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio etc*."

Final Act. 4 (formatting added).

B.

Appellant contends that the Examiner erred in rejecting claim 49 under 35 U.S.C. § 103 because:

> Appellant proposes that the Board construe "media property equipment" as "equipment, which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily" and "media property entity" as "an entity that controls media property equipment (as defined above)."
>
> . . .

The specification, at page 5, lines 1–27, contains the following explanation and definition, supporting the proposed definition:

> Because the purpose of the tag is to enable the delivery of additional ads on other media properties visited by the visitor, and because the delivery of an ad requires only control of the ad space and not necessarily control of the entire media property visited by the visitor, a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor, including a web site, an ad network's site (where the ad network represents the ad space of different sites), a TV program, some of the ad space within TV programs or TV channels (represented by a cable company), a TV network, or any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space can be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio, etc.

Appeal Br. 6–7.

The specification later says, on page 8, lines 5-6: "A low-value ad space owner could be any media property owner, whether it owns a web site, a TV program, a radio show, or any other media property." On line 23 of page 8, the specification similarly ***refers to "a media property (if acting as a profile owner)*** . . . ." Those page 8 citations indicate that the specification uses the term "media property" in some contexts to refer to an "owner" (entity), whereas the above quotation on page 5 of the specification uses the term "media property" in the context of "equipment." ***To avoid confusion, appellant crafted the claims to distinguish between "media property entity" and "media property equipment." Which of the two is being***

> ***referenced at various points in the specification is clear from context.*** The Final Office Action says that "media property" and "media property entity" are "two terms [that] appear to be synonymous with each other." Although that is not exactly true, the usage (owner vs. equipment) is parallel in the specification, and appellant's proposed construction defines one by reference to the other.

Appeal Br. 8.

C.

As articulated by the Federal Circuit, the Examiner's burden of proving non-patentability is by a preponderance of the evidence. *See In re Caveney*, 761 F.2d 671, 674 (Fed. Cir. 1985) ("preponderance of the evidence is the standard that must be met by the PTO in making rejections"). "A rejection based on section 103 clearly must rest on a factual basis[.]" *In re Warner*, 379 F.2d 1011, 1017 (CCPA 1967). "The Patent Office has the initial duty of supplying the factual basis for its rejection. It may not . . . resort to speculation, unfounded assumptions or hindsight reconstruction to supply deficiencies in its factual basis." *Id.* We conclude the Examiner's analysis fails to meet this standard because the Examiner's determination that the two terms "media property entity" and "media property equipment" are ***synonymous*** with each other is not properly founded. Thus, the Examiner's findings of fact as to the "media property entity" are based on error as to the definition of that term.

D.

We agree with Appellant that the terms "media property entity" and "media property equipment" are distinct. We determine that "media property entity" (shortened to "entity" at page 5 of the Specification) refers to an "owner" in a legal/business context; and "media property equipment"

refers to hardware or hardware/software such as a web site, a computer, a mobile device, a TV set, a TV set top box, or any other device (Spec. 5) in a technology context.

We conclude, consistent with Appellant's arguments that there is insufficient articulated reasoning to support the Examiner's finding that Kublickis or Jaschke discloses the argued "media property entity" claim limitations, as required by claim 34. Therefore, we conclude that there is insufficient articulated reasoning to support the Examiner's final conclusion that claim 34 would have been obvious to one of ordinary skill in the art.

E.

We have determined that the "media property entity" and "media property equipment" are distinct and are not synonymous. For this reason alone, the Examiner's articulated reasoning is insufficient. However, for example, Figure 1 of Jaschke teaches an advertiser entity 110 and advertiser equipment 132 as distinct items. Similarly, a profiler entity 100 and profiler equipment 131 are distinct items.

We recommend that the Examiner reevaluate the appropriateness of a rejection under 35 U.S.C. § 103 based on the teachings of the Kublickis, Jaschke, and Horowitz references in light of the proper claim construction.

CONCLUSION

Appellant has demonstrated the Examiner erred in rejecting claims 34–61 as being unpatentable under 35 U.S.C. § 103.

The Examiner's rejections of claims 34–61 as being unpatentable under 35 U.S.C. § 103 are **reversed**.

DECISION SUMMARY

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
34–37, 39, 41–43, 45, 47–51, 53–56, 58, 60, 61	103	Kublickis, Jaschke		34–37, 39, 41–43, 45, 47–51, 53–56, 58, 60, 61
38, 40, 44, 46, 52, 57, 59	103	Kublickis, Jaschke, Horowitz		38, 40, 44, 46, 52, 57, 59
Overall Outcome				34–61

REVERSED

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 08/28/2020

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
08/28/2020	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte Roy Shkedi

Appeal 2020-001216
Application 15/893,354
Technology Center 3600

Before Deputy Clerk, Hearing Operations.

ORDER GRANTING REQUEST FOR TELEPHONIC HEARING

An oral hearing before a merits panel of the Patent Trial and Appeal Board has been scheduled to be included in the session of hearings commencing **Tuesday, September 1, 2020 at 9:00 AM PT**. A Telephonic Oral Hearing has been granted.

This appeal hearing is set to be heard in a session of oral hearings beginning at **9:00 AM PT PTAB Hearings will provide Appellant with connection information prior to the hearing.** The Board will provide a court reporter and a transcript of the call will be entered into the record. All other expenses involved with the Telephonic Hearing, such as the cost of the call, must be borne by Appellant.

The panel will have access to all papers in Patents E2E. During the oral hearing, Appellant is advised to identify clearly and specifically all papers referenced (e.g., page of Appeal Brief; portions of a patent by column and line numbers) to ensure the clarity and accuracy of the court reporter's transcript. In addition, Appellant is advised to identify themselves each time they speak. Furthermore, the remote nature of the oral hearing may also result in an audio lag, and so Appellant is advised to observe a pause prior to speaking, so as to avoid speaking over others.

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, ARIZONA 85260

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Appeal No.	:	2020-001216
Serial No.	:	15/893,354	Examiner	:	Sittner, Michael J.
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title	:	Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on August 27, 2020

TRANSMITTAL OF DEMONSTRATIVES FOR ORAL ARGUMENT

Dear Sir:

Appellant submits demonstrative exhibits for use during the September 1, 2020, appeal hearing in this matter. Appellant is concurrently transmitting these demonstratives, in native Power Point slide format, to the panel via email at PTABHearings@uspto.gov.

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: August 27, 2020

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

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

Oral Argument re: Providing Profiles

Roy Shkedi, Datonics, LLC

SN 15/893,354 (Track 1 application)

Louis J. Hoffman, Sept. 1, 2020

Appeal No. 2020-001216

Overview of invention (claim 34)

- Media Property entity (MP) computer responds to information received from specially programmed Profile Owner (PO) computer
- PO computer:
  - Has database with stored requests for specific profiles (or categories) for multiple "media property entities" (MP)
  - Selects particular MP
  - Arranges for visitor to be tagged with tag readable by that MP, so MP can access profile info
- Selected MP computer receives indicia of profile information from PO computer (matches request)
- Later, that MP computer uses tag and PO profile info to cause targeted ad delivery when visitor is available

Construction of claim term "media property entity"

Appellant proposal

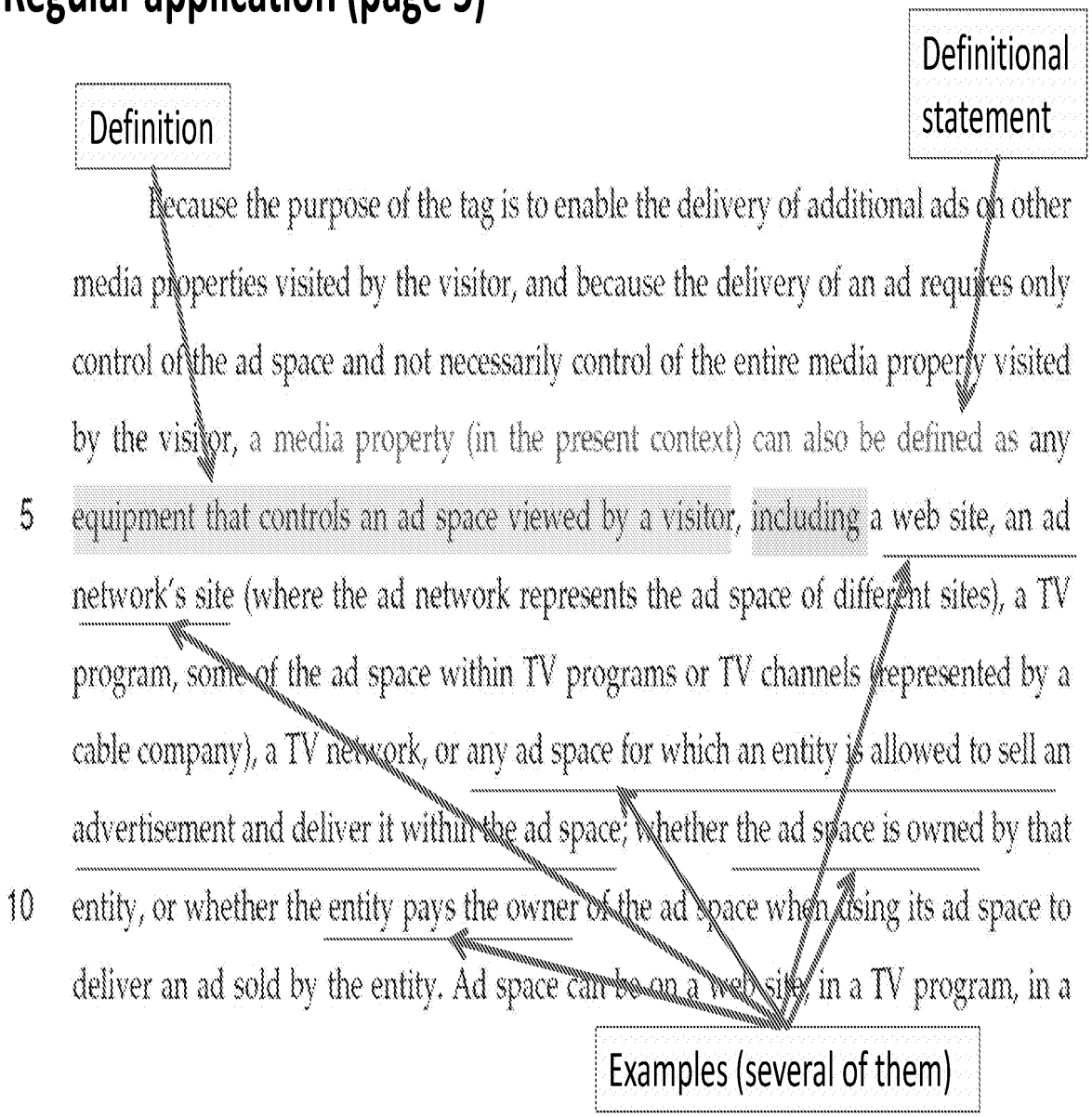
An entity that controls equipment (part of a computer system) that controls an ad space viewed by a visitor, at least temporarily.

Examiner proposal

Any entity allowed to sell an advertisement and deliver it within an advertisement space, whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad.

Explicit definition of “media property”

Regular application (page 5)



Explicit definition of “media property”

Regular application (page 5, continued)

Clarifying example

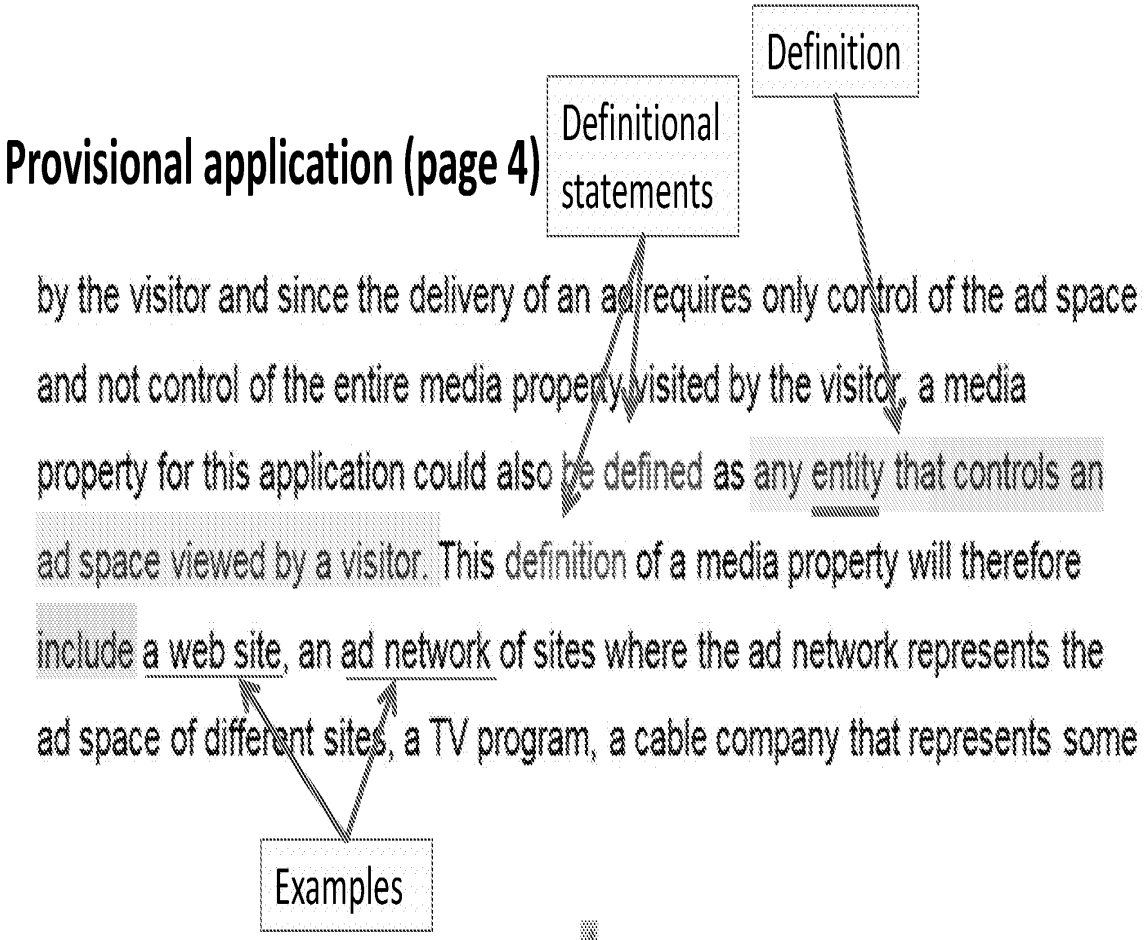
In the case of a media property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled only temporarily. For example, in the case of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes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

Definition repeated and applied to that example (similar language found in provisional, middle of p. 5) →

network to fill and the ad network has temporary control of the ad space when that ad space is given to it by the site. Once the site redirects the ad space on the page to the ad network so the ad network could fill the ad space with an ad sold by the ad network, the ad network controls the ad space, has access to the visitor viewing the ad space that was redirected to the ad network by the site and therefore the ad network is considered a media property as it controls an ad space viewed by a visitor.

Relevant to "media property entity"

Provisional application (page 4)



Applying a proper claim construction, the obviousness rejection fails

- Claim term: "wherein the profile owner computer is programmed (i) to automatically select a media property entity of a plurality of media property entities …" [Part (b)]
- Rejection is Kublickis in view of Jaschke
  - Examiner admits that *Kublickis* does not have this element
  - Argues only that it is in *Jaschke*
- There is no disagreement as to what Jaschke teaches:
  - Consumer information broker
  - Accepts bids from advertisers
  - Chooses one of the advertisers to deliver an ad in a given ad space
- Key question: Whether Jaschke advertisers are plural "media property entities" (out of which the broker "automatically selects" one)

Jaschke's advertisers as disclosed are not a "plurality of media property entities"

Applicant's construction

- "An entity that controls equipment … that controls an ad space viewed by a visitor, at least temporarily."
- Jaschke advertisers do not control ad space when Jaschke's broker chooses one of them
- Only the winning advertiser is *later* given control of ad space (perhaps) – not a "plurality"

Examiner's construction

- "Any entity allowed to sell an advertisement and deliver it within an advertisement space …."
- Jaschke advertisers are not allowed to deliver ad in the ad space when Jaschke's broker chooses one of them
- Only the winning advertiser is *later* allowed to deliver ad in the ad space – not a "plurality"

Thus, Jaschke's broker computer is not "programmed to automatically select a media property entity of a plurality of media property entities."

7

Examiner's unconvincing defense of Jaschke

- Examiner points to statement in specification teaching that control of ad space may be "only temporary"
- Examiner argues "entity" remains "media property entity" afterwards
- BUT that argument does not work. Spec, page 5:

In the case of a media property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled only temporarily. For example, in the

***

when that ad space is given to it by the web site. Once the site redirects the ad space on the page to the ad network (so the ad network could fill the ad space with an ad sold by the ad network), the ad network controls the ad space and has access to the visitor viewing the ad space that was redirected to the ad network by the site, and therefore the ad network's equipment is considered a media property, as it controls an ad space viewed by a visitor.

The obviousness rejection fails for a second reason too

- Claim term: "later, when the visitor device is available to receive an advertisement, … using the tag … to access the profile information stored in the central database and … using the profile information linked to the tag … to automatically cause delivery of an electronic advertisement to the visitor device …." [Part (c)]
- Examiner argues that this is found in Kublickis (primary reference)
  - Examiner does not argue that it is found in Jaschke or somehow stems from the combination with Jaschke
  - Examiner argues that Kublickis teaches delivering an ad on a different website (later) based on profile information collected on a first website
- But the cited paragraph [0436] actually teaches the *contrary*

The examiner misreads Kublickis

- *Kublickis:* [0436] Other embodiments are possible. As an example, using the same method described above for embedding requests in web page files, the third-party content provider 130A or 130B could request the custom browser to construct a cookie on its behalf which contains the requested data points. As the consumer navigates across successive web pages in the third-party content provider's website, similar requests embedded in each of the pages could direct the custom browser to append the cookie with additional consumer profile data relevant to the context of the web pages visited. With each new web page visited within the content provider's website, a fuller 'picture' of the visiting consumer would be captured within the cookie which the billed third-party content provider alone can access and exploit to customize webpage content and any embedded advertising, and to target offers and merchandise, which becomes progressively more relevant to the consumer member. When the consumer visits a different website, the customer browser erases the cookie.

Based on examiner's misreading of Kublickis, combination with Jaschke does not work

- *FOA, p. 10 – misstating what Kublickis discloses:*

DOES NOT

Kublickis to realize that Kublickis' custom browser, which already stores for each third-party various requested profile information of the user which the user has agreed to share with each particular third-party and which stores additional request for profile data points as the user navigates websites, and also stores cookies appended with the profile data points which the user allows a third-party to collect, may also be used via the technique as taught by Jaschke to automatically select between competing advertisers [media property entity] based on this information already available to the browser (i.e. (A) profile information about a visitor, and (B) plurality of stored requests from different advertisers [entities]) because both Kublickis and

Kublickis combination with Jaschke does not work

- Kublickis's ad-delivery system works only with respect to a *given* website in *current* contact with the custom browser
- Thus, Kublickis has no need to select any website or any other media property entity.
- Kublickis does not need to perform *any kind* of selection
- No reason why Kublickis would have considered Jaschke's techniques as "applicable"
- Kublickis' custom browser has no logical need for Jaschke's choosing-advertiser technique

12

Electronic Acknowledgement Receipt	
EFS ID:	40406206
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	27-AUG-2020
Filing Date:	09-FEB-2018
Time Stamp:	19:16:26
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Affidavit/Dec/Exhibit after Notice of Appeal	20-08-27-DAT-PP_CON4-LtrTransOralArgDemonstratives.pdf	1638421 20b8fe3d6888f6794ca23756feb6bafcf3f7a473	no	14

Warnings:

Information:	
Total Files Size (in bytes):	1638421

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 08/26/2020

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
08/26/2020	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte Roy Shkedi

Appeal 2020-001216
Application 15/893,354
Technology Center 3600

Before Deputy Clerk, Hearing Operations.

ORDER GRANTING REQUEST FOR VIDEO HEARING

An oral hearing before a merits panel of the Patent Trial and Appeal Board has been scheduled to be included in the session of hearings commencing **Tuesday, September 1, 2020 at 9:00 AM PT**. A Video Oral Hearing has been granted.

This appeal hearing is set to be heard in a session of oral hearings beginning at **9:00 AM PT**. **PTAB Hearings will provide Appellant with connection information prior to the hearing.** The Board will provide a court reporter and a transcript of the video will be entered into the record. All other expenses involved with the Video Hearing, such as the cost of the call, must be borne by Appellant.

The panel will have access to all papers in Patents E2E. During the oral hearing, Appellant is advised to identify clearly and specifically all papers referenced (e.g., page of Appeal Brief; portions of a patent by column and line numbers) to ensure the clarity and accuracy of the court reporter's transcript. In addition, Appellant is advised to identify themselves each time they speak. Furthermore, the remote nature of the oral hearing may also result in an audio lag, and so Appellant is advised to observe a pause prior to speaking, so as to avoid speaking over others.

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, ARIZONA 85260

The United States Patent and Trademark Office
PATENT TRIAL AND APPEAL BOARD

Louis J. Hoffman, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

Appeal No:	2020-001216
Appellant:	Datonics, LLC
Application No:	15/893,354
Hearing Docket:	Business Method
Hearing Date:	Tuesday, September 1, 2020
Hearing Time:	9:00 AM PT
Location:	**Telephonic**

APPELLANT RESPONSE TO NOTICE OF HEARING

Appellant responds to the NOTICE OF HEARING in the above-identified appeal.

Hearing Attendance Options (please select one)

(✔) I elect a TELEPHONIC hearing.

( ) I WAIVE the hearing.

( ) I am requesting to RESCHEDULE the hearing. **A separate paper must be filed.**

Conflicts

To aid the judges assigned to the appeal in determining whether any conflicts exist that may require a recusal, please list the names of any additional person(s) who will be participating in the oral hearing and their affiliation with Appellant.

Special Requests

If Appellant has any specials requests related to appearing at telephonic oral hearing, please list those requests. Special requests may include accommodations for hearing impairments. For any special request, please indicate any ways that the PTAB may accommodate the special request.

Appellant requests a hearing by video conference. Please send video conference details.

For any questions regarding Appellant's response to the NOTICE OF HEARING, Appellant may be reached via the contact information provided below.

Louis J. Hoffman	38,918
Typed or Printed Name of Attorney/Agent/Appellant	Registration No.
louis@valuablepatents.com	(480) 948-3295
E-Mail address	Phone number
/Louis J. Hoffman/	08/25/2020
Signature of Attorney/Agent/Appellant	Date

Electronic Acknowledgement Receipt

EFS ID:	40376171
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	25-AUG-2020
Filing Date:	09-FEB-2018
Time Stamp:	14:25:59
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Confirmation of Hearing by Appellant	20-08-25-DAT-PP_CON4-RT_Ntc_Appeal_Hearing.pdf	64315 e298fdf1a56d135e455a481079f5c4a95c073ceb	no	2

Warnings:

Information:	
Total Files Size (in bytes):	64315

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 08/05/2020

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
08/05/2020	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

The United States Patent and Trademark Office
PATENT TRIAL AND APPEAL BOARD

Louis J. Hoffman, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

Appeal No:	2020-001216
Appellant:	Datonics, LLC
Application No:	15/893,354
Hearing Docket:	Business Method
Hearing Date:	Tuesday, September 1, 2020
Hearing Time:	9:00 AM PT
Location:	**Telephonic Hearing**

NOTICE OF HEARING
RESPONSE REQUIRED WITHIN 21 DAYS

The Patent Trial and Appeal Board (PTAB) will hear the above-identified appeal on the date indicated. The hearing will commence at the time set, and as soon as the argument in one appeal concludes, the succeeding appeal will be taken up. The time allowed for argument is 20 minutes, unless additional time is requested and approved before the argument commences. If the application involved in this appeal has been published, the hearing will be open to the public.

Hearing Attendance Confirmation or Waiver

Appellant is required to confirm attendance at the hearing or waive the hearing within 21 days of the mailing date of this notice. Appellant may confirm or waive attendance by completing the "APPELLANT RESPONSE TO NOTICE OF HEARING" and returning it to the PTAB.

Options for Hearing Attendance

If Appellant opts to attend the hearing, then Appellant may appear by telephone.

If Appellant is no longer interested in having a hearing, then Appellant must file a waiver of the hearing with the PTAB. This allows the panel of Administrative Patent Judges assigned to the appeal to act promptly on the appeal without waiting for the hearing date.

If Appellant fails to respond to this NOTICE OF HEARING, the PTAB will issue a decision on the briefs based on the written record.

Telephonic Hearing Attendance

Appellant may participate in a hearing by telephone. Appellant will receive an Order detailing the telephonic hearing instructions.

Members of the public may request to listen in on this oral hearing. If resources are available, the Board generally expects to grant such requests. If Appellant objects to the Board granting such requests, for example, because confidential information may be discussed, the party must notify the Board by contacting PTABHearings@uspto.gov at least five business days prior to the oral hearing date.

Special Requests

If Appellant has any special requests related to appearing at a telephonic hearing, Appellant should inform the PTAB. Special requests may include accommodations for hearing impairments. Additionally, Appellant may assist the PTAB by indicating ways to accommodate the special requests. The PTAB will make every effort to accommodate the special requests in the manner suggested by Appellant.

Submission of Appellant's Demonstratives

If Appellant has any Power Point slides or other demonstratives, they must be provided to the PTAB five (5) days before the hearing date by sending them to PTABHearings@uspto.gov.

Submission of Appellant's Response to the Notice of Hearing*

To return a completed APPELLANT RESPONSE TO NOTICE OF HEARING, Appellant may use the following transmittal methods:

1. By the USPTO Electronic Filing System (EFS), available at https://www.uspto.gov/patents-application-process/file-online/

2. By facsimile transmission to:
   - The USPTO Central fax number (official copy): **(571) 273-8300; and**
   - The PTAB Hearing fax number (courtesy copy): **(571) 273-9797.**

In all communications relating to this appeal, please identify the appeal number along with the underlying application number.

Questions

For further information about hearings, see 37 CFR § 41.47 and the Hearings section of the PTAB webpage: http://www.uspto.gov/patents-application-process/patent-trial-and-appeal-board/hearings. Also, for questions, please contact the PTAB Hearings Clerk at 571-272-9797.

The United States Patent and Trademark Office
PATENT TRIAL AND APPEAL BOARD

Louis J. Hoffman, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

Appeal No:	2020-001216
Appellant:	Datonics, LLC
Application No:	15/893,354
Hearing Docket:	Business Method
Hearing Date:	Tuesday, September 1, 2020
Hearing Time:	9:00 AM PT
Location:	**Telephonic**

APPELLANT RESPONSE TO NOTICE OF HEARING

Appellant responds to the NOTICE OF HEARING in the above-identified appeal.

Hearing Attendance Options (please select one)

( ) I elect a TELEPHONIC hearing.

( ) I WAIVE the hearing.

( ) I am requesting to RESCHEDULE the hearing. **A separate paper must be filed.**

Conflicts

To aid the judges assigned to the appeal in determining whether any conflicts exist that may require a recusal, please list the names of any additional person(s) who will be participating in the oral hearing and their affiliation with Appellant.

_____

_____

Special Requests

If Appellant has any specials requests related to appearing at telephonic oral hearing, please list those requests. Special requests may include accommodations for hearing impairments. For any special request, please indicate any ways that the PTAB may accommodate the special request.

_____

_____

For any questions regarding Appellant's response to the NOTICE OF HEARING, Appellant may be reached via the contact information provided below.

Typed or Printed Name of Attorney/Agent/Appellant	Registration No.
E-Mail address	Phone number
Signature of Attorney/Agent/Appellant	Date

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 12/05/2019

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
12/05/2019	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte ROY SHKEDI

Appeal 2020-001216
Application 15/893,354
Technology Center 3600

APPEAL DOCKETING NOTICE

The Patent Trial and Appeal Board received the appeal in the above-identified application from the Technology Center on December 03, 2019, and has assigned it the appeal number indicated above.

The recipient of this notice is reminded of its ongoing duty, within 20 days of any change during the proceeding, to update its mandatory notices to identify the real party-in-interest and each judicial or administrative proceeding that could affect, or be affected by, the Board proceeding. 37 C.F.R. § 41.8. For example, another docketed appeal in a related application may have the potential to affect, or be affected by, the Board proceeding.

In all future communications regarding this appeal, please include both the application number and the appeal number. Telephone inquiries can be made by calling 571-272-9797 and referencing the appeal number listed above. The mailing address for the Board is:

PATENT TRIAL and APPEAL BOARD
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	3622
Serial No.	:	15/893,354	Examiner	:	Sittner, Michael J.
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title	:	Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on December 2, 2019

REPLY BRIEF ON APPEAL

Dear Sir:

Pursuant to 37 C.F.R. § 41.41, appellant submits this brief on appeal.

This application has been granted Prioritized Examination (Track I) status, therefore, appellant respectfully requests prompt processing and accelerated review.

The examiner offers no objection to the preliminary sections of the appeal brief, so the facts and conclusions therein, including priority dates, should be deemed agreed.

The examiner engages appellant's brief section-by-section, and the issues are therefore clearly framed for the Board. This reply maintains the same section divisions.

I. Construction of claim terms related to "media properties."

Appellant and the examiner disagree on the broadest reasonable construction of "media property entity," a term found in the claims. *See* Appeal Brief, Appendix B (claims appendix). Related terms "media property equipment" and "media property" are discussed in the appeal brief and the examiner's answer, or recited in the specification, but none of the claims on appeal contain either of those terms by themselves.

Appellant's proposed construction of "media property entity" compares with the construction proposed in the examiner's answer (p. 7) as follows:

Appellant's proposal	Examiner's proposal
An entity that controls equipment (part of a computer system) that controls an ad space viewed by a visitor, at least temporarily.	Any entity allowed to sell an advertisement and deliver it within an advertisement space, whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad.

The examiner's answer relies heavily (p. 4) on the fact that the term "media property *entity*" was added by preliminary amendment and does not appear in the specification, because the specification uses only "media property" without the word "entity" appended. However, appellant and the examiner *agree* that the original specification repeatedly used the term "media property" in different contexts—in some instances, the term refers to ad space, as the examiner's answer notes, in other instances, the term refers to equipment controlling that ad space, and in still other instances, the term refers to the entity controlling the equipment controlling ad space.[1]

The examiner implies that he does not agree with appellant's view that the specification contains an explicit definition of the term. The examiner seems to refuse to credit the explicit definition of "media property" in the original specification, implying that the definition of "media property" alone (i.e., without the word "entity" appended) has no bearing on proper claim construction. Appellant considers that position unreasonably hypertechnical for the following reasons.

---

[1] The examiner does not dispute the appeal brief's assertion (see p. 8) that the specification made clear in context which of those was intended: Nowhere does the examiner's answer identify any unclear or ambiguous usage of the term "media property" in the specification, and of course all previous indefiniteness rejections have been overcome. Accordingly, there appears to be no doubt that a person of ordinary skill reading the specification would understand from context whether each usage of "media property" referred to ad space, equipment, or entity or to some combination.

The examiner's answer does not deny that, in general, "broadest reasonable interpretation" is constrained by explicit specification definition, if one exists. *See*, *e.g.*, MPEP 2111.01(IV); *Samsung El. v. Elm 3DS Innovations, LLC*, 925 F.3d 1373, 1377-78 (Fed. Cir. 2019) ("deviate from a claim term's ordinary meaning when a patentee sets out a definition and acts as its own lexicographer") (citation omitted); *see also Vitronics Corp. v. Conceptronics, Inc.*, 90 F.3d 1576, 1582 (Fed. Cir. 1996) ("the specification is always highly relevant to the claim construction analysis. Usually, it is dispositive; it is the *single best guide* to the meaning of a disputed term.") (emphasis added).

The term "media property" appears as part of the claim phrase "media property entity." Thus, explicit definition of "media property" in the specification has high relevance to the construction of "media property entity," even though that definition does not recite the three words "media property entity" in that exact sequence.

The law disputes the implication in the examiner's answer that lexicography does not apply where the specification uses a *variant* of a term. Even one of the foundational cases on lexicography, *Vitronics Corp. v. Conceptronics, Inc.*, 90 F.3d 1576, 1582 (Fed. Cir. 1996) (emphasis added), clarified that a "specification acts as a dictionary when it expressly defines terms used in the claims *or when it defines terms by implication* …."[2]

Also, even if a definition "does not rise to the level of the inventor acting as its own lexicographer," the text of a specification, still, "does provide insight into the understanding of the person of ordinary skill in the art at the time of the invention," and thus can and should be followed on that basis. *In re NTP, Inc.*, 654 F.3d 1279, 1289

[2] Even discounting lexicography, "ordinary meaning" is limited by applicant *disavowals* "either in the specification or during prosecution." *Samsung El. v. Elm 3DS Innovations, LLC*, 925 F.3d 1373, 1378, 1379 (Fed. Cir. 2019) (crediting disavowal where, "[t]o overcome the examiner's objection, [applicant] clearly and unambiguously disclaimed claim scope") (citations omitted). For this reason too, the Board can safely allow a patent to issue without risk of the claim term "media property entity" being interpreted more broadly than the definition for which appellant advocates here. *See also* MPEP 2111.01(IV)(B).

(Fed. Cir. 2011); MPEP 2111.01(III) ("the best source for determining the meaning of a claim term is the specification").

For both reasons—either because the specification contains a lexicographic definition or because the specification provides insight into the meaning of the claim term—the Board need not (and should not) ignore the specification's definition of "media property" when claims use that term in the context of "media property entity."

The examiner's answer does not dispute (1) the appeal brief's showing that the provisional and regular applications are closely similar, with grammatical and clarifying differences only (*see* unrebutted Appendix A attached to the appeal brief), or (2) the appeal brief's assertion that the specification contains explicit definitions, signaled by use of the words "defined as."

The following definitional statements are particularly relevant:

- The regular application says, "a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor …."
- The regular application also says, "In the case of a media property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled only temporarily."
- The provisional application says, "a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor."
- The provisional application also says, "in a media property's definition of an entity that controls an ad space viewed by a visitor, a specific ad space on a page might be controlled by the entity only temporarily …."
- The provisional application also says, "the ad network is considered a media property as it controls an ad space viewed by a visitor."

Each of those *five* statements refers to the entity, equipment of the entity, or both, and each uses a form of the word "control." The word "control" appears in appellant's

proposed construction but is missing explicitly from the examiner's proposal. The examiner's answer provides no direct explanation for omitting the word "control." The specification defines "control of ad space" as key to a "media property," and the Board should not adopt a construction without it.

The examiner's proposed construction derives mostly from a later part of the same sentence of the specification, which says: "… *including* a web site, an ad network's site …, and *any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space*; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity."

The appeal brief (pp. 11-12) shows that the portion of the sentence on which the examiner relies does not "broaden" the definition but rather explains it and that there is no material difference between an entity that "controls" a given ad space and an entity that "is allowed to … deliver [an ad] within the ad space." The examiner's answer does not dispute those statements directly.

Despite repeatedly referring to "broadest reasonable definition" and continually criticizing appellant's view as "too narrow," the examiner's answer proffers no reason for assuming that the last part of the specification's definition—the part beginning with "including" and immediately following the "be defined as" statements—"broadens" the definition in the first part of the sentence.

The term "including" typically signals the presence of examples within the scope of a previous statement. That is true here as well: First the specification gives a definition, and then the specification gives some examples within the scope of the definition. The examiner's focus on the examples rather than the general definition narrows the scope of the definition. The examiner offers no explanation for how or why focusing on specific examples might broaden a general statement.

One illustration demonstrating how the examiner's reliance on the "including" examples makes his proposed construction *narrower* than appellant's follows: The examiner's proposal is restricted to "Any entity allowed to *sell* an advertisement," while appellant's proposal is not. The specification describes a variety of entities who can sell advertisements. E.g., Spec. p. 2, lines 17-18 (publishers or behavioral targeting company can sell ads); Spec., p. 5, line 19 (web site can sell ad impressions); Spec., p. 5, lines 23-24 (ad network can sell ads); Spec., p. 8, line 29 to p. 9, line 13 (media property sales force might *not* sell ads in certain categories). Appellant's definition, consonant with the discussion in the specification, focuses on the entity that "controls the ad space," *regardless* of what entity is allowed to *sell* the ad. A media property entity *selling* ads is only one *example*, as signaled by use the word "including." The examiner's proposal to limit the construction to entities "allowed to *sell* an ad" therefore is narrower than appellant's proposal and should not limit the broadest reasonable interpretation.

On the other side of the argument, the examiner's answer (p. 5) gives only one reason for contending that appellant's definition is "too narrow" — it argues:

> "[Appellant's proposal] implies the term 'Media Property' cannot be an 'ad space' because the proposed narrow definition draws a distinction between equipment and ad space [and thus] it is unreasonable for Appellant to narrowly define 'Media Property entity' in a way which only relates to 'equipment' but excludes 'ad space' when … the Specification itself includes 'ad space' within the breadth and scope of the definition of 'Media Property'."

The examiner bases that accusation, though, on a misstatement of appellant's position. Appellant's definition does not "exclude ad space" or relate "only" to equipment. Rather, appellant's proposed construction of "media property entity" refers to "ad space" explicitly:

> "An entity that controls equipment (part of a computer system) *that controls an ad space* viewed by a visitor, at least temporarily."

To the contrary of the examiner's answer's mischaracterization, appellant agrees that the term "media property," *in the proper context*, certainly can include ad space in which an ad can be delivered. The term in the instant claims, however, is "media property *entity*," and that term, as noted above, refers to an *entity* that controls equipment that controls a "media property" (ad space). Again, the regular specification refers to a "media property controlling an ad space viewed by a visitor," and the provisional specification says, "a media property for this application could also be defined as any *entity that controls an ad space* viewed by a visitor." [Emphasis added][3]

In short, the examiner's answer ignores lexicographic statements referring to a media property entity—or equipment of such an entity—having "control" of ad space.

II. Under either claim construction, Jaschke does not disclose the element of "automatically select[ing]" one of several "media property entities."

The rejection depends on the examiner's position that the secondary reference, Jaschke, discloses the claim element (lacking from the primary reference) of a "profile owner computer" that is "programmed to automatically select a media property entity of a plurality of media property entities."

There is no dispute about what Jaschke discloses. The appeal brief (pp. 13-14) describes Jaschke as follows, and the examiner's answer does not dispute this:

> "Jaschke discloses a 'consumer information broker' that accepts advertiser bids and chooses one of several advertisers automatically. Various

---

[3] Indeed, the appeal brief (p. 8) quotes another statement in the regular applicant's specification (at page 8, lines 5-6, emphasis added), which says that an "*ad space* owner could be any media property owner," including an owner of "a web site … or any other media property." It is mysterious how the examiner could truly believe that appellant is trying to deny that a "media property entity" could own or control "ad space."

> advertisers bid for delivery of their ads to a 'target' or user, and one of the advertisers is selected based on a calculation of which matches. *See* Jaschke's abstract, [0016], [0019], [0031-33], [0061], [0073-74]."

The appeal brief explains (pp. 14-15) that Jaschke's broker's computer system is not "programmed to automatically select a media property entity of a plurality of media property entities"—and thus does not correspond to the claim element—because Jaschke's advertisers are not "media property entities" when the broker selects one of several advertisers. Once Jaschke's broker makes the selection of *one* of the advertisers, that one advertiser might "arguably" be a "media property entity" *after* the selection, but the "same cannot be said for the advertisers whose bids are not accepted," so Jaschke does not teach selection *among* media property entities as claimed. *Id.*

The examiner's answer (p. 7) argues first that the argument "is not convincing because it is predicated upon" appellant's claim construction, which the examiner believes is wrong. The examiner thereby agrees that, if the Board adopts appellant's claim construction, Jaschke does not make the claims obvious.

Actually, though, even under the *examiner's* claim construction, Jaschke's broker's computer is not programmed to "select a media property entity of a plurality of media property entities" as the claim language requires. The examiner's construction of "media property entity" is: "Any entity allowed to sell an advertisement and deliver it within an advertisement space …." At the time Jaschke's broker's computer chooses one of the several advertisers, *none* of the advertisers are "allowed to sell an advertisement and deliver it within [the] advertisement space …." Once the broker's computer makes the selection, however, *one* of the advertisers is "allowed to … deliver [that advertiser's ad] within [the] advertisement space," and thus the selected advertiser becomes a "media property entity" under the examiner's proposed definition. Even so, the fact that the *one advertiser who wins the bid* becomes authorized to deliver an ad

within the ad space does not prove that the Jaschke broker's computer is programmed to "*select* a media property entity *of a plurality* of media property entities" as claimed.

The examiner's answer (pp. 7-8, emphasis added) proceeds to argue that "the term 'Media Property entity' should not be limited to only entities *presently* controlling equipment or ad space" and that, instead, the term "should be broadly interpreted to include at least entities *who may be given* such control of ad space" in the future. The examiner's answer (p. 7) contends, "Nothing in the claims requires [the] narrow interpretation and the specification appears to take a much broader view …."

However, the claims require a "profile owner computer" that is "programmed to automatically select a media property entity of a plurality of media property entities." That wording requires selecting among "a plurality of media property entities," not selecting among a plurality of entities that are not media property entities but that *may be given* control of ad space and thus may *become* media property entities later.

As to the purportedly "much broader view" in the specification, the examiner's answer (p. 8) references the discussion of "temporary control" of ad space in the provisional application, which says,

> "Therefore, in a media property's definition of an entity that controls an ad space viewed by a visitor, a specific ad space on a page might be controlled by the entity only temporarily as in the example of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill and the ad network has temporary control of the ad space when that ad space is given to it by the site."

The examiner's answer (p. 8) says, "This teaching appears to indicate that an 'entity' does not stop being an 'entity' only when it 'controls' ad space." That may be true: The "'entity' does not stop being an 'entity'." But the question is not when something is an "entity" but rather when an "entity" qualifies as a "*media property* entity."

The examiner's answer (p. 8) continues by discussing the question whether "the entity stops being an entity when it passes control of ad space." The examiner suggests that the "entity" remains a "media property entity" after losing temporary control of ad space. That can be true. But the question of when an entity, once qualified as a "media property entity," *stops* having that status also has no bearing on the rejection. In Jaschke, after all, the advertisers (among which the broker's computer chooses) have not even *started* having control of ad space.

The reliance in the examiner's answer (p. 8) on the specification's discussion of an ad network having temporary control of the ad space overlooks the very next part of the same discussion, which addresses the more important question of when an entity *starts* being considered as a "media property entity." There, the specification says:

> "***Once*** the site redirects the ad space on the page to the ad network (so the ad network could fill the ad space with an ad sold by the ad network), ***the ad network controls the ad space***, and has access to the visitor viewing the ad space that was redirected to the ad network by the site, and therefore the ad network is ***considered a media property***, as it controls an ad space viewed by a visitor." [Emphasis added]

That sentence (which is found in nearly identical words in both the provisional and regular, *see* Appeal Brief, Appendix A) clarifies that an entity *starts* becoming a "media property entity," in the "temporary control" scenario, only "once" the ad network "controls the ad space" by virtue of the redirection. Moreover, that discussion clarifies yet again that "control" of ad space is the key.

There is no dispute that Jaschke's broker does not choose among advertisers who have "control" of ad space—at least *not yet* for the one advertiser ultimately selected and *not at all* for the others. Using appellant's construction, therefore, Jaschke does not meet the claim element. Using the examiner's construction, alternatively, it is equally

clear that Jaschke's broker does not choose among advertisers who are "allowed" to deliver ads in the ad space.

The claims pending in this application, by contrast, relate to selecting one among several "media property entities" (entities that control ad space at least by the time of the selection *and* that will control ad space later). Different from Jaschke, in the examples in appellant's specification, the act of selecting is not what causes an entity to become a "media property entity." Rather, the claimed invention furthers the goal of enabling a media property entity, once "selected," to target the profiled visitor with an ad within an available ad space if and when encountering that visitor in the future.

Jaschke therefore does not teach the specially and unconventionally programmed profile owner computer of part (b) of the claims or receiving information from such a computer. The examiner's answer continues to fail to assert any disclosure in the *primary* reference of part (b) or any synergy from the *combination* of references. It is clear that Jaschke does not teach the computer of part (b); consequently, the computer of part (a) does not receive indicia from a computer programmed as in part (b), as stated as a requirement in part (a). The absence of disclosure of those features from Jaschke, therefore, alone requires reversal of the obviousness rejection, under any construction.

III. The hypothesized combination does not disclose the element in part (c), facilitating delivery of an ad when the visitor *later* appears on a website.

Appeal Brief § III explains that the primary reference, Kublickis, does not disclose part (c) of the claims, which specifies that the acts in part (c) related to accepting profile information and using it to cause delivery of an electronic ad are done "later, when the visitor device is available to receive an advertisement." That section (Appeal Brief, p. 19) explains that Kublickis discusses a "custom browser" that "would choose and deliver an ad while a visitor is on a given website at a given time, rather than facilitating *later* delivery of an ad when the visitor appears on a website after the selection is made."

In response, first, the examiner's answer (p. 8, bottom) accuses applicant of "not arguing the actual language of the limitation as recited in the claim – i.e., part (c) does not recite 'facilitating delivery of an ad when the visitor later appears on a website.'" The examiner's answer presents this argument as only that one, unexplained sentence. Appellant disagrees. Part (c) of each independent claim says, in pertinent part:

> "later, when the visitor device is available to receive an advertisement, … using the tag … to access the profile information stored in the central database and … using the profile information linked to the tag … to automatically cause delivery of an electronic advertisement to the visitor device …."

Appellant does not understand how "facilitating delivery of an ad when the visitor later appears on a website" contains a materially incorrect summary of such claim language—except for the point (not material to the distinction from Kublickis) that the term "on the website" is just an example within the scope of the claim language. In short, the claim language provides support for the appeal brief's explanation, and the examiner wrongly says that appellant's argument is divorced from claim language.

Second, the examiner's answer (p. 9, top) confirms that the rejection relies only on Kublickis for part (c). The appeal brief does not misstate the rejection, and it is helpful to have confirmed that the examiner is not relying on the other reference in the combination (Jaschke) or any synergistic effect caused by combining the two references.

Third, and most centrally, the examiner's answer (p. 9) argues that Kublickis teaches the claim feature in question, in particular at Kublickis ¶[0436]. But the examiner's answer does not respond at all to the explanation in the appeal brief about Kublickis's disclosure, including what Kublickis wrote in that very cited paragraph.

The appeal brief (pp. 19-20) observes that the relevant section of Kublickis teaches *dumping* the *profile* data and instead using stored user *permissions* each time. According to the very paragraph of Kublickis cited by the examiner, ¶[0436]: "When the

consumer visits a different website, the customer browser erases the cookie." In other words, as soon as a first-site visit ends, i.e., when the visitor navigates to a second website, the custom browser deletes a cookie. And Kublickis makes clear that the cookie is what stores the profile information collected via the custom browser. Kublickis ¶¶[0206], [0208], [0290] & Fig. 11A (at #320). The examiner's answer does not challenge the technical explanation of this point provided in the appeal brief.

Part (c) of each claim requires, "later, when the visitor device is available to receive an advertisement, ... using the … profile information stored in the central database ... to automatically cause delivery of an electronic advertisement to the visitor device." Plainly, according to the now-undisputed understanding of Kublickis, that reference's custom browser's deletion of the first-site cookie as soon as the visitor leaves the site *prevents* the first site from "later" recognizing the visitor, even if the user later returns to the first site as the examiner's rejection hypothesizes. At any such "later" time, the profile information will *not* remain stored from any previous visit, as part (c) of each claim requires. Thus, the portions of Kublickis quoted in the examiner's answer (p. 9) about improved targeting over time do not teach the *claimed* invention and indeed teach a different technique.

Finally, the examiner's answer (pp. 9-10) again asserts that appellant is not arguing the actual claim language, this time referring to the appeal brief's comment about the claims referring to "providing desired profile data to a media property entity at the time profile data is collected." To the contrary, the appeal brief's statement, again, does not ignore claim language. In connection with this point, the appeal brief refers to the *antecedent* of the phrase "the profile information" in part (c) of the claim. Notice that, in part (c), the claims refer to not just *any* "profile information" but rather to *specific* profile information, namely "the profile information stored in the central database" accessed using the tag of part (a) and "linked to the tag of part (a)." The antecedent claim language is, therefore, in parts (a) and (b)(ii). The claims thereby confirm that "the profile information" referenced in part (c), which is stored in the central database and

linked to the tag, is "profile information" stored at an "earlier" time, following the selection of a media property entity by the profile owner computer, before the "later" event referenced at the inception of part (c). Thus, the examiner's charge that appellant "is not arguing actual limitations from his claims" is again false.

In sum, the primary reference, Kublickis, does not disclose part (c) of the claims, which specifies that using profile information to cause delivery of an electronic ad is done "later, when the visitor device is available to receive an advertisement." As the examiner uses Kublickis alone for part (c), the rejection fails for this reason alone too.

IV. The hypothesized combination is not well-motivated.

Regarding the motivation to combine Jaschke and Kublickis, in addition to correcting what Kublickis discloses, the appeal brief (pp. 21-22) explains that Kublickis has no need to select any website or media property because Kublickis's ad-delivery system works only with respect to *a given website in current contact with the custom browser*. The examiner's answer does not express any disagreement with that factual assertion or reasoning.

Instead, the examiner's answer (p. 10) again argues, "Appellant is not arguing limitations from the claims" because the claims do not recite "selecting a media property" but rather "selecting a media property *entity*." Appellant's point, however, remains true even with that correction. To confirm the point with the examiner's correction handled: Kublickis's ad-delivery system works only with respect to a given website in current contact with the custom browser, and so Kublickis has no need to select any website or any other media property *entity*.

The remainder of the examiner's answer simply repeats the "logic" from the final office action, under the topic sentence arguing (p. 10), "the Examiner has shown that Jaschke's techniques are applicable to the known base device and method of Kublickis." However, the reasoning in the final office action is illogical and not relevant: Because *Kublickis does not need to perform <u>any kind</u> of selection*—which the examiner's answer does

not dispute—Kublickis would not have considered Jaschke's techniques as "applicable" (even if Jaschke's technique selected "media property entities" in the first place, which, as explained above, it does not).

Notably, also, the examiner's answer does not dispute the appeal brief's explanations (pp. 22-23) that (1) obtaining a targeted audience was difficult technically to achieve, (2) known prior art techniques did not provide a way, technically or practically, for a "media property entity" to obtain a desired audience of both a sufficient size and a targeted type, and (3) the "unconventional system described by the pending claims assists in solving those problems" by allowing "media property entities" to specify desired audiences to a "profile owner" that has access to users on account of their visits to a "profile supplier," thus avoiding the need for custom negotiations with and technical assistance to multiple profile suppliers, allowing ad campaigns to start timely, and permitting scalable campaigns.

In sum, the reasoning stated in the final rejection for combining Kublickis and Jaschke does not make logical sense, because—as not denied by the examiner's answer—Kublickis has no need for Jaschke's technique.

Conclusion: In sum, the claims are directed to a selected media property entity's controlled computer system, which uses a tag to access a stored profile and uses that profile to cause delivery of an ad to a visitor (*see* claims part (c))—in the specific case where the profile information was received (*see* claims part (a)) from a specific computer system (defined in claims part (b) and which the specification calls a "profile owner" computer) that has selected the media property entity from among a plurality of different media property entities who have made individualized requests for desired profiles or type of profiles. Neither Kublickis nor Jaschke discloses such a system, and the combination of the two does not disclose the system either.

Appellant respectfully requests that the Board reverse the obviousness rejection, and, as that is the only remaining rejection and other issues have been resolved, the Office should promptly allow the application.

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: December 2, 2019

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

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

Electronic Acknowledgement Receipt

EFS ID:	37904861
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	02-DEC-2019
Filing Date:	09-FEB-2018
Time Stamp:	19:10:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Reply Brief Filed	19-12-02-DAT-PP_CON4-ReplyAppeal.pdf	246760 84c9a7c6ccc07debb08223b64769ea2b70069097	no	16

Warnings:

Information:	
Total Files Size (in bytes):	246760

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

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

PTO/AIA/32 (03-13)
Approved for use through 11/30/2020. 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.

REQUEST FOR ORAL HEARING BEFORE THE PATENT TRIAL AND APPEAL BOARD

Docket Number (Optional): 14-PP-CON4

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on November 30, 2019.
Signature /Donald L. Hertz/
Typed or printed name Donald L. Hertz

In re Application of: Shkedi, Roy

Application Number	Filed
15/893,354	02/09/2018

For: Providing collected profiles to media properties having specified interests

Art Unit	Examiner
3622	Sittner, Michael J.

Applicant hereby **requests an oral hearing** before the Patent Trial and Appeal Board in the appeal of the above-identified application.

The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3)) $ 1300.00

☐ Applicant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: $ _____

☐ Applicant certifies micro entity status. See 37 CFR 1.29. Therefore, the fee shown above is reduced by 75%, and the resulting fee is: $ _____
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously

☐ 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 No. _____.

☑ Payment made via EFS-Web.

☐ A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23 or equivalent) is enclosed.
For extensions of time in reexamination proceedings, see 37 CFR 1.550.

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

☑ attorney or agent of record
Registration number 38918

☐ attorney or agent acting under 37 CFR 1.34
Registration number _____

Signature /Louis J. Hoffman/
Typed or printed name Louis J. Hoffman
Telephone Number (480) 948-3295
Date 11/30/2019

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

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.20(b)(3). 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, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Doc code: WFEE.APPEAL
Doc Description: Certification and Transmittal of Appeal Forwarding Fee

PTO/AIA/34 (06-14)

CERTIFICATION AND TRANSMITTAL OF APPEAL FORWARDING FEE	Docket Number (Optional) 14-PP-CON4

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CR 1.8(a)] on November 30, 2019. Signature /Donald L. Hertz/ Typed or printed name Donald L. Hertz	In re Application of Shkedi, Roy
	Application Number 15/893,354 — Filed 02/09/2018
	For Providing collected profiles to media properties having specified interests
	Art Unit 3622 — Examiner Sittner, Michael J.

37 CFR 41.45 specifies that, in order to avoid dismissal of the appeal, appellant must pay the fee set in 37 CFR 41.20(b)(4) within two months of the later of the date of either the examiner's answer, or a decision refusing to grant a petition under 37 CFR 1.181 to designate a new ground of rejection in an examiner's answer.

The undersigned certifies that the appropriate fee accompanies this transmittal.

The fee for forwarding this appeal is (37 CFR 41.20(b)(4)) $ 2240.00

☐ Appellant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: $ _____

☐ Appellant certifies micro entity status. See 37 CFR 1.29. Therefore, the fee shown above is reduced by 75%, and the resulting fee is: $ _____
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____.

☑ Payment made via EFS-Web.

Extensions of time under 37 CFR 1.136(a) for patent applications are not applicable to the time period set forth in 37 CFR 41.45. See 37 CFR 1.136(b) for extensions of time to reply for patent applications and 37 CFR 1.550(c) for extensions of time to reply for *ex parte* reexamination proceedings.

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

☐ appellant

☑ attorney or agent of record Registration number 38918

☐ attorney or agent acting under 37 CFR 1.34 Registration number _____

Signature /Louis J. Hoffman/

Typed or printed name Louis J. Hoffman

Telephone Number (480) 948-3295

Date 11/30/2019

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

☐ * Total of _____ forms are submitted.

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

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
REQUEST FOR ORAL HEARING	1403	1	1300	1300
APPEAL FORWARDING FEE	1413	1	2240	2240

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**3540**

Electronic Acknowledgement Receipt	
EFS ID:	37891015
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	30-NOV-2019
Filing Date:	09-FEB-2018
Time Stamp:	10:57:34
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$3540
RAM confirmation Number	E2019ATA58489589
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Oral Hearing	19-11-30-DAT-PP_CON4-RqstOralArg.pdf	290546 babdbcfdac85b7fc2d341258ff24e5600207cfd7	no	1
Warnings:					
Information:					
2	Certification and Transmittal of Appeal Forwarding Fee	19-11-30-DAT-PP_CON4-AppealFwdngFee.pdf	204701 5a597348d29df7a72bc74ff5ae47944d6c4ec520	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32204 6c579f44d188bdf5c78b441b48c62cb2b73692a2	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	527451		

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 11/15/2019

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
11/15/2019	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

PTOL-90A (Rev. 04/07)

Applicant-Initiated Interview Summary	**Application No.** 15/893,354	**Applicant(s)** Shkedi, Roy	
	Examiner MICHAEL J SITTNER	**Art Unit** 3622	**AIA (FITF) Status** No

All participants (applicant, applicants representative, PTO personnel):

(1) MICHAEL J. SITTNER. (3) _____.

(2) Louis J. Hoffman (Reg. 38,918). (4) _____.

Date of Interview: 04 November 2019.

Type: ☑ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☑ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☐103 ☑Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: N/A.

Identification of prior art discussed: See notes.

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

See Continuation Sheet.

Applicant recordation instructions: 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.

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☑ Attachment

/MICHAEL J SITTNER/ Examiner, Art Unit 3622	

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 examiners 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 applicants 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 applicants 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 examiners 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 examiners initials.

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

Applicant's counsel called to discuss IDS submitted 2/9/2018 and considered by Examiner 10/3/2019 , where Examiner had found the IDS failing to comply with 37 CFR 1.98(a)(2).

Examiner returned counsel's phone call and reviewed the ids with counsel. Examiner noted that none of the foreign references nor any of the NPL appeared to have been provided as required per rule noted supra. Examiner also noted that the IDS was not properly docketed to the Examiner and Examiner was not aware of the IDS until after Examiner's Examiner Answer mailed 10/1/2019.

Counsel noted there had also been a cover page originally included with the IDS noting that copies of disclosed documents were filed in a parent application 14/080,999. This cover page is in the file wrapper but not with the IDS. Upon review, Examiner and counsel found not all documents were filed with the parent 14/080,999 However, it appeared they may all have been filed with other priority documents.

Counsel noted he would provide a cross-reference to the location of these documents (i.e. the foreign references and NPL). Counsel provided this cross reference via email on 11/4/2019 (See attached).

Examiner has subsequently considered these documents and updated the IDS in question.

From: Louis J. Hofman
To: Sittner, Michael
Cc: Donald Hertz
Subject: IDS in SN 15893354
Date: Monday, November 4, 2019 3:26:32 PM

Examiner Sittner,

Thanks for the call today.

We looked into the source of the "NPL" and foreign references cited, per our discussion.

The references listed come from two parent applications: SN 11/765,433, which is the original application that issued as patent USP 8280758, and abandoned application SN 14/080,999. The following table shows the item numbers for each reference in the 2/9/2018 information disclosure statement (IDS) in those categories and the IDS in the parents where we sent a copy of the actual references:

Ref. Nos. in 2/9/2018 IDS	**Parent Application – IDS Date**
252, 263	11/765,433 - 3/13/2012
253, 264, 265	11/765,433 - 12/2/2009
254	11/765,433 - 2/22/2008
255, 256	11/765,433 - 6/1/2010
257-260, 267-337	14/080,999 - 3/10/2017
261, 262, 338-356	14/080,999 - 7/26/2017
266	11/765,433 - this was cited by the examiner on 04/14/2011

From the table, I believe you should be able to locate the copies of the references quickly.

Also per your request, we checked the "foreign patent documents" section of the IDS, which consists of citations 252-262. That section cites 7 "WO" publications, one CA application, and 3 KR publications. The CA and "WO" references are all in English, so no "concise explanation" is required under 37 CFR 1.98(a)(3)(i). For the 3 KR publications (ref # 252, 255, 256) we provided English translations in lieu of a "concise explanation." *See* MPEP 609.04(a)(III) ("If a complete translation of the information into English is submitted with the non-English language information, no concise explanation is required.... Submission of an English language abstract of a reference may fulfill the requirement for a concise explanation.").

I hope that this gives you what you need - please feel free to call if you have any other questions. If not, I understand you will be initialing the "foreign patent documents" and "other art" sections of the IDS filed Feb. 9, 2018 (pages 10-16).

By the way, the IDS form's style came from the old Form PTO-1449 and its substitute, PTO-SB/08, which is located at https://www.uspto.gov/sites/default/files/documents/sb0008a.pdf. In recent years, the EFS-Web form is used more frequently, but for the applications with parents going back many years, as this application, it is more convenient just to copy and update the previously filed forms.

Thanks,
Louis

--
Hoffman Patent Firm
7689 East Paradise Lane, Suite 2
Scottsdale, Arizona 85260
tel: 480-948-3295
fax: 480-948-3387
www.valuablepatents.com

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

Page 1 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	1	5220655	06/15/1993	Tsutsui
	2	5359508	10/25/1994	Rossides
	3	5442633	08/15/1995	Perkins et al.
	4	5572643	11/05/1996	Judson
	5	5710884	01/20/1998	Dedrick
	6	5717923	02/10/1998	Dedrick
	7	5724424	03/03/1998	Gifford
	8	5724521	03/03/1998	Dedrick
	9	5751956	05/12/1998	Kirsch
	10	5752238	05/12/1998	Dedrick
	11	5754939	05/19/1998	Herz et al.
	12	5774670	06/30/1998	Montulli
	13	5794210	08/11/1998	Goldhaber et al.
	14	5819092	10/06/1998	Ferguson et al.
	15	5819285	10/06/1998	Damico et al.
	16	5835718	11/10/1998	Blewett
	17	5848396	12/08/1998	Gerace
	18	5855008	12/29/1998	Goldhaber et al.
	19	5870546	02/09/1999	Kirsch
	20	5870550	02/09/1999	Wesinger Jr. et al.
	21	5901287	05/04/1999	Bull et al.
	22	5918014	06/29/1999	Robinson
	23	5933811	08/03/1999	Angles et al.
	24	5937390	08/10/1999	Hyodo
	25	5937392	08/10/1999	Alberts
	26	5948061	09/07/1999	Merriman et al.
	27	5948061	09/07/1999	Merriman et al.
	28	5959623	09/28/1999	van Hoff et al.
	29	5963915	10/05/1999	Kirsch

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 2 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	30	5999912	12/07/1999	Wodarz et al.
	31	6014638	01/11/2000	Burge et al.
	32	6016504	01/18/2000	Arnold et al.
	33	6026368	02/15/2000	Brown et al.
	34	6026369	02/15/2000	Capek
	35	6026374	02/15/2000	Chess
	36	6044376	03/28/2000	Kurtzman II
	37	6047310	04/04/2000	Kamakura et al.
	38	6049835	04/11/2000	Gagnon
	39	6055513	04/25/2000	Katz et al.
	40	6073241	06/06/2000	Rosenberg et al.
	41	6128663	10/03/2000	Thomas
	42	6134532	10/17/2000	Lazarus et al.
	43	6141010	10/31/2000	Hoyle
	44	6188398	02/13/2001	Collins-Rector et al.
	45	6205432	03/20/2001	Gabbard et al.
	46	6216112	04/10/2001	Fuller et al.
	47	6216129	04/10/2001	Eldering
	48	6285987	09/04/2001	Roth
	49	6289318	09/11/2001	Barber
	50	6308202	10/23/2001	Cohn et al.
	51	6324519	11/27/2001	Eldering
	52	6327574	12/04/2001	Kramer et al.
	53	6366298	04/02/2002	Haitsuka et al.
	54	6385592	05/07/2002	Angles et al.
	55	6385592	05/07/2002	Angles et al.
	56	6401075	06/04/2002	Mason et al.
	57	6408278	06/18/2002	Carney et al.
	58	6415270	07/02/2002	Rackson et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 3 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	59	6415322	07/02/2002	Jaye
	60	6446261	09/03/2002	Rosser
	61	6449657	09/10/2002	Stanbach Jr. et al.
	62	6484492	11/26/2002	Meholic et al.
	63	6487538	11/26/2002	Gupta et al.
	64	6615247	09/02/2003	Murphy
	65	6633850	10/14/2003	Gabbard et al.
	66	6654725	11/25/2003	Langheinrich et al.
	67	6804660	10/12/2004	Landau et al.
	68	6810527	10/26/2004	Conrad et al.
	69	6839680	01/04/2005	Liu et al.
	70	6868392	03/15/2005	Ogasawara
	71	6907566	06/14/2005	McElfresh et al.
	72	6983379	01/03/2006	Spalink et al.
	73	6985882	01/10/2006	Del Sesto
	74	7003792	02/21/2006	Yuen
	75	7013290	03/14/2006	Ananian
	76	7038637	05/02/2006	Eller et al.
	77	7039594	05/02/2006	Gersting
	78	7039599	05/02/2006	Merriman et al.
	79	7043531	05/09/2006	Seibel, et al.
	80	7051351	05/23/2006	Goldman et al.
	81	7058593	06/06/2006	Merritt
	82	7065550	06/20/2006	Raghunandan
	83	7085682	08/01/2006	Heller et al.
	84	7155508	12/26/2006	Sankuratripati et al.
	85	7181438	02/20/2007	Szabo
	86	7188076	03/06/2007	Bensemana
	87	7194424	03/20/2007	Greer et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 4 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	88	7299195	11/20/2007	Tawakol et al.
	89	7343354	03/11/2008	Hennessey
	90	7346615	03/18/2008	Bem
	91	7356711	04/08/2008	Calinov et al.
	92	7360251	04/15/2008	Spalink et al.
	93	7373599	05/13/2008	McElfresh et al.
	94	7386599	06/10/2008	Piersol et al.
	95	7546249	06/09/2009	Main
	96	7558795	07/07/2009	Malik
	97	7580855	08/25/2009	Fernandes
	98	7580855	08/25/2009	Fernandes
	99	7693863	04/06/2010	Martin et al.
	100	7698422	04/13/2010	Vanderhook et al.
	101	7725944	05/25/2010	Spalink et al.
	102	7756744	07/13/2010	Schiff et al.
	103	7788358	08/31/2010	Martino
	104	7805332	09/28/2010	Wilson
	105	7899801	03/01/2011	Bronson et al.
	106	7930252	04/19/2011	Bender et al.
	107	7930253	04/19/2011	Schoenhals
	108	7937383	05/03/2011	Hintze et al.
	109	7966647	06/21/2011	Igoe et al.
	110	8036929	10/11/2011	Reisman
	111	8086491	12/27/2011	Matz et al.
	112	8880677	11/04/2014	Julia et al.
	113	9117217	08/25/2015	Wilson et al.
	114	20010020242	09/06/2001	Gupta et al.
	115	20010034646	10/25/2001	Hoyt et al.
	116	20010039515	11/08/2001	Mayadas

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 5 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	117	20010042002	11/15/2001	Koopersmitch
	118	20010044743	11/22/2001	McKinley, et al.
	119	20020002541	01/03/2002	Williams
	120	20020029267	03/07/2002	Sankuratripati
	121	20020046105	04/18/2002	Gardenswartz et al.
	122	20020046286	04/18/2002	Caldwell et al.
	123	20020056109	05/09/2002	Tomsen
	124	20020072965	06/13/2002	Merriman et al
	125	20020072965	06/13/2002	Merriman et al.
	126	20020072971	06/13/2002	DeBusk et al.
	127	20020082910	06/27/2002	Kontogouris
	128	20020082923	06/27/2002	Merriman et al.
	129	20020091568	07/11/2002	Kraft, et al.
	130	20020099603	07/25/2002	Bandura
	131	20020112013	08/15/2002	Walsh
	132	20020123928	09/05/2002	Eldering, et al.
	133	20020143632	10/03/2002	Walter, et al.
	134	20020161636	10/31/2002	Takahashi
	135	20020194058	12/19/2002	Eldering
	136	20020194589	12/19/2002	Cristofalo et al.
	137	20030023481	01/30/2003	Calvert et al.
	138	20030028871	02/06/2003	Wang et al.
	139	20030036944	02/20/2003	Lesandrini, et al.
	140	20030046156	03/06/2003	Cromer et al.
	141	20030046689	03/06/2003	Gaos
	142	20030065558	04/03/2003	Shaw, et al.
	143	20030083938	05/01/2003	Smith, et al.
	144	20030110497	06/12/2003	Yassin et al.
	145	20030135413	07/17/2003	Nishi et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 6 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	146	20030154126	08/14/2003	Gehlot, et al.
	147	20030171990	09/11/2003	Rao et al.
	148	20030220837	11/27/2003	Asayama
	149	20040024632	02/05/2004	Perry
	150	20040059632	03/25/2004	Kang et al.
	151	20040068436	04/08/2004	Boubek
	152	20040117322	06/17/2004	Bjorksten, et al.
	153	20040260605	12/23/2004	McIntyre, et al.
	154	20050010472	01/13/2005	Quatse, et al.
	155	20050021397	01/27/2005	Cui et al.
	156	20050028188	02/03/2005	Latona et al.
	157	20050038698	02/17/2005	Lukose, et al.
	158	20050038702	02/17/2005	Merriman, et al.
	159	20050097204	05/05/2005	Horowitz et al.
	160	20050120091	06/02/2005	Casais
	161	20050125289	06/09/2005	Beyda et al.
	162	20050131762	06/16/2005	Bharat, et al.
	163	20050131762	06/16/2005	Bharat et al.
	164	20050165644	07/28/2005	Beyda, et al.
	165	20050216336	09/29/2005	Roberts, et al.
	166	20050216823	09/29/2005	Petersen
	167	20050222905	10/06/2005	Wills
	168	20050278443	12/15/2005	Winner et al.
	169	20060020508	01/26/2006	Gorti, et al.
	170	20060020510	01/26/2006	Vest
	171	20060026061	02/02/2006	Collins
	172	20060053047	03/09/2006	Garcia, et al.
	173	20060064351	03/23/2006	Hamor et al
	174	20060069614	03/30/2006	Agarwal et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 7 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	175	20060070117	03/30/2006	Spalink et al.
	176	20060085263	04/20/2006	Greer, et al.
	177	20060095322	05/04/2006	Dierks
	178	20060106710	05/18/2006	Meek et al.
	179	20060116924	06/01/2006	Angles et al.
	180	20060122879	06/28/2006	O'Kelley
	181	20060161553	07/20/2006	Woo
	182	20070121843	05/31/2007	Atazky et al.
	183	20070130005	06/07/2007	Jaschke
	184	20070260624	11/08/2007	Chung
	185	20070283384	12/06/2007	Haeuser et al.
	186	20080052392	02/28/2008	Webster et al.
	187	20080133342	06/05/2008	Criou et al.
	188	20080183561	07/31/2008	Zohar et al.
	189	20090049469	02/19/2009	Small et al.
	190	20090106100	04/23/2009	Mashinsky
	191	20090129377	05/21/2009	Chamberlain et al.
	192	20090132559	05/21/2009	Chamberlain et al.
	193	20100198705	08/05/2010	Spalink et al.
	194	20100293057	11/18/2010	Haveliwala et al.
	195	20100299431	11/25/2010	Vanderhook et al.
	196	20110167043	07/07/2011	Hintze et al.
	197	20110258049	10/20/2011	Ramer et al.
	198	6832207	12/14/2004	Shkedi
	199	6925440	08/02/2005	Shkedi
	200	6973436	12/06/2005	Shkedi
	201	7072853	07/04/2006	Shkedi
	202	7428493	09/23/2008	Shkedi
	203	7454364	11/18/2008	Shkedi

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 8 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	204	7747745	06/29/2010	Shkedi
	205	7822637	10/26/2010	Shkedi
	206	7822639	10/26/2010	Shkedi
	207	7861260	12/28/2010	Shkedi
	208	7979307	07/12/2011	Shkedi
	209	8051444	11/01/2011	Shkedi
	210	8200822	06/12/2012	Shkedi
	211	8204783	06/19/2012	Shkedi
	212	8239264	08/07/2012	Shkedi
	213	8244582	08/14/2012	Shkedi
	214	8244583	08/14/2012	Shkedi
	215	8244586	08/14/2012	Shkedi
	216	8281336	10/02/2012	Shkedi
	217	8494904	07/23/2013	Shkedi
	218	8566164	10/22/2013	Shkedi
	219	8595069	11/26/2013	Shkedi
	220	8600815	12/03/13	Shkedi
	221	8607267	12/10/13	Shkedi
	222	8671139	03/11/14	Shkedi
	223	8677398	03/18/14	Shkedi
	224	8683502	03/25/14	Shkedi
	225	8695032	04/08/14	Shkedi
	226	8713600	04/29/14	Shkedi
	227	8775249	07/08/14	Shkedi
	228	8959146	02/17/15	Shkedi
	229	8997138	03/31/15	Shkedi
	230	9071886	06/30/15	Shkedi
	231	9078035	07/07/15	Shkedi
	232	9083853	07/14/15	Shkedi

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 9 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	233	9131282	09/08/15	Shkedi
	234	9208514	12/08/15	Shkedi
	235	9226019	12/29/15	Shkedi
	236	9271024	02/23/16	Shkedi
	237	9351053	05/24/16	Shkedi
	238	9369779	06/14/16	Shkedi
	239	9508089	11/29/16	Shkedi
	240	9571865	02/14/17	Shkedi
	241	9591380	03/07/17	Shkedi
	242	9756372	09/05/17	Shkedi
	243	9800917	10/24/17	Shkedi
	244	9813778	11/07/17	Shkedi
	245	9830615	11/28/17	Shkedi
	246	8600815	12/03/13	Shkedi
	247	8607267	12/10/13	Shkedi
	248	20050086112	04/21/2005	Shkedi
	249	20110040607	02/17/2011	Shkedi
	250	20090172723	07/02/2009	Shkedi et al.
	251	20090049468	02/19/2009	Shkedi

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 10 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Publication Date MM/DD/YYYY	Name of Patentee	Translation Yes / No
/M.J.S/	252	KR20010096343	11/07/2001	MyOne Card Corp.	Yes
	253	WO2005/046237	05/19/2005	Gutta et al.	No
	254	WO2004084109A	09/30/2004	NHN Corporation	Yes
	255	KR2004099222A	11/26/2004	Echo Marketing Co., Ltd.	Yes
	256	KR20040026167	03/30/2004	IBM Corporation	Yes
	257	WO1997021183A1	06/12/1997	Bell Communications Research Inc.	No
	258	WO1999057660A1	11/11/1999	IWEB LTD.	No
	259	WO2001054034A1	07/26/2001	Angara E-commerce Services, Inc.	No
	260	WO2002050694A1	06/27/2002	Traffion Technologies Pty. Ltd.	No
	261	CA2246746	03/12/1998	Blumenau	No
	262	WO99/44159	09/02/1999	Jaye	No

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 11 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
/M.J.S/	263	Kerwin; "NY Times Web Site Lets Advertisers Get Personal: Profile Info From Users Allows Ads to be Highly Targeted;" Advertising Age; July 14, 1997.
/M.J.S/	264	Engage Technologies, Inc.; Form S-1A; filed with the SEC; pp. 36-50; July 19, 1999.
/M.J.S/	265	"The e-Marketing Report"; Morgan Stanley Dean Witter; May, 2000; portions.
/M.J.S/	266	New York Times Reference Dictionary definition of "computer," downloaded April 7, 2010.
/M.J.S/	267	Baseview.com website (ClassManagerPro) from www.archive.org, archived January 16, 1997
/M.J.S/	268	S-1/A SEC Filing, filed by FlyCast Communications Corp. on April 30, 1999
/M.J.S/	269	24/7 RealMedia, The Science of Digital Marketing, Company Overview (2007)
/M.J.S/	270	aaddzz.com webpages from www.archive.org, archived January 30, 1998
/M.J.S/	271	AdForce, Inc., User Guide, A Complete Guide to AdForce, Version 2.6 (1998)
/M.J.S/	272	Fawcett, Adrienne W., Publishers thankful but nervous about boom, Magazinedotcom, Hot spending boosts …, adage.com, November 1, 1999
/M.J.S/	273	Ad-Star.com website archive from www.archive.org (archived on April 12, 1997 and February 1, 1997)
/M.J.S/	274	Chang et al., "Goodies" in exchange for Consumer Information on the Internet, The Economics and Issues, Proceedings of the Thirty-First Annual Hawaii International Conference on System Sciences, 1998
/M.J.S/	275	Arlein et al., Privacy-Preserving Global Customization, EC'00, October 17-20, 2000
/M.J.S/	276	avenuea.com webpage, FAQ, www.avenuea.com/corpinfo/faq.html, archived October 2, 1999
/M.J.S/	277	Advertising-A Unified Approach to Adverstising Management, Baseview Products, Inc. brochure, October 14, 1999
/M.J.S/	278	Ribeiro-Neto et al., Extracting Semi-Structured Data Through Examples, Proceedings of the Eighth international Conference on Information and Knowledge Management (1999)
/M.J.S/	279	Raskutti and Beitz, Acquiring Customer Preferences for Information Filtering, a Heuristic-Statistical Approach, Fifth Annual Conference on User Modeling (1996)
/M.J.S/	280	Bilchev et al., Personalized advertising – exploiting the distributed user profile, BT Technology Journal, Vol. 21 No. 1, January 2003

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 12 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
/M.J.S/	281	Boncella, Robert J., Internet Privacy – At Home and At Work," Communications of the AIS, Vol. 7, Article 14, September 2001
/M.J.S/	282	AdKnowledge, Campaign Manager-Quick Reference Card (1996)
/M.J.S/	283	Emert, 2 Web Ad Firms Decide to Marry, Palo Alto's Focalink, ClickOver Merging, San Francisco Chronicle, November 17, 1997
/M.J.S/	284	Elderbrock & Borwankar, Building Successful Internet Businesses, IDG Worldwide, 1996
/M.J.S/	285	David W. Schumann & Ester Thorson, Advertising and the World Wide Web, Lawrence Erlbaum Associates, 1999
/M.J.S/	286	Williamson, Debra Aho, Web ads mark 2nd birthday with decisive issues ahead, adage.com, October 21, 1996
/M.J.S/	287	Williamson, Debra Aho, Targeting distinguishes AdForce from the pack, adage.com, March 1, 1999
/M.J.S/	288	Doubleclick.com webpages from www.archived.org, archived February 5, 1998
/M.J.S/	289	Tittel et al., Foundations of World Wide Web Programming with HTML & CGI, IDG Books Worldwide (1995)
/M.J.S/	290	Graham, Ian S., HTML Sourcebook, A Complete Guide to HTML, John Wiley & Sons (1995)
/M.J.S/	291	Aaddzz Brochure, Information Access Technologies, Inc. (1997)
/M.J.S/	292	Gilbert, SPECIAL REPORT, Agencies centralize Web ad serving, adage.com, Mar 1, 1999
/M.J.S/	293	Palmer & Eriksen, Digital Newspapers Explore Marketing on the Internet, Communications of the ACM, Vol. 42, No. 9, September 1999
/M.J.S/	294	Angwin, Julia, Focalink Will Monitor World of Online Ads, San Francisco Chronicle, February 7, 1996
/M.J.S/	295	Gallagher & Parsons, A Framework for Targeting Banner Advertising on the Internet, Proceedings of the Thirtieth Hawaii International Conference on System Sciences, January 1997
/M.J.S/	296	Cleland, Kim, Accipiter latest entrant in race to manage ads, company sets sights on helping content providers target audience, Adage.com, September 9, 1996
/M.J.S/	297	Cleland, Kim, New Player joins fray of Web ad targeters, adage.com, February 24, 1997
/M.J.S/	298	Bayne, Kim M., AdKnowledge rolls out Web ad evaluation tool, adage.com, July 8, 1999

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 13 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
/M.J.S/	299	Kwok et al., Tracking Results from Multichannel Marketing Programs on Electronic Commerce," EC'03, June 9-12, 2003
/M.J.S/	300	Langheinrich et al., Unintrusive Customization Techniques for Web Advertising, COMPUTER NETWORKS 31, 1259–1272, May 1999
/M.J.S/	301	Maekawa et al., A Java-Based Information Browsing System in a Remote Display Environment, IEEE (2004)
/M.J.S/	302	Meeker, Mary, The Internet Advertising Report, Harper Business, 1997
/M.J.S/	303	Yeager & McGrath, Web Server Technology, The Advance Guide for World Wide Web Information Providers, Morgan Kaufmann Publishers (1996)
/M.J.S/	304	net.Genesis & Devra Hall, Build a Website, The Programmer's Guide to Creating, Building, and Maintaining a Web Presence, Prima Publishing (1995)
/M.J.S/	305	NetGravity Launches AdServer 3.5 with Beefed Up Targeting, clickz.com, September 10, 1998
/M.J.S/	306	Novak & Hoffman, New Metrics for New Media, Toward the Development of Web Measurement Standards, Project 2000, elab.vanderbilt.edu, September 26, 1996
/M.J.S/	307	RealMedia.com webpages, www.archive.org, archived on May 15, 19977 and June 7, 1997
/M.J.S/	308	Bruner, Rick E., Interactive, NetGravity to launch new ad service bureau, adage.com, December 1, 1997
/M.J.S/	309	Bruner, Rick E., Small networks chase per-click ad business, Aaddzz, ValueClick compete, AdvertisingAge, September 8, 1997
/M.J.S/	310	Zeff & Aronson, Advertising on the Internet, 1st Edition, John Wiley & Sons (1997)
/M.J.S/	311	Zeff & Aronson, Advertising on the Internet, 2nd Edition, John Wiley & Sons (1999)
/M.J.S/	312	Samar, Single Sign-On Using Cookies for Web Applications, IEEE 8th International Workshops on Enabling Technologies, Infrastructure for Collaborative Enterprises (WET ICE'99), June 16-18, 1999
/M.J.S/	313	Singh & Dalal, Web Home Pages as Advertisements, Communications of the ACM, August 1999
/M.J.S/	314	The ClickZ Network, Netscape Selects Real Media's Open AdStream, January 13, 1998
/M.J.S/	315	The ClickZ Network, Real Media Signs More Media Companies, December 30, 1998
/M.J.S/	316	www.Spinbox.com webpages, www.archive.org, archived beginning Nov. 11, 1998
/M.J.S/	317	Bakos, The Emerging Role of Electronic Marketplaces on the Internet, Communications of the ACM, Vol. 41, No. 8, August 1998

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Page 14 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
/M.J.S/	318	Youiji Kohda & Susumu Endo, Ubiquitous Advertising on the WWW, Merging Advertisement on the Browser, Fifth International World Wide Web Conference (May 1996)
/M.J.S/	319	Baseview.com webpages from www.archive.org, archived January 16, 1997
/M.J.S/	320	AdForce, Inc., Quick Reference Guide, Version 3.0 (1999)
/M.J.S/	321	AdManagerPro, Ad Entry Manual, User's Manual V.1.05, 1997
/M.J.S/	322	AdManagerPro, Ad Entry Manual, User's Manual V.2.0, 1997
/M.J.S/	323	AdManagerPro, Administration and Receivables Manual, Administrator's Manual Version 1.0.5, November 1997
/M.J.S/	324	AdManagerPro, Administration and Receivables Manual, Administrator's Manual Version 2.0, June 1998
/M.J.S/	325	Commercialization of the World Wide Web, The Role of Cookies, vanderbilt.edu web pages, archive.org, February 1, 1997
/M.J.S/	326	Crabtree et al., Adaptive Personal Agents, Personal Technologies (1998)
/M.J.S/	327	Dalton, Gregory, OPS, Answer to Cookies?, InformationWeek, October 13, 1997
/M.J.S/	328	Dunn et al., Privacy and Profiling on the Web, Submitted to W3C on June 2, 1997
/M.J.S/	329	firefly.com web pages, archive.org, archived 1998-2000
/M.J.S/	330	Gilbert, Jennifer, CMGI's Web dealmaking hits big-time, Advertising Age, October 4, 1999
~~/M.J.S/~~	331	Hersley et al., Implementation of OPS Over HTTP, Submitted to W3C on June 2, 1997
/M.J.S/	332	Hersley et al., Proposal for an Open Profiling Standard, Submitted to W3C on June 2, 1997
/M.J.S/	333	Hersley et al., Standard Practices of OPS Systems, Submitted to W3C on June 2, 1997
/M.J.S/	334	junkbusters.com web pages, archive.org, archived April 1997 through November 2000
/M.J.S/	335	Karpinski, Richard, ICE application to revolutionize e-commerce, Business Marketing, March 1998
/M.J.S/	336	matchlogic.com web pages, archive.org, April 13, 2000
/M.J.S/	337	Roscheisen, R. Martin, A Network-Centric Design for Relationship-Based Rights Management (Dissertation), December 1997
/M.J.S/	338	Kristol, D. & Montulli, L.; HTTP State Management Mechanism, Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc2109; February 1997

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 15 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
/M.J.S/	339	Berners-Lee, Tim; Information Management: A Proposal; CERN; available at http://www.w3.org/History/1989/proposal.html; May 1990
/M.J.S/	340	Berners-Lee, Tim; Uniform Resource Locators (URL), A Syntax for the Expression of Access Information of Objects on the Network; Internet Engineering Task Force; available at http://www.w3.org/Addressing/URL/url-spec.txt; March 21, 1994
/M.J.S/	341	Berners-Lee, Tim; The Original HTTP as defined in 1991, W3C; available at http://www.w3.org/Protocols/HTTP/AsImplemented.html (1991)
/M.J.S/	342	Berners-Lee, Tim, et al.; Hypertext Transfer Protocol – HTTP/1.0; Network Working Group Request for Comments: 1945; Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc1945; May 1996
/M.J.S/	343	Leiner, Barry M. et al.; Brief History of the Internet; Internet Society; October 15, 2012
/M.J.S/	344	Berners-Lee, T. & Connolly, D.; Hypertext Markup Language – 2.0; Network Working Group Request for Comments: 1866; Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc1866; November 1995
~~/M.J.S/~~	345	Tungate, Mark; Adland-A Global History of Advertising, 2d Ed. (2013)
/M.J.S/	346	Johnson, Bradley; Interactive; Planet Oasis Gives Web Sites Promotion Clout; Advertising Age; available at http://adage.com/article/news/interactive-planet-oasis-web-sites-promotion-clout/78467; July 8, 1996
/M.J.S/	347	Jones, Duncan; The History of Pay Per Click (PPC) Marketing; Online Marketing Bog (www.duncanjonesnz.com) available at https://www.duncanjonesnz.com/history-of-ppc-marketing; September 23, 2014
/M.J.S/	348	Moukheiber, Z.; DoubleClick is watching you; Forbes Magazine; November 4, 1996
/M.J.S/	349	Fielding, R. et al.; Hypertext Transfer Protocol – HTTP/1.1; Network Working Group, RFC 2068; January 1997
/M.J.S/	350	Glenn, A. And Millman, D.; Access Management of Web-based Services; D-Lib Magazine; September 1998
/M.J.S/	351	New Engage ECHO Remarketing Solution Aimed at Decreasing Customer Acquisition Costs, Improving Customer Retention; BusinessWire; September 25, 2000
/M.J.S/	352	Google Launches Self-Service Advertising Program; http://googlepress.blogspot.com/2000/10/google-launches-self-service.html; October 23, 2000

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 16 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
/M.J.S/	353	Google Introduces New Pricing For Popular Self-Service Online Advertising Program; http://googlepress.blogspot.com/2002/02/google-introduces-new-pricing-for.html; February 20, 2002
/M.J.S/	354	AdWords Separate Content Bidding; http://googlepress.blogspot.com/2005/11/adwords-separate-content-bidding_22.html; November 22, 2005
/M.J.S/	355	Ipro.com website, as it was publicly available at least by January 18, 1998; see generally https://web.archive.org/web/19980118123203fw_/http://www.ipro.com:80/index.html; January 18, 1998
/M.J.S/	356	Baker, Loren; Behavioral Targeting and Contextual Advertising; https://www.searchenginejournal.com/behavioral-targeting-and-contextual-advertising/836/; September 1, 2004

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 10/10/2019

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
10/10/2019	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR/ PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
15/893,354	02/09/2018	Shkedi, Roy	14 PP CON4

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane Suite 2
Scottsdale, AZ 85260

EXAMINER	
MICHAEL J SITTNER	
ART UNIT	PAPER
3622	20191007

DATE MAILED: 07 October 2019

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

Commissioner for Patents

The information disclosure statement filed 02/09/2019 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each foreign patent document; each non-patent literature publication, etc... (see below).

37 CFR 1.98 Content of information disclosure statement.
(a) Any information disclosure statement filed under §1.97 shall include the items listed in paragraphs (a)(1), (a)(2) and (a)(3) of this section. (1) A list of all patents, publications, applications, or other information submitted for consideration by the Office. U.S. patents and U.S. patent application publications must be listed in a section separately from citations of other documents. Each page of the list must include: (i) The application number of the application in which the information disclosure statement is being submitted;
(ii) A column that provides a space, next to each document to be considered, for the examiner's initials; and
(iii) A heading that clearly indicates that the list is an information disclosure statement.
(2) A legible copy of: (i) Each foreign patent;
(ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office;
(iii) For each cited pending unpublished U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and
(iv) All other information or that portion which caused it to be listed.

/MICHAEL J SITTNER/
Examiner, Art Unit 3622

PTO-90C (Rev.04-03)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____

Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	1	5220655	06/15/1993	Tsutsui
	2	5359508	10/25/1994	Rossides
	3	5442633	08/15/1995	Perkins et al.
	4	5572643	11/05/1996	Judson
	5	5710884	01/20/1998	Dedrick
	6	5717923	02/10/1998	Dedrick
	7	5724424	03/03/1998	Gifford
	8	5724521	03/03/1998	Dedrick
	9	5751956	05/12/1998	Kirsch
	10	5752238	05/12/1998	Dedrick
	11	5754939	05/19/1998	Herz et al.
	12	5774670	06/30/1998	Montulli
	13	5794210	08/11/1998	Goldhaber et al.
	14	5819092	10/06/1998	Ferguson et al.
	15	5819285	10/06/1998	Damico et al.
	16	5835718	11/10/1998	Blewett
	17	5848396	12/08/1998	Gerace
	18	5855008	12/29/1998	Goldhaber et al.
	19	5870546	02/09/1999	Kirsch
	20	5870550	02/09/1999	Wesinger Jr. et al.
	21	5901287	05/04/1999	Bull et al.
	22	5918014	06/29/1999	Robinson
	23	5933811	08/03/1999	Angles et al.
	24	5937390	08/10/1999	Hyodo
	25	5937392	08/10/1999	Alberts
	26	5948061	09/07/1999	Merriman et al.
	27	5948061	09/07/1999	Merriman et al.
	28	5959623	09/28/1999	van Hoff et al.
	29	5963915	10/05/1999	Kirsch

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 2 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	30	5999912	12/07/1999	Wodarz et al.
	31	6014638	01/11/2000	Burge et al.
	32	6016504	01/18/2000	Arnold et al.
	33	6026368	02/15/2000	Brown et al.
	34	6026369	02/15/2000	Capek
	35	6026374	02/15/2000	Chess
	36	6044376	03/28/2000	Kurtzman II
	37	6047310	04/04/2000	Kamakura et al.
	38	6049835	04/11/2000	Gagnon
	39	6055513	04/25/2000	Katz et al.
	40	6073241	06/06/2000	Rosenberg et al.
	41	6128663	10/03/2000	Thomas
	42	6134532	10/17/2000	Lazarus et al.
	43	6141010	10/31/2000	Hoyle
	44	6188398	02/13/2001	Collins-Rector et al.
	45	6205432	03/20/2001	Gabbard et al.
	46	6216112	04/10/2001	Fuller et al.
	47	6216129	04/10/2001	Eldering
	48	6285987	09/04/2001	Roth
	49	6289318	09/11/2001	Barber
	50	6308202	10/23/2001	Cohn et al.
	51	6324519	11/27/2001	Eldering
	52	6327574	12/04/2001	Kramer et al.
	53	6366298	04/02/2002	Haitsuka et al.
	54	6385592	05/07/2002	Angles et al.
	55	6385592	05/07/2002	Angles et al.
	56	6401075	06/04/2002	Mason et al.
	57	6408278	06/18/2002	Carney et al.
	58	6415270	07/02/2002	Rackson et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 3 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	59	6415322	07/02/2002	Jaye
	60	6446261	09/03/2002	Rosser
	61	6449657	09/10/2002	Stanbach Jr. et al.
	62	6484492	11/26/2002	Meholic et al.
	63	6487538	11/26/2002	Gupta et al.
	64	6615247	09/02/2003	Murphy
	65	6633850	10/14/2003	Gabbard et al.
	66	6654725	11/25/2003	Langheinrich et al.
	67	6804660	10/12/2004	Landau et al.
	68	6810527	10/26/2004	Conrad et al.
	69	6839680	01/04/2005	Liu et al.
	70	6868392	03/15/2005	Ogasawara
	71	6907566	06/14/2005	McElfresh et al.
	72	6983379	01/03/2006	Spalink et al.
	73	6985882	01/10/2006	Del Sesto
	74	7003792	02/21/2006	Yuen
	75	7013290	03/14/2006	Ananian
	76	7038637	05/02/2006	Eller et al.
	77	7039594	05/02/2006	Gersting
	78	7039599	05/02/2006	Merriman et al.
	79	7043531	05/09/2006	Seibel, et al.
	80	7051351	05/23/2006	Goldman et al.
	81	7058593	06/06/2006	Merritt
	82	7065550	06/20/2006	Raghunandan
	83	7085682	08/01/2006	Heller et al.
	84	7155508	12/26/2006	Sankuratripati et al.
	85	7181438	02/20/2007	Szabo
	86	7188076	03/06/2007	Bensemana
	87	7194424	03/20/2007	Greer et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 4 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	88	7299195	11/20/2007	Tawakol et al.
	89	7343354	03/11/2008	Hennessey
	90	7346615	03/18/2008	Bem
	91	7356711	04/08/2008	Calinov et al.
	92	7360251	04/15/2008	Spalink et al.
	93	7373599	05/13/2008	McElfresh et al.
	94	7386599	06/10/2008	Piersol et al.
	95	7546249	06/09/2009	Main
	96	7558795	07/07/2009	Malik
	97	7580855	08/25/2009	Fernandes
	98	7580855	08/25/2009	Fernandes
	99	7693863	04/06/2010	Martin et al.
	100	7698422	04/13/2010	Vanderhook et al.
	101	7725944	05/25/2010	Spalink et al.
	102	7756744	07/13/2010	Schiff et al.
	103	7788358	08/31/2010	Martino
	104	7805332	09/28/2010	Wilson
	105	7899801	03/01/2011	Bronson et al.
	106	7930252	04/19/2011	Bender et al.
	107	7930253	04/19/2011	Schoenhals
	108	7937383	05/03/2011	Hintze et al.
	109	7966647	06/21/2011	Igoe et al.
	110	8036929	10/11/2011	Reisman
	111	8086491	12/27/2011	Matz et al.
	112	8880677	11/04/2014	Julia et al.
	113	9117217	08/25/2015	Wilson et al.
	114	20010020242	09/06/2001	Gupta et al.
	115	20010034646	10/25/2001	Hoyt et al.
	116	20010039515	11/08/2001	Mayadas

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 5 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	117	20010042002	11/15/2001	Koopersmitch
	118	20010044743	11/22/2001	McKinley, et al.
	119	20020002541	01/03/2002	Williams
	120	20020029267	03/07/2002	Sankuratripati
	121	20020046105	04/18/2002	Gardenswartz et al.
	122	20020046286	04/18/2002	Caldwell et al.
	123	20020056109	05/09/2002	Tomsen
	124	20020072965	06/13/2002	Merriman et al
	125	20020072965	06/13/2002	Merriman et al.
	126	20020072971	06/13/2002	DeBusk et al.
	127	20020082910	06/27/2002	Kontogouris
	128	20020082923	06/27/2002	Merriman et al.
	129	20020091568	07/11/2002	Kraft, et al.
	130	20020099603	07/25/2002	Bandura
	131	20020112013	08/15/2002	Walsh
	132	20020123928	09/05/2002	Eldering, et al.
	133	20020143632	10/03/2002	Walter, et al.
	134	20020161636	10/31/2002	Takahashi
	135	20020194058	12/19/2002	Eldering
	136	20020194589	12/19/2002	Cristofalo et al.
	137	20030023481	01/30/2003	Calvert et al.
	138	20030028871	02/06/2003	Wang et al.
	139	20030036944	02/20/2003	Lesandrini, et al.
	140	20030046156	03/06/2003	Cromer et al.
	141	20030046689	03/06/2003	Gaos
	142	20030065558	04/03/2003	Shaw, et al.
	143	20030083938	05/01/2003	Smith, et al.
	144	20030110497	06/12/2003	Yassin et al.
	145	20030135413	07/17/2003	Nishi et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 6 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	146	20030154126	08/14/2003	Gehlot, et al.
	147	20030171990	09/11/2003	Rao et al.
	148	20030220837	11/27/2003	Asayama
	149	20040024632	02/05/2004	Perry
	150	20040059632	03/25/2004	Kang et al.
	151	20040068436	04/08/2004	Boubek
	152	20040117322	06/17/2004	Bjorksten, et al.
	153	20040260605	12/23/2004	McIntyre, et al.
	154	20050010472	01/13/2005	Quatse, et al.
	155	20050021397	01/27/2005	Cui et al.
	156	20050028188	02/03/2005	Latona et al.
	157	20050038698	02/17/2005	Lukose, et al.
	158	20050038702	02/17/2005	Merriman, et al.
	159	20050097204	05/05/2005	Horowitz et al.
	160	20050120091	06/02/2005	Casais
	161	20050125289	06/09/2005	Beyda et al.
	162	20050131762	06/16/2005	Bharat, et al.
	163	20050131762	06/16/2005	Bharat et al.
	164	20050165644	07/28/2005	Beyda, et al.
	165	20050216336	09/29/2005	Roberts, et al.
	166	20050216823	09/29/2005	Petersen
	167	20050222905	10/06/2005	Wills
	168	20050278443	12/15/2005	Winner et al.
	169	20060020508	01/26/2006	Gorti, et al.
	170	20060020510	01/26/2006	Vest
	171	20060026061	02/02/2006	Collins
	172	20060053047	03/09/2006	Garcia, et al.
	173	20060064351	03/23/2006	Hamor et al
	174	20060069614	03/30/2006	Agarwal et al.

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 7 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	175	20060070117	03/30/2006	Spalink et al.
	176	20060085263	04/20/2006	Greer, et al.
	177	20060095322	05/04/2006	Dierks
	178	20060106710	05/18/2006	Meek et al.
	179	20060116924	06/01/2006	Angles et al.
	180	20060122879	06/28/2006	O'Kelley
	181	20060161553	07/20/2006	Woo
	182	20070121843	05/31/2007	Atazky et al.
	183	20070130005	06/07/2007	Jaschke
	184	20070260624	11/08/2007	Chung
	185	20070283384	12/06/2007	Haeuser et al.
	186	20080052392	02/28/2008	Webster et al.
	187	20080133342	06/05/2008	Criou et al.
	188	20080183561	07/31/2008	Zohar et al.
	189	20090049469	02/19/2009	Small et al.
	190	20090106100	04/23/2009	Mashinsky
	191	20090129377	05/21/2009	Chamberlain et al.
	192	20090132559	05/21/2009	Chamberlain et al.
	193	20100198705	08/05/2010	Spalink et al.
	194	20100293057	11/18/2010	Haveliwala et al.
	195	20100299431	11/25/2010	Vanderhook et al.
	196	20110167043	07/07/2011	Hintze et al.
	197	20110258049	10/20/2011	Ramer et al.
	198	6832207	12/14/2004	Shkedi
	199	6925440	08/02/2005	Shkedi
	200	6973436	12/06/2005	Shkedi
	201	7072853	07/04/2006	Shkedi
	202	7428493	09/23/2008	Shkedi
	203	7454364	11/18/2008	Shkedi

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 8 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	204	7747745	06/29/2010	Shkedi
	205	7822637	10/26/2010	Shkedi
	206	7822639	10/26/2010	Shkedi
	207	7861260	12/28/2010	Shkedi
	208	7979307	07/12/2011	Shkedi
	209	8051444	11/01/2011	Shkedi
	210	8200822	06/12/2012	Shkedi
	211	8204783	06/19/2012	Shkedi
	212	8239264	08/07/2012	Shkedi
	213	8244582	08/14/2012	Shkedi
	214	8244583	08/14/2012	Shkedi
	215	8244586	08/14/2012	Shkedi
	216	8281336	10/02/2012	Shkedi
	217	8494904	07/23/2013	Shkedi
	218	8566164	10/22/2013	Shkedi
	219	8595069	11/26/2013	Shkedi
	220	8600815	12/03/13	Shkedi
	221	8607267	12/10/13	Shkedi
	222	8671139	03/11/14	Shkedi
	223	8677398	03/18/14	Shkedi
	224	8683502	03/25/14	Shkedi
	225	8695032	04/08/14	Shkedi
	226	8713600	04/29/14	Shkedi
	227	8775249	07/08/14	Shkedi
	228	8959146	02/17/15	Shkedi
	229	8997138	03/31/15	Shkedi
	230	9071886	06/30/15	Shkedi
	231	9078035	07/07/15	Shkedi
	232	9083853	07/14/15	Shkedi

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 9 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
/M.J.S/	233	9131282	09/08/15	Shkedi
	234	9208514	12/08/15	Shkedi
	235	9226019	12/29/15	Shkedi
	236	9271024	02/23/16	Shkedi
	237	9351053	05/24/16	Shkedi
	238	9369779	06/14/16	Shkedi
	239	9508089	11/29/16	Shkedi
	240	9571865	02/14/17	Shkedi
	241	9591380	03/07/17	Shkedi
	242	9756372	09/05/17	Shkedi
	243	9800917	10/24/17	Shkedi
	244	9813778	11/07/17	Shkedi
	245	9830615	11/28/17	Shkedi
	246	8600815	12/03/13	Shkedi
	247	8607267	12/10/13	Shkedi
	248	20050086112	04/21/2005	Shkedi
	249	20110040607	02/17/2011	Shkedi
	250	20090172723	07/02/2009	Shkedi et al.
	251	20090049468	02/19/2009	Shkedi

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

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

Page 10 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Publication Date MM/DD/YYYY	Name of Patentee	Translation Yes / No
_____	252	KR20010096343	11/07/2001	MyOne Card Corp.	Yes
_____	253	WO2005/046237	05/19/2005	Gutta et al.	No
_____	254	WO2004084109A	09/30/2004	NHN Corporation	Yes
_____	255	KR20040099222A	11/26/2004	Echo Marketing Co., Ltd.	Yes
_____	256	KR20040026167	03/30/2004	IBM Corporation	Yes
_____	257	WO1997021183A1	06/12/1997	Bell Communications Research Inc.	No
_____	258	WO1999057660A1	11/11/1999	IWEB LTD.	No
_____	259	WO2001054034A1	07/26/2001	Angara E-commerce Services, Inc.	No
_____	260	WO2002050694A1	06/27/2002	Traffion Technologies Pty. Ltd.	No
_____	261	CA2246746	03/12/1998	Blumenau	No
_____	262	WO99/44159	09/02/1999	Jaye	No

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Page 11 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	263	Kerwin; "NY Times Web Site Lets Advertisers Get Personal: Profile Info From Users Allows Ads to be Highly Targeted;" Advertising Age; July 14, 1997.
	264	Engage Technologies, Inc.; Form S-1A; filed with the SEC; pp. 36-50; July 19, 1999.
	265	"The e-Marketing Report"; Morgan Stanley Dean Witter; May, 2000; portions.
	266	New York Times Reference Dictionary definition of "computer," downloaded April 7, 2010.
	267	Baseview.com website (ClassManagerPro) from www.archive.org, archived January 16, 1997
	268	S-1/A SEC Filing, filed by FlyCast Communications Corp. on April 30, 1999
	269	24/7 RealMedia, The Science of Digital Marketing, Company Overview (2007)
	270	aaddzz.com webpages from www.archive.org, archived January 30, 1998
	271	AdForce, Inc., User Guide, A Complete Guide to AdForce, Version 2.6 (1998)
	272	Fawcett, Adrienne W., Publishers thankful but nervous about boom, Magazinedotcom, Hot spending boosts …, adage.com, November 1, 1999
	273	Ad-Star.com website archive from www.archive.org (archived on April 12, 1997 and February 1, 1997)
	274	Chang et al., "Goodies" in exchange for Consumer Information on the Internet, The Economics and Issues, Proceedings of the Thirty-First Annual Hawaii International Conference on System Sciences, 1998
	275	Arlein et al., Privacy-Preserving Global Customization, EC'00, October 17-20, 2000
	276	avenuea.com webpage, FAQ, www.avenuea.com/corpinfo/faq.html, archived October 2, 1999
	277	Advertising-A Unified Approach to Adverstising Management, Baseview Products, Inc. brochure, October 14, 1999
	278	Ribeiro-Neto et al., Extracting Semi-Structured Data Through Examples, Proceedings of the Eighth international Conference on Information and Knowledge Management (1999)
	279	Raskutti and Beitz, Acquiring Customer Preferences for Information Filtering, a Heuristic-Statistical Approach, Fifth Annual Conference on User Modeling (1996)
	280	Bilchev et al., Personalized advertising – exploiting the distributed user profile, BT Technology Journal, Vol. 21 No. 1, January 2003

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Page 12 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	281	Boncella, Robert J., Internet Privacy – At Home and At Work," Communications of the AIS, Vol. 7, Article 14, September 2001
	282	AdKnowledge, Campaign Manager-Quick Reference Card (1996)
	283	Emert, 2 Web Ad Firms Decide to Marry, Palo Alto's Focalink, ClickOver Merging, San Francisco Chronicle, November 17, 1997
	284	Elderbrock & Borwankar, Building Successful Internet Businesses, IDG Worldwide, 1996
	285	David W. Schumann & Ester Thorson, Advertising and the World Wide Web, Lawrence Erlbaum Associates, 1999
	286	Williamson, Debra Aho, Web ads mark 2nd birthday with decisive issues ahead, adage.com, October 21, 1996
	287	Williamson, Debra Aho, Targeting distinguishes AdForce from the pack, adage.com, March 1, 1999
	288	Doubleclick.com webpages from www.archived.org, archived February 5, 1998
	289	Tittel et al., Foundations of World Wide Web Programming with HTML & CGI, IDG Books Worldwide (1995)
	290	Graham, Ian S., HTML Sourcebook, A Complete Guide to HTML, John Wiley & Sons (1995)
	291	Aaddzz Brochure, Information Access Technologies, Inc. (1997)
	292	Gilbert, SPECIAL REPORT, Agencies centralize Web ad serving, adage.com, Mar 1, 1999
	293	Palmer & Eriksen, Digital Newspapers Explore Marketing on the Internet, Communications of the ACM, Vol. 42, No. 9, September 1999
	294	Angwin, Julia, Focalink Will Monitor World of Online Ads, San Francisco Chronicle, February 7, 1996
	295	Gallagher & Parsons, A Framework for Targeting Banner Advertising on the Internet, Proceedings of the Thirtieth Hawaii International Conference on System Sciences, January 1997
	296	Cleland, Kim, Accipiter latest entrant in race to manage ads, company sets sights on helping content providers target audience, Adage.com, September 9, 1996
	297	Cleland, Kim, New Player joins fray of Web ad targeters, adage.com, February 24, 1997
	298	Bayne, Kim M., AdKnowledge rolls out Web ad evaluation tool, adage.com, July 8, 1999

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Page 13 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	299	Kwok et al., Tracking Results from Multichannel Marketing Programs on Electronic Commerce," EC'03, June 9-12, 2003
	300	Langheinrich et al., Unintrusive Customization Techniques for Web Advertising, COMPUTER NETWORKS 31, 1259–1272, May 1999
	301	Maekawa et al., A Java-Based Information Browsing System in a Remote Display Environment, IEEE (2004)
	302	Meeker, Mary, The Internet Advertising Report, Harper Business, 1997
	303	Yeager & McGrath, Web Server Technology, The Advance Guide for World Wide Web Information Providers, Morgan Kaufmann Publishers (1996)
	304	net.Genesis & Devra Hall, Build a Website, The Programmer's Guide to Creating, Building, and Maintaining a Web Presence, Prima Publishing (1995)
	305	NetGravity Launches AdServer 3.5 with Beefed Up Targeting, clickz.com, September 10, 1998
	306	Novak & Hoffman, New Metrics for New Media, Toward the Development of Web Measurement Standards, Project 2000, elab.vanderbilt.edu, September 26, 1996
	307	RealMedia.com webpages, www.archive.org, archived on May 15, 19977 and June 7, 1997
	308	Bruner, Rick E., Interactive, NetGravity to launch new ad service bureau, adage.com, December 1, 1997
	309	Bruner, Rick E., Small networks chase per-click ad business, Aaddzz, ValueClick compete, AdvertisingAge, September 8, 1997
	310	Zeff & Aronson, Advertising on the Internet, 1st Edition, John Wiley & Sons (1997)
	311	Zeff & Aronson, Advertising on the Internet, 2nd Edition, John Wiley & Sons (1999)
	312	Samar, Single Sign-On Using Cookies for Web Applications, IEEE 8th International Workshops on Enabling Technologies, Infrastructure for Collaborative Enterprises (WET ICE'99), June 16-18, 1999
	313	Singh & Dalal, Web Home Pages as Advertisements, Communications of the ACM, August 1999
	314	The ClickZ Network, Netscape Selects Real Media's Open AdStream, January 13, 1998
	315	The ClickZ Network, Real Media Signs More Media Companies, December 30, 1998
	316	www.Spinbox.com webpages, www.archive.org, archived beginning Nov. 11, 1998
	317	Bakos, The Emerging Role of Electronic Marketplaces on the Internet, Communications of the ACM, Vol. 41, No. 8, August 1998

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Page 14 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	318	Youiji Kohda & Susumu Endo, Ubiquitous Advertising on the WWW, Merging Advertisement on the Browser, Fifth International World Wide Web Conference (May 1996)
	319	Baseview.com webpages from www.archive.org, archived January 16, 1997
	320	AdForce, Inc., Quick Reference Guide, Version 3.0 (1999)
	321	AdManagerPro, Ad Entry Manual, User's Manual V.1.05, 1997
	322	AdManagerPro, Ad Entry Manual, User's Manual V.2.0, 1997
	323	AdManagerPro, Administration and Receivables Manual, Administrator's Manual Version 1.0.5, November 1997
	324	AdManagerPro, Administration and Receivables Manual, Administrator's Manual Version 2.0, June 1998
	325	Commercialization of the World Wide Web, The Role of Cookies, vanderbilt.edu web pages, archive.org, February 1, 1997
	326	Crabtree et al., Adaptive Personal Agents, Personal Technologies (1998)
	327	Dalton, Gregory, OPS, Answer to Cookies?, InformationWeek, October 13, 1997
	328	Dunn et al., Privacy and Profiling on the Web, Submitted to W3C on June 2, 1997
	329	firefly.com web pages, archive.org, archived 1998-2000
	330	Gilbert, Jennifer, CMGI's Web dealmaking hits big-time, Advertising Age, October 4, 1999
	331	Hersley et al., Implementation of OPS Over HTTP, Submitted to W3C on June 2, 1997
	332	Hersley et al., Proposal for an Open Profiling Standard, Submitted to W3C on June 2, 1997
	333	Hersley et al., Standard Practices of OPS Systems, Submitted to W3C on June 2, 1997
	334	junkbusters.com web pages, archive.org, archived April 1997 through November 2000
	335	Karpinski, Richard, ICE application to revolutionize e-commerce, Business Marketing, March 1998
	336	matchlogic.com web pages, archive.org, April 13, 2000
	337	Roscheisen, R. Martin, A Network-Centric Design for Relationship-Based Rights Management (Dissertation), December 1997
	338	Kristol, D. & Montulli, L.; HTTP State Management Mechanism, Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc2109; February 1997

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Page 15 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	339	Berners-Lee, Tim; Information Management: A Proposal; CERN; available at http://www.w3.org/History/1989/proposal.html; May 1990
	340	Berners-Lee, Tim; Uniform Resource Locators (URL), A Syntax for the Expression of Access Information of Objects on the Network; Internet Engineering Task Force; available at http://www.w3.org/Addressing/URL/url-spec.txt; March 21, 1994
	341	Berners-Lee, Tim; The Original HTTP as defined in 1991, W3C; available at http://www.w3.org/Protocols/HTTP/AsImplemented.html (1991)
	342	Berners-Lee, Tim, et al.; Hypertext Transfer Protocol – HTTP/1.0; Network Working Group Request for Comments: 1945; Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc1945; May 1996
	343	Leiner, Barry M. et al.; Brief History of the Internet; Internet Society; October 15, 2012
	344	Berners-Lee, T. & Connolly, D.; Hypertext Markup Language – 2.0; Network Working Group Request for Comments: 1866; Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc1866; November 1995
	345	Tungate, Mark; Adland-A Global History of Advertising, 2d Ed. (2013)
	346	Johnson, Bradley; Interactive; Planet Oasis Gives Web Sites Promotion Clout; Advertising Age; available at http://adage.com/article/news/interactive-planet-oasis-web-sites-promotion-clout/78467; July 8, 1996
	347	Jones, Duncan; The History of Pay Per Click (PPC) Marketing; Online Marketing Bog (www.duncanjonesnz.com) available at https://www.duncanjonesnz.com/history-of-ppc-marketing; September 23, 2014
	348	Moukheiber, Z.; DoubleClick is watching you; Forbes Magazine; November 4, 1996
	349	Fielding, R. et al.; Hypertext Transfer Protocol – HTTP/1.1; Network Working Group, RFC 2068; January 1997
	350	Glenn, A. And Millman, D.; Access Management of Web-based Services; D-Lib Magazine; September 1998
	351	New Engage ECHO Remarketing Solution Aimed at Decreasing Customer Acquisition Costs, Improving Customer Retention; BusinessWire; September 25, 2000
	352	Google Launches Self-Service Advertising Program; http://googlepress.blogspot.com/2000/10/google-launches-self-service.html; October 23, 2000

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

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

Page 16 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	353	Google Introduces New Pricing For Popular Self-Service Online Advertising Program; http://googlepress.blogspot.com/2002/02/google-introduces-new-pricing-for.html; February 20, 2002
	354	AdWords Separate Content Bidding; http://googlepress.blogspot.com/2005/11/adwords-separate-content-bidding_22.html; November 22, 2005
	355	Ipro.com website, as it was publicly available at least by January 18, 1998; see generally https://web.archive.org/web/19980118123203fw_/http://www.ipro.com:80/index.html; January 18, 1998
	356	Baker, Loren; Behavioral Targeting and Contextual Advertising; https://www.searchenginejournal.com/behavioral-targeting-and-contextual-advertising/836/; September 1, 2004

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J.S/

Examiner: /MICHAEL J SITTNER/ Date Considered: 10/03/2019

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 10/01/2019

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
10/01/2019	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Application Number: 15/893,354
Filing Date: 02/09/2018
Appellant(s): Shkedi, Roy

Louis J. Hoffman, Reg. No. 38,918
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 6/13/2019.

(1) Grounds of Rejection to be Reviewed on Appeal

Every ground of rejection set forth in the Office action dated 10/18/2018 from which the appeal is taken is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

NEW GROUNDS OF REJECTION

(2) Response to Argument

1. Appellant's arguments filed 6/13/2019 in Appeal Brief, (hereinafter referred to as "Brief") have been fully considered but they are not persuasive as detailed below.

Appellant's arguments are split into four parts: argument I (Brief, pgs. 6-13), argument II (Brief, pgs. 13-18), argument III (Brief, pgs. 18-21), and argument IV (Brief, pgs. 21-24). Examiner addresses each of these arguments in turn, as shown below.

Regarding argument I (Brief, pgs. 6-13), Examiner notes the argument attempts to introduce an impermissibly narrow definition of the claim term "Media Property entity". As shown below, the Examiner demonstrates that Appellant's proposed narrow definition of "Media Property entity" is impermissible and unreasonable.

Appellant argues (Brief, pg. 6) the following: *"Appellant proposes that the Board construe "media property equipment" as "equipment, which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily" and "media property entity" as "an entity that controls media property equipment (as defined above)." The proposed construction corresponds to what the Board already decided, in the above-referenced prior CBM[1] proceeding, which concerned a parent patent*

[1] Per Brief, pg. 1: "In CBM2017-00059, the Board denied institution of a CBM proceeding that sought to invalidate parent U.S. Patent 8,244,574, which assignee had asserted against Yahoo! Inc. (later Oath Holdings Inc.) in a now-settled litigation, which included district court cases 16-cv-01557-ILG-SMG (E.D.N.Y.) and 18-cv-943-CFC-SRF (D. Del.)."

sharing the same specification…" and (Brief, pg. 8): *"…putting aside for the moment the extensive discussion in the above quotation of reasons, examples, or variations, the specification proffers this basic definition: "a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor." That definition forms the core of appellant's proposed claim construction… On line 23 of page 8, the specification similarly refers to "a media property (if acting as a profile owner) .... " Those page 8 citations indicate that the specification uses the term "media property" in some contexts to refer to an "owner" (entity), whereas the above quotation on page 5 of the specification uses the term "media property" in the context of "equipment." To avoid confusion, appellant crafted the claims to distinguish between "media property entity" and "media property equipment." Which of the two is being referenced at various points in the specification is clear from context…"*

Respectfully, the Examiner finds that Appellant's proposed narrow definition of "Media Property entity" is unreasonable for the following reasons:

First, the Examiner notes that, as acknowledged by the Appellant himself in the citations provided *supra*, "Media Property entity", although recited in the preliminary amendment (filed 2/9/2018), was not actually recited in the original claims nor is it a term actually explicitly recited anywhere in either the non-provisional specification nor in the provisional[2] specification. Therefore, the Examiner must interpret this new term as broadly as reasonably possible in view of the Specification. Similarly, the term "Media Property equipment" is not actually a term recited in any of the original claims, the non-provisional specification, or in the provisional specification. Instead, as noted *supra* by Appellant himself, these two ideas ("Media Property entity" and "Media Property equipment") are conflated in the specification into a single term called "Media Property" – i.e. at various portions of the specification, the term "Media property" is used to refer to the idea of an "owner" (entity) and at other portions the specification uses "Media property" to refer to the idea of "equipment", but also, as shown below, the specification also uses "Media property" to refer to "ad space" as well as other alternatives.

Therefore, the Examiner finds that Appellant's proposed definition of "Media Property entity" is predicated upon an unreasonably narrow reading of select portions of his specification (none of which

[2] *provisional application Serial No. 60/805,114, filed June 19, 2006*

actually explicitly uses either the term "Media Property equipment" or "Media Property entity") in an attempt to carve out a definition of his new term "Media Property entity" to overcome the prior art of record. Furthermore, the Examiner does not find the Board decision of a case of a completely different application (i.e. Appellant's referenced prior CBM proceeding) to be informative regarding interpretation of the instant claims as the referenced Board decision is in regards to a separate application with a different set of claims the interpretation of which turn on a completely different set of facts compared to the interpretation of the instant claims.

Second, Appellant's narrow definition of "Media Property entity" as an "entity" who *controls equipment which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily* is unreasonable in view of the breadth of teachings in Appellant's own Specification. The Appellant's narrow definition implies the term "Media Property" cannot be an "ad space" because the proposed narrow definition draws a distinction between *equipment* and *ad space*. However, the Specification is not so limited and the context of the claims themselves do not warrant such a narrow definition.

For example, as alluded to *supra,* the non-provisional specification[3] teaches many uses of the term "Media Property" which are alternatives to Appellant's narrow characterization of "Media Property" and the non-provisional specification teaches explicitly that "Media Property" may also include "ad space" itself – i.e. *"…a media property (in the present context) can also be defined as … any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity…"* Therefore, it is unreasonable for Appellant to narrowly define "Media Property entity" in a way which only relates to "equipment" but excludes "ad space" when the claims do not require such exclusion and the Specification itself includes "ad space" within the breadth and scope of the definition of "Media Property". Therefore, "Media Property" may indeed include "ad space" and by extension, "Media Property entity" is not limited to Appellant's proposed narrow definition of *"an entity that controls media property equipment (as defined above)."*

[3] Per non-provisional specification as filed (pg. 5, lines 8-11)

In view of these findings regarding "Media Property", Appellant's proposed narrow definition of his new term "Media Property entity" is unreasonable. Appellant's argument for his narrow interpretation of "Media Property entity" is predicated upon a contrived term "Media property equipment" which he argues is inferred from various context of the term "Media Property" which, as noted *supra*, he implies should be narrowly defined as *"equipment, which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily"*. However, as shown *supra*, the Specification clearly teaches that "Media Property" may also be the "ad space" itself and therefore a "Media Property entity" need not be limited to Appellant's proposed definition of *"an entity that controls media property equipment (as defined above)."* For at least these reasons, the Appellant's argument for his narrow definition of "Media Property entity" is not convincing.

Lastly, the Examiner notes that the Office's interpretation[4] of this new term "Media Property entity" is reasonable and conforms to the Broadest Reasonable Interpretation standard which requires interpretation of the claim term as broadly as reasonably possible in view of the specification. To this end, the Examiner has already noted the basis for the Examiner's interpretation per the Provisional[5] Specification (pg. 5) which teaches the following: *"This definition of a media property will therefore include… any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad…"* – i.e. per Appellant's own argument[6] provided *supra*, the context of the specification here appears to use "Media Property" in context to refer to an "entity"; hence, the new term

---

[4] Interview Summary, mailed 2/19/2019: "…Examiner pointed out that the definition supplied by counsel regarding "media property entity" is too narrow in view of the Applicant's own specification as already pointed out in the Final Office Action (pg. 4) where Examiner pointed out that Provisional Specification (60/805, 114) at pg. 5 provides the following definition: " ... This definition of a media property will therefore include ... any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space could be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio etc."

[5] *provisional application Serial No. 60/805,114, filed June 19, 2006, pg. 5*

[6] Brief, pg. 8: Appellant notes *"…the specification uses the term "media property" in some contexts to refer to an "owner" (entity), whereas the above quotation on page 5 of the specification uses the term "media property" in the context of "equipment." To avoid confusion, appellant crafted the claims to distinguish between "media property entity" and "media property equipment." Which of the two is being referenced at various points in the specification is clear from context…"*

"Media Property entity" may be interpreted in view of this portion of the specification as: "*any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad…"* For at least these reasons, the Appellant's argument I is not convincing.

Regarding Appellant's argument II (Brief, pgs. 13-18), Appellant's essential argument (Brief, pg. 14) regarding the teachings of the prior art of Jaschke, is as follows: *"…Arguably at least, one might characterize the selected advertiser as a "media property entity" after the broker selects that advertiser, because, at that time, the selected advertiser may be given the right to control the ad space and to place the advertiser's ad in the ad space. But the same cannot be said for the advertisers whose bids are not accepted. Thus, Jaschke does not teach selection among media property entities, thus, Jaschke does not teach the claim element of "automatically select[ing] a media property entity of a plurality of media property entities.""*

Respectfully, this argument is not convincing because it is predicated upon Appellant's unreasonably narrow interpretation of "Media Property entity" as noted *supra – i.e.* Appellant's argument is that an entity must be presently "control[ing]" *equipment* to be considered a "Media Property entity" and Jaschke's advertiser does not "control" *equipment* [which controls ad space] until after the broker selects the advertiser and therefore Jaschke's advertiser can't be a "Media Property entity". However, this narrow definition of "Media Property entity" proposed by the Appellant has already been found to be unreasonable, as already noted *supra*. Furthermore, the added requirement here by the Appellant that the "Media Property entity" also be limited to entities presently controlling equipment is likewise unreasonable. The Examiner does not find that this new term "Media Property entity" should be so limited. Nothing in the claims requires this narrow interpretation and the specification appears to take a much broader view of entities which could conceivably be considered a "Media Property entity" (remembering that the original disclosure doesn't even use this term "Media Property entity"). Instead, the Examiner finds that the term "Media Property entity" should not be limited to only entities presently controlling equipment or ad space. Nowhere within the original disclosure (claims, specification, drawings) does the Appellant require an entity to be so limited. Instead, the examiner finds that "Media Property

entity" should be broadly interpreted to include at least entities who may be given such control of ad space and this is a reasonable interpretation in view of Appellant's own specification.

For example, per Appellant's provisional specification (pg. 5), the Appellant teaches the following: *"Therefore, in a media property's definition of an entity that controls an ad space viewed by a visitor, a specific ad space on a page might be controlled by the entity only temporarily as in the example of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill and the ad network has temporary control of the ad space when that ad space is given to it by the site."*

This teaching appears to indicate that an "entity" does not stop being an "entity" only when it "controls" ad space. To the contrary, the entity is still an entity even though the entity controls ad space for short durations and/or passes control to a different entity. It appears one entity may pass control of ad space to another entity, as per the example, but this doesn't mean the entity stops being an entity when it passes control of ad space. Therefore, the Examiner finds the Appellant's proposed narrow definition unreasonable and therefore the Examiner also finds his argument unconvincing.

Furthermore, as already noted supra, Examiner's interpretation of "Media Property entity" is reasonable in view of Appellant's own specification and Kublickis in view of Jaschke teaches the full limitation in question as shown in the Final Rejection, pgs. 8-10.

For at least these reasons, Appellant's Argument II is not convincing and the rejections should be sustained.

Regarding Appellant's argument III (Brief, pgs. 18-21) the Appellant first argues (Brief, pgs. 18-19) that *"The hypothesized combination does not disclose the element in part (c), facilitating delivery of an ad when the visitor later appears on a website…"* Respectfully, the Examiner notes that this argument is not convincing for three reasons:

First, the Appellant is not arguing the actual language of the limitation as recited in the claim – i.e. part (c) does not recite *"facilitating delivery of an ad when the visitor later appears on a website".*

Second, the Examiner has not relied upon a combination of references to teach the limitation recited under part (c) of the claims. Instead, the Examiner has relied upon only the teachings of Kublickis. The teachings of Jaschke are only relied upon to teach the elements of part (b)(i) of the claims.

Third, Kublicks indeed teaches the feature of part (c) in question (Final Rejection, pgs. 7-8): Kublickis, see at least [0436]. Kublickis' "cookie" [tag], is accessible [readable] by the "third-party content provider", and is used to "…exploit to customize webpage content and any embedded advertising, and to target offers and merchandise, which becomes progressively more relevant to the consumer member…"; therefore, Kublickis not only teaches the language of the limitation in question but also teaches Appellant's desired interpretation – i.e. *facilitating delivery of an ad when the consumer user [visitor] later visits another webpage within the website [later appears on a website]*. Note that, e.g. per Kublickis at [0292]-[0295], Kublickis' cookie is associated with the consumer member's device as it is saved to the device and retrieved from the device by the custom browser and it is the information retrieved by use of this cookie that is used to select and deliver targeted advertising to the consumer member.

Appellant next (Brief, pg.18 last paragraph –pg. 20) provides a limited summary of the grounds of rejection relied upon by the Office in teaching parts (b)(i) and part (c) of the claims; this summary obfuscates the actual grounds of rejection presented by the Office. Furthermore, the summary is interspersed with statements of what Appellant believes Kublickis does and doesn't teach but Appellant fails to actually argue his recited claim elements and how the recited features are distinguished from the teachings of Kublickis upon which the Office has relied for the basis of the grounds of rejeciton. Appellant then concludes (Brief, pgs. 20-21) the following: *"In contrast, appellant's disclosed technique generally involves providing desired profile data to a media property entity at the time profile data is collected, which media property entity is selected based on stored requests from multiple media property entities, with the hope that the selected media property entity will encounter the tagged browsers later and then have the opportunity to target an ad to the browser based on the previously received profile information."*

Respectfully, these arguments and assertions are not convincing because Appellant's claims simply do not recite: "*providing desired profile data to a media property entity at the time profile data is collected, etc…*" The Appellant is not arguing actual limitations from his claims. Appellant's arguments actually fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims

define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references provided to the Appellant.

For these reasons, the Appellant's argument III is not convincing and the rejection should be sustained.

Regarding Appellant's argument IV (Brief, pgs. 21-24) the Appellant argues (Brief, pgs. 21-22): *"The hypothesized combination is not well-motivated… it does not make logical sense that an ordinary artisan would have modified Kublickis to utilize Jaschke's technique. Kublickis works only with respect to a given website in current contact with a user's customized browser, so Kublickis has no need to select any website or media property among others (even assuming arguendo that Jaschke disclosed such)…"* – underline added by Examiner for emphasis. Respectfully, herein lies the crux of Appellant's argument – the Appellant is asserting that his claims recite *selecting a media property*. However, the claims do not recite such a feature. Instead, the claims recite features regarding: *"…automatically select a media property entity…";* Media Property entity is distinct from Media Property. Because Appellant is not arguing limitations from the claims, the argument is simply not convincing. Furthermore, the Examiner has shown *supra* that Appellant's "Media Property entity" indeed reads on Jaschke's advertiser because Jaschke's advertiser(s) conform to at least the aforementioned definition from Appellant's own specification[7] – i.e. Jaschke's Advertisers are *"…allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad…*". Finally, the Examiner has shown that Jaschke's techniques are applicable to the known base device and method of Kublickis (Final Rejection, pg. 10) – i.e. the Examiner understands that *automatically selecting an advertiser [media property entity of a plurality of media property entities] based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of descriptions [stored requests] from the advertisers [plurality of media property entities], one of which may be an entity controlling the computer system, each description [stored request] being for requested profiles or kinds of profiles, which*

[7] The Provisional Specification 60/805,114 at pg. 5

plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system is merely applying a known technique of Jaschke to a known base device and method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis to realize that Kublickis' custom browser, which already stores for each third-party various requested profile information of the user which the user has agreed to share with each particular third-party and which stores additional request for profile data points as the user navigates websites, and also stores cookies appended with the profile data points which the user allows a third-party to collect, may also be used via the technique as taught by Jaschke to automatically select between competing advertisers [media property entity] based on this information already available to the browser (i.e. (A) profile information about a visitor, and (B) plurality of stored requests from different advertisers [entities]) because both Kublickis and Jaschke are analogous art in the same field of endeavor (at least G06030/02) and because according to MPEP 2143(1) (C) and/or (D), the use of known technique to improve a known device, methods, or products (i.e. Kublickis' browser tool) in the same way (or which is ready for improvement) is obvious.

For at least these reasons, the Appellant's assertions and arguments are not convincing and the rejections should be maintained.

For the above reasons, it is believed that the rejections should be sustained.

/Michael J Sittner/

Primary Examiner, Art Unit 3622

Conferees:

/ARTHUR DURAN/
Primary Examiner, Art Unit 3622

/ALEXANDER G KALINOWSKI/
Supervisory Patent Examiner, Art Unit 3691

Requirement to pay appeal forwarding fee. In order to avoid dismissal of the instant appeal in any application or ex parte reexamination proceeding, 37 CFR 41.45 requires payment of an appeal forwarding fee within the time permitted by 37 CFR 41.45(a), unless appellant had timely paid the fee for filing a brief required by 37 CFR 41.20(b) in effect on March 18, 2013.

PLUS Search Results for S/N 15893354, Searched Fri Jul 26 12:22:03 EDT 2019

The Patent Linguistics Utility System (PLUS) is a USPTO automated search system for U.S. Patents from 1971 to the present PLUS is a query-by-example search system which produces a list of patents that are most closely related linguistically to the application searched. This search was prepared by the staff of the Scientific and Technical Information Center, SIRA.

6904408 99
7747745 99
8200822 99
8204783 99
8244574 99
8280758 99
8291016 99
8504616 99
8589210 99
8671139 99
8824340 99
8959146 99
9015247 99
9021025 99
9208514 99
9307288 99
9508089 99
9830615 99
9953377 99
10134054 99
10162891 99
20020054089 99
20030020739 99
20050086112 99
20050233771 99
20050288954 99
20060293921 99
20070294401 99
20080010155 99
20100274665 99
20110035256 99
20110258051 99
20120011432 99
20120136959 99
20120173329 99
20120226554 99
20120245996 99
20120246011 99
20130024295 99
20130044645 99
20130088650 99
20140019550 99
20140074607 99
20140114998 99
20140188600 99
20150161675 99
20160086223 99
20160140227 99
20160191998 99
20170076326 99

PLUS Search Results for S/N 15893354, Searched Fri Jul 26 12:22:02 EDT 2019

The Patent Linguistics Utility System (PLUS) is a USPTO automated search system for U.S. Patents from 1971 to the present PLUS is a query-by-example search system which produces a list of patents that are most closely related linguistically to the application searched. This search was prepared by the staff of the Scientific and Technical Information Center, SIRA.

6904408 99
7747745 99
8200822 99
8204783 99
8244574 99
8280758 99
8291016 99
8504616 99
8589210 99
8671139 99
8824340 99
8959146 99
9015247 99
9021025 99
9208514 99
9307288 99
9508089 99
9830615 99
9953377 99
10134054 99
10162891 99
20020054089 99
20030020739 99
20050086112 99
20050233771 99
20050288954 99
20060293921 99
20070294401 99
20080010155 99
20100274665 99
20110035256 99
20110258051 99
20120011432 99
20120136959 99
20120173329 99
20120226554 99
20120245996 99
20120246011 99
20130024295 99
20130044645 99
20130088650 99
20140019550 99
20140074607 99
20140114998 99
20140188600 99
20150161675 99
20160086223 99
20160140227 99
20160191998 99
20170076326 99

Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (02-18)
Approved for use through 11/30/2020. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	15893354
Filing Date	2018-02-09
First Named Inventor	Shkedi, Roy
Art Unit	3622
Examiner Name	Sittner, Michael J.
Attorney Docket Number	14-PP-CON4

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					

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1					

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1	2005022887	WO	A2	2005-03-10	Gottfurcht		

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	15893354
	Filing Date	2018-02-09
	First Named Inventor	Shkedi, Roy
	Art Unit	3622
	Examiner Name	Sittner, Michael J.
	Attorney Docket Number	14-PP-CON4

	1	

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

[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	15893354
	Filing Date	2018-02-09
	First Named Inventor	Shkedi, Roy
	Art Unit	3622
	Examiner Name	Sittner, Michael J.
	Attorney Docket Number	14-PP-CON4

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.

☒ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

A certification statement is not submitted herewith.

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	/Louis J. Hoffman/	Date (YYYY-MM-DD)	2019-07-12
Name/Print	Louis J. Hoffman	Registration Number	38,918

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.**

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

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.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau

(43) International Publication Date
10 March 2005 (10.03.2005)

PCT

(10) International Publication Number
WO 2005/022887 A2

(51) International Patent Classification[7]: H04N

(21) International Application Number:
PCT/US2004/027421

(22) International Filing Date: 19 August 2004 (19.08.2004)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:
10/646,066 21 August 2003 (21.08.2003) US

(71) Applicant and
(72) Inventor: **GOTTFURCHT, Elliot, A.** [US/US]; 1033 Ocean Avenue, #404, Santa Monica, CA 90403 (US).

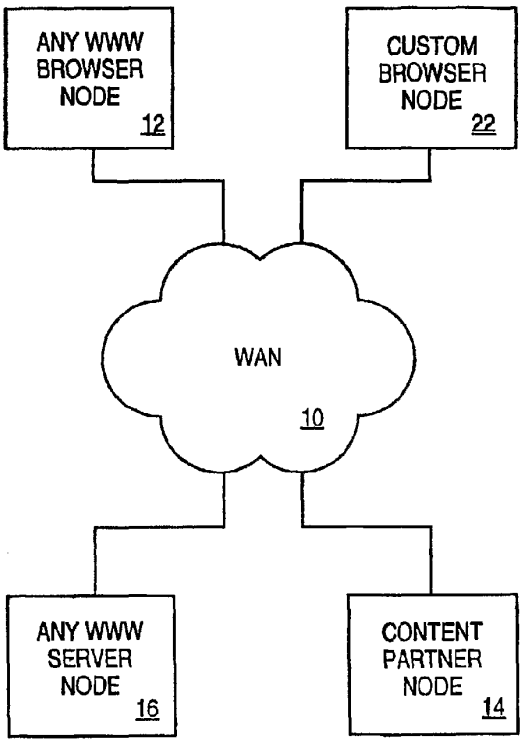
(74) Agents: **COESTER, Thomas, M.** et al.; Blakely, Sokoloff, Taylor & Zafman, 12400 Wilshire Blvd., 7th Floor, Los Angeles, CA 90025-1026 (US).

(81) Designated States *(unless otherwise indicated, for every kind of national protection available)*: AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States *(unless otherwise indicated, for every kind of regional protection available)*: ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

[Continued on next page]

(54) Title: METHOD TO GENERATE ADVERTISING REVENUE BASED ON TIME AND LOCATION



(57) Abstract: A method and apparatus to facilitate targeted advertisement and listing services to customers using a shopping system. The shopping system may be an interactive television system. The targeted advertising allows for improved targeting by allowing advertisers to bid on advertising space based on the time a user is shopping and the location of the user.

WO 2005/022887 A2

Published:

— *without international search report and to be republished upon receipt of that report*

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

METHOD TO GENERATE ADVERTISING REVENUE BASED ON TIME AND LOCATION

BACKGROUND

Cross-Reference to Related Application

The application is a second Continuation-In-Part of co-pending application Serial No. 09/518,015, filed March 3, 2000 by applicant, Elliot A. Gottfurcht, et al. entitled "AN APPARATUS AND METHOD FOR SIMPLE WIDE-AREA NETWORK NAVIGATION."

Field

The invention relates to electronic information services and electronic commerce services. More specifically, the invention relates to providing targeted advertising and listing services based on time and location of customers.

Description of the Related Art

The importance of the Internet as a tool of electronic commerce can not be overstated. The ability of consumers to buy products, obtain information from the comfort of their own home is revolutionizing the way business is done. Increasingly, there is a push to provide access to the Internet on standard television monitors through the use of set top boxes. Over time, much like cable-ready televisions, it is expected that Internet-ready televisions will proliferate. Unfortunately, even on large screen televisions the web surfing experience is poor, inasmuch as the web content is illegible and/or unnegotiable, unless you happen to be sitting very close to the television. Generally, this makes web surfing impractical in more traditional television environments. As the television web access systems proliferate, improved navigation and content access on the television is likely to become a necessity.

BRIEF SUMMARY OF THE INVENTION

A method and apparatus to facilitate targeted advertisement and listing services to customers using a shopping system. The shopping system may be an interactive television system. The targeted advertising allows for improved targeting by allowing advertisers to bid on advertising space based on the time a user is shopping and the location of the user.

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a block diagram of a system employing one embodiment of the invention.

Figure 2a is an exemplary web page having a sister site link.

Figure 2b is an exemplary first matrix page of a sister site for the web page of Figure 2a.

Figure 2c is a web page having irregular segmentation.

Figure 3 is a flow diagram of conversion of standard HTML pages to a sister site format in one embodiment of the invention.

Figure 4 is a block diagram of a client hardware architecture of one embodiment of the invention.

Figure 5a is a flow diagram of server side segmentation in one embodiment of the invention.

Figure 5b is a flow diagram of client side manipulation of a segmented page in one embodiment of the invention.

Figure 5c is a diagram showing a system implementing the tab, scroll, and zoom features of one embodiment of the invention.

Figure 6 is a flow chart of operations of the navigation system of one embodiment of the invention in a custom terminal custom browser node.

Figure 7 is a flow diagram of operation of the sister site server of one embodiment of the invention.

Figure 8 is a diagram of the display of a graphical user interface of one embodiment of the invention.

Figures 9a-d are examples of sister site matrix pages.

Figures 10a-g are a series of matrix layers displayed during an exemplary navigation using one embodiment of the invention.

Figure 11 shows a history window overlying a navigation matrix layer.

Figures 12a and b are an example of a matrix layer of one embodiment of the invention.

Figure 13 is an e-mail composition matrix layer for one embodiment of the invention.

Figure 14 shows an alternative matrix of one embodiment of the invention.

Figure 15 is a diagram of a top level of a navigation hierarchy interface for one embodiment of the invention.

Figure 16 is diagram of an intermediate level of a navigation hierarchy interface for one embodiment of the invention.

Figure 17 is diagram of a second intermediate level of a navigation hierarchy interface for one embodiment of the invention.

Figure 18 is diagram of a lower level of a navigation hierarchy interface for one embodiment of the invention.

Figure 19 is a diagram of a second lower level of a navigation hierarchy for one embodiment of the invention.

Figure 20 is a flowchart of a process for providing shopping services via interactive television in one embodiment of the invention.

Figure 21 is a diagram of an interface for managing an account for an advertiser for interactive television in one embodiment of the invention.

Figure 22 is a diagram of peripheral input device for use with the simplified navigation system.

DETAILED DESCRIPTION

A simplified system for navigation of the Internet or other content source allows access to the content and services available thereon with greater ease, on, for example, a display more remote from a user than in the use of the "traditional" personal computer (PC) two foot paradigm.

Figure 1 is a block diagram of a system employing one embodiment of the invention. A wide-area networks (WAN) 10, such as the Internet, couple together a plurality of communication nodes. Some nodes, such as node 12, may be a standard prior art PC executing any conventional web

browser. Alternatively, node 12 might be a set top box and television, or an Internet appliance, or a wireless device, such as a web-enabled cell phone. Additionally, there are server nodes connected to WAN 10, such as server node 16, which may be any conventional web server. Also coupled to WAN 10 are browser nodes 22 running a custom browser that facilitate access to information and services provided to the custom browser node 22. The custom browser node 22 as well as any browser nodes 12 are collectively referred to as client nodes. In another embodiment, the WAN may be a closed network that is not accessible via the Internet in order to maintain an increased level of control on content and usage to minimize security and stability problems. In addition, a closed network allows for the control of content to exclude hate speech, pornography, violent images and similar content. In a further embodiment, the simplified system may be used on a local area network, or other type of network.

Content partners, such as content partner node 14 provide content in a specified format that facilitates its use by the client nodes 12, 22. In one embodiment, when a user accesses a content partner home page, they have the option of linking to a sister site. As used herein, "sister site" is deemed to mean a site that provides for navigation of the site using a simplified navigation system, such as matrix navigation described in more detail below. In one embodiment, the sister site is traditional HTML pages converted to a matrix format to permit matrix navigation. This conversion may be done using an XML transcoding or any other suitable language.

Content partners may maintain a database of sister site web pages corresponding to the pages in the general use site. Alternatively, content partners may provide a facility for converting web pages on the fly to the sister site format. Content partners may also provide for segmentation of the base HTML web pages and/or the matrix pages. A segmentation may be performed in a number of ways. The page may be divided up based on content or area. The net result, in any case, is that the web page is divided into regions which are not necessarily, but may be, of equal size. The

individual regions may be brought into focus independently. By "brought into focus," the concept of focus in this context is analogous to the front window in a windowing system. The focus region is deemed active and subject to client manipulation. In the context of a matrix page, one suitable segmentation is by cell, e.g., each cell corresponds to a region that may be independently brought into focus. The borders of the regions may or may not be visible on the web pages displayed. This segmentation facilitates tab, scroll, and zoom features described in more detail below. Alternatively, segmentation may be performed as part of a custom browser on custom browser nodes or may be instantiated as a hardware or firmware solution within, for example, the set top box.

In another embodiment, a content partner or set of content partners may produce the content of their websites or new content in a format for use with the simplified navigation system. This content may be generated in the form of HTML, XML or similar scripting of description language based documents. This content may closely mirror data from a sister site, it may contain additional material, it may contain less material or the content may be specifically for use with the simplified navigation system. Content prepared for use with the simplified navigation system may be used in any situation where content produced by the conversion process is used. Content may be derived from any source for display on a television, personal computer, wireless or cellular device or similar device. Content may be prepared according to a template format by a content provider. Content may reside in a central server or be distributed across a network of computers. In one embodiment, the navigation system provider may also provide a template to be accessed by content providers for providing the content to the navigation system provider. The template may be downloadable or accessible through a browser or through the simplified navigation system.

Figure 2a is an exemplary web page having a sister site link. By actuating the link, the client begins receiving matrix pages as described in

more detail below. **Figure 2b** shows an example first matrix page reached by activating the sister site link in Figure 2a. **Figure 2c** is a web page having irregular segmentation. Through segmentation, the page is divided into regions. Individual regions may then be brought into focus permitting simplified navigation, viewing, and manipulation of the data within that region.

Figure 3 is a flow diagram of conversion of standard HTML pages to a sister site format in one embodiment of the invention. A hypertext markup language (HTML) page 40 is transcoded by a transcoder 30 to yield, for example, an XML page 42 to which a document type definition (DTD) 38 is applied. The DTD 38 specifies the rules for the structure of the resulting XML document. The XML page is then reformatted using extensible style language (XSL) 34 to corresponding format data 32. XSL is not currently supported by all standard browsers. Thus, after formatting, the XML document is translated to an extensible hypertext markup language (XHTML) document for subsequent display by a client side browser on display 52. Alternatively, the XML page may have a cascading style sheet (CSS) applied to achieve the desired format. One advantage of the CSS is that it is supported by standard browsers. After application of the CSS, the resulting formatted page can be displayed by the client browser on display 52.

The above-described conversion may be done by a content partner in advance of request for pages or may be done on the fly responsive to requests for pages. The determination of which to do involves a trade off between latency in providing requested pages and storage space required to store the additional pages. Some on the fly conversion is desirable in the event that a user attempts to access a web site that has not previously been converted. It is also within the scope and contemplation of providing for conversion on the client side.

Figure 4 is a block diagram of a client hardware architecture of one embodiment of the invention. A processor 100 is coupled to various

memory units and an I/O bus bridge 110 by a local bus 102. Among the expected memory units are random access memory (RAM) 106, which may be any standard RAM, including standard dynamic random access memory (DRAM), and may be symmetric or asymmetric. Also coupled to bus 102 is a read-only memory (ROM) unit 108. The ROM will typically include the boot code for the processor 100. A non-volatile RAM (NVRAM) unit 104 is also coupled to the bus.

The I/O bus bridge 110 is coupled to the local bus 102 and bridges to the I/O bus 112. A number of units may reside on the I/O bus, including a graphics module 114 that couples to a display (not shown), a universal serial bus (USB) controller that may couple the system to any number of additional USB devices. Common USB devices include keyboards, mice, cameras, scanners, printers, and other peripheral components and input/output devices. Also coupled to the I/O bus may be power management module 118, which may be coupled to the power switch and may include conventional power conservation protocols, ensuring the processor 100 is permitted to orderly conclude its current operation before changing power states.

An infrared data association (IrDA) interface 120 permits the terminal to be coupled to hand-held devices, if desired. In some embodiments, a keyboard may be coupled by an Ir link. Storage unit 122, which may, for example, be a flash memory unit, is used for long-term storage of data or files. A transceiver 124 is used to permit the processor to communicate with the hub, whether it be a point-to-point link or across a network. The transceiver 124 may be, but is not limited to, an ethernet transceiver, a modem, digital subscriber line (DSL) or cable modem. It is expected that the processor 100 will communicate through the transceiver 124 to the server using transmission control protocol/internet protocol (TCP/IP). Encryption and compression within the terminal may be handled by conventional hardware or software solutions.

Audio I/O interface 126 may include an internal microphone and speaker which permits audio input and output. This is particularly useful in the context of voice e-mail or voice over IP communications. Additionally, some embodiments of the invention will include speech to text (STT) capability 130 and speech recognition (SR) capability 136. Various embodiments may implement these capabilities as hardware or software or a combination of both. In embodiments having SR capability, for simplicity of use, it is desirable to use one of the multiple user SR packages available today and expected to improve in the future, as these packages avoid the necessity of "training" the system. This permits recognition of content of speech and conversion to text.

For purposes of reduced cost, it may be desirable to use a particularly simple speech recognition package, recognizing only, for example, numbers and letters. A suitable speech recognition package will permit a user to navigate the network as subsequently described using voice commands and composed e-mails in a hands-free manner. Such an embodiment has the additional advantage that it enables Internet access to the physically challenged. In some embodiments, SR 136 is present, but STT 130 is not. This may permit the processor to respond to voice commands but would not permit composition of e-mail, for example.

In one embodiment of the invention, the terminal has a notebook form factor with an integrated LCD display. In an alternative embodiment, the form factor is a set-top box, which relies on an external display, such as a television or external monitor. In either case, a standard QWERTY keyboard could be used. In the set top box embodiment, a wireless keyboard or remote is desirable.

Figure 5a is a flow diagram of server side segmentation in one embodiment of the invention. A request for a page is received at functional block 400. A determination is made at decision block 402 whether the requested page has been segmented. If the page has not been segmented, a determination is made at decision block 404 whether the requested page is a

matrix page. If the requested page is a matrix page, at functional block 406, the cells of the matrix are each defined to be a region, thereby completing the segmentation. If the page is not a matrix page, the page is segmented either based on area or content. By "segmentation," it is meant that the page is divided into a plurality of regions. The regions may contain one or more links and/or some amount of content. This segmentation facilitates usability as discussed in more detail below. Once segmentation is complete, at functional block 408, a determination is made if the boundaries of the regions should be shown on the displayed page at decision block 410. If the boundaries are to be shown, the boundaries are overlayed on the page at functional block 412 after the overlay, or if no boundaries are to be shown, the page is sent to the client node at functional block 414.

Figure 5b is a flow diagram of client side manipulation of a segmented page in one embodiment of the invention. At functional block 450, a segmented page is received at a client node. A determination is made at decision block 452 if a tab input has been received. As used herein, a tab input is any input which brings about the functionality of moving the focus from one region to another adjacent region. If no tab input has been received, a determination is made at decision block 454 if the regions have identifying symbols associated therewith. Particularly in the case of matrix pages, the different cells typically have associated therewith either an alphanumeric character or some symbol such as an asterisk or other punctuation mark to identify the cell. If there are identifications associated with the regions, a determination is made at decision block 456 if such an identification has been received as an input on the client node. If the identification has been received, the corresponding region is brought into focus. The focus region is active, and in some embodiments, the corresponding region is zoomed to increase its size relative to the inactive regions at functional block 460. If no identifications are associated with the region or no identification is received, the client waits for a tab input at decision block 452.

If a tab input is received, the next region is brought into focus. If no region is currently in focus, a first region, e.g., the uppermost leftmost region, will be brought into focus at functional block 458. At functional block 462, the regions are scaled so that the in focus region is enlarged relative to the regions which are not in focus. This is particularly desirable for web browsing in a television context where distance from the set may make reading the unscaled page difficult or impossible. Thus, by scaling region by region, readability within the region can be enhanced to permit use and browsing from a distance.

At functional block 464, a first link in the focus region is highlighted. As used herein, "highlighted" means made active such that a subsequent input, such as a predefined key press activates the link. Highlighting in the link context is analogous to focus in the region context. Highlighting may, but need not include, changing the link's appearance in any manner on the display such as, for example, changing size, color, shading, etc. A determination is made at decision block 466 if an enter signal has been received. However, if no enter signal has been received, a determination is made at decision block 468 if a scroll signal has been input at the client node. If a scroll signal has been input, a next link is highlighted at functional block 472. If an enter signal is received at functional block 466, a then highlighted link is activated at functional block 474 and a next segmented page is received, and the process begins again. Alternatively, if no scroll signal input is received at decision block 468, a determination is made at decision block 470 whether a tab or identification input has occurred. If it has, the system continues processing at blocks 458 or 460, respectively.

Figure 5c is a diagram showing a system implementing the tab, scroll, and zoom features of one embodiment of the invention. A set top box 500 is coupled to a television monitor 502 and is responsive to remote control 504. Remote control 504 may be a custom remote control, a wireless keyboard, or even a standard universal remote control. Remote control 504 may be equipped with a microphone for accepting voice commands or may

merely provide push button inputs. In frame one, television 502 is displaying a web page 510 that has been segmented into eight equally dimensioned regions A-H. Remote control 504 includes a tab function 520, a scroll function 522, and an enter function 524. Responsive to actuation of the tab function, region A is brought into focus, as shown in the second frame. Link one is highlighted and A is enlarged, while the remaining regions are scaled so that A is much larger relative to the other regions, thereby accomplishing a zoom function and improving readability of the information contained in region A. This is shown as web page 512. If, when A is in focus, the user actuates scroll function 522, a second link in region A is highlighted as shown on page 514. In one embodiment, scrolling within the focus region does not effect the size or representation of the non-focus regions. In the event that, at web page 512 or web page 514, the enter function 524 is actuated, $link_1$ or $link_2$ would be traversed, respectively. If the segments are actually associated with their alphanumeric designator, and that remote control 504 has alphanumeric keys, for example, letter key F 526, web page 516 shows a web page that would be reached from web page 510, 512, or 514 responsive to actuation of the F key. In web page 516, the F region is in focus, and the remaining regions are scaled to be much smaller than the F region.

These are merely illustrative examples of the tab, scroll, and zoom features of one embodiment of the invention. While the shown embodiment tiles the regions, it is within the scope and contemplation of the invention to overlay the focus region on one or more of the other regions. It is also within the scope of the invention to permit a user to increase the zoom of the focus region to exceed the physical space. In such case, scrolling within the region may be required to view the entire contents of the region. Such scrolling need not effect the display of the non-focused regions.

Figure 6 is a flow chart of operations of the navigation system of one embodiment of the invention in a custom terminal custom browser node.

Upon power-up at functional block 602, a content partners home page is accessed. In some embodiments, it may be possible to bypass access of the home page and go directly to the sister site home page. At functional block 604, a node establishes communication with a sister site server (SSS). At functional block 605, a first matrix layer is received from the SSS. At decision block 606, the node waits for a keypress. If at decision block 606, a determination is made that a key has been pressed, a determination is made at decision block 607 whether the keypress corresponds to a composition cell. A composition cell is deemed to be a cell in the navigation matrix which permits a user to enter additional data. For example, a search cell or e.g., a purchase order form or an e-mail may have one or more composition cells. If the cell is a composition cell, the system enters composition mode at functional block 632. In composition mode, the digits of the keypad represent the digits themselves, rather than navigation options. The cursor will also appear in the composition field of the composition cell. At decision block 634, a determination is made if the enter key has been pressed. The enter key is defined in one embodiment of the invention to signify the end of a composition. Thus, if the enter key has not been pressed, the system remains in composition mode. However, if at decision block 634, the enter key has been pressed, the system returns to navigation mode at functional block 636. It is also within the scope and contemplation to define other keys to instigate return to the navigation mode.

If a keypress is received and not found to correspond to a composition cell at decision block 607, a determination is made at decision block 608 whether the matrix layer corresponding to the keypress exists within the cache. In this connection, it is determined whether a representation of that matrix layer, even if in the cache, is stale and therefore needs to be freshly downloaded. If the data is stale or not present in the cache at all, the keypress event is sent to the SSS. In one embodiment, the entire navigation path, including the keypress event, is sent with each keypress. When the navigation path is sent with each

keypress event, the SSS is able to identify the requested matrix layer rapidly on the fly.

Subsequently, at functional block 612, the client node receives the updated matrix layer corresponding to the keypress event. That matrix layer is loaded to the memory at functional block 614 and the cache is time-stamped at functional block 616. At functional block 618, new ads may be received from the SSS. Notably, the receipt of the ads is asynchronous with the matrix layer receipt and may occur at any time without being prompted by a keypress event. At functional block 620, the incoming matrix layer is rendered to a temporary buffer by using a double-buffering technique. The actual rendering is transparent to the user. At functional block 622, the status bar for the load is updated to indicate the percent complete of the matrix layer rendering. At functional block 624, a determination is made if the rendering is complete. If it is not, the buffer continues to render and the status bar continues to update. By regularly updating the status bar, the user is not left wondering if the device is working. This is expected to limit the frustration experienced by many new users during the wait while matrix layers are rendered. If the rendering is complete, the temporary buffer is swapped with the frame buffer and the new matrix layer is displayed at functional block 626. Then at functional block 628, the history of the navigation path is updated to reflect the new matrix layer. The system then returns to await a next keypress to indicate further navigation. By iteratively pressing appropriate keys, a user may navigate to any desired depth up to a maximum depth along any navigation path and obtain content relevant to the path navigated. If instead, the matrix layer was validly in the cache at decision block 608, the matrix layer is rendered from the cache at functional block 630 and the system awaits the next keypress.

"Maximum depth" as used herein applies on a cell by cell basis for primary navigation options. A maximum depth is reached for a cell in a navigation path when pressing a corresponding key will not take a user to a deeper matrix layer in the matrix. While content, as distinguished from the

matrix layer and their cell headings, will be displayed once a maximum depth is reached, it is within the scope and contemplation of the invention to display some content in cells of an intermediate matrix layer, i.e. one that is not at the maximum depth.

"Primary navigation options" as used herein are those navigation options that necessarily change between successive matrix layers, changing from general to more specific with increases in depth in the matrix.

Figure 7 is a flow diagram of operation of the sister site server of one embodiment of the invention. A determination is made if the keypress event has been received at decision block 702. If the keypress event has been received, a determination is made if the matrix has reached maximum depth at decision block 704. If the matrix has not reached the maximum depth, a matrix layer corresponding to the keypress is sent at functional block 706. Such matrix layers may or may not include content in cells with navigation choices. If the matrix has reached maximum depth for that navigation path, a content layer corresponding to the keypress event is sent to the client node at functional block 708. A content layer may or may not include matrix cells in addition to the content. New ads are sent to the client node at functional block 710. The system then awaits the next keypress event from a client node.

Figure 8 is a diagram of the display of a graphical user interface of one embodiment of the invention. The screen is divided into a plurality of cells. In this embodiment, there are fifteen cells that represent navigation options and one messaging cell for displaying messages from the server, the progress or status bar, and a title block. The cells can further be subdivided between the digit keys 1-9 keys which, in this embodiment, represent the primary set of navigation options and the keys designated by letters A-C which represent secondary navigation options and *, 0, and # keys that may be additional navigation options or provide specialized functions. For example, the * key may return the user to the server home site, thereby leaving matrix navigation. The ABC cells will typically hold advertising,

and selecting one of those cells will generate a matrix layer with primary navigation cells directed to that advertiser or the product line being advertised. While the interface is designed to be fully accessible with minimal key strokes from a key pad, it is also within the scope and contemplation of the invention to permit selection with a mouse or other pointer device.

Figures 9a-d are example sister site matrix pages. In **Figure 9a**, an advertising cell 900 is the focus region of the displayed image. Ten advertisements are displayed within the regions. The first advertisement 902 is highlighted. From this matrix page, the * returns a user to the amazon.com home page. The # reveals the contents of a user's shopping cart. In **Figure 9b**, the contents of the focus window have been enlarged (zoomed) such that only four advertisements are displayed in ad cell 900. The no links/advertisements are highlighted. In **Figure 9c**, advertisement 902 is again highlighted. This may occur, for example, by a user pressing a scroll key from Figure 9b. In **Figure 9d**, a user has pressed a scroll key several times from Figure 9c. Thus, advertisement 902 has scrolled out of view and advertisement 904 is highlighted. While in this example, ten advertisements were present, the number of links within such a cell may be arbitrarily large. In the shown embodiment, scrolling through the links in the focus cell and scaling the focus cell content does not effect the user's view of the remaining cells.

Figures 10a-g are a series of matrix layers displayed during an exemplary navigation using one embodiment of the invention. In this example, navigation begins at the Shopping and Products matrix layer and shown in Figure 10a. A selection of 5 on the 10a matrix layer yields an Electronics matrix layer shown in Figure 10b.

Selecting 1 on the keypad when the matrix layer of 10b is displayed yields the Audio matrix layer of Figure 10c. By selecting an 8 on the keypad when 10c is displayed, the system displays a Receivers matrix layer of Figure 10d, which breaks down receivers into price categories and also provides the

option of navigating, in this embodiment, into Consumer Reports industry reports related to receivers. Notably, in Figure 10d, the number of primary navigation options is reduced to 4. Thus, it is not necessary that all layers of the matrix have the same number of cells, nor is it required that all cells have the same size. A user can select Stereo Only by pressing 1 on the keypad, which yields a stereo only matrix layer shown in Figure 10e.

In one embodiment of the invention, the products are ordered based on some ranking system, such as Consumer Reports. Thus, for example, in Figure 10e, Technics received the highest ranking of receivers in the selected category from Consumer Reports. It is expected that for any particular product class, potential purchasers are likely to only be interested in the top several products within that class, not for example, the 15th best receiver in the $150-$290 range. However, it is within the scope and contemplation of the invention to permit a "more" option which allows a user to get a set of the next most highly ranked products and possibly unranked products as well. It is expected that supplying product options in a user-friendly ranked order will encourage users to be more willing to conduct e-commerce.

By selecting a 1 on the keypad when matrix layer 10e is displayed, a user reaches the matrix layer of Figure 10f, as well as reaching the maximum depth for that navigation path. Thus, pressing 1 on the keypad in response to matrix layer 10f does not move the user deeper into the multi-dimensional matrix, and content is displayed in cell 1 indicating the model, price, picture, and possibly other information about the Technics product. Cell 1 is also larger than the other cells.

Other navigation options are provided in additional matrix cells surrounding cell 1 and its content. The additional cells represent navigation paths that have not reached their maximum depth. For example, by pressing a 3, one would get to a features of the Technics product content layer. Such screen would display features of the Technics system. The various navigation paths typically have a maximum depth at which

content is displayed. However, reaching the maximum depth of a particular navigation path does not indicate that another navigation path may not have yet a deeper matrix layer. For example, while the maximum depth of the navigation path corresponded to cell 1 has been reach in Figure 10f, selecting a 9 on the keypad will move a user to a Technics purchase matrix layer, shown in Figure 10g. By selecting digits on the keypad, a user can move between fields to fill out a purchase form which, as discussed above, is one example of a matrix layer including composition cells. In some embodiments, the form can be filled in using keyboard input. In other embodiments, the speech to text capabilities of the terminal will permit the user to fill out the electronic purchase form orally.

Figure 11 shows a history window overlying a navigation matrix. The history window would appear if the history button on the keypad were actuated. By using the up/down arrow key on the keypad, the user may then select a prior matrix to jump to directly without moving backwards or forwards iteratively.

Figures 12a and b are an example matrix after a selection of 0 from the main menu screen, which allows one to conduct a search through cell 1. On this figure, advertisements for Jaguar appear in the ABC cells. In one embodiment of the invention, the ABC designation appears initially (as shown in Figure 12a) when the screen is first refreshed and then fades away to reveal solely the advertisement in each of those cells (as shown in Figure 12b). In this example, pressing an A on the keypad would take the user to a matrix reflecting company information about Jaguar. Pressing B would take the user to a matrix for the virtual showroom, and C would take the user to a purchase screen for the advertised item.

In some cases, the advertising cells are merged as a single cell showing a single advertisement and permitting navigation to only a single matrix layer therefrom. In one embodiment, the background can be an advertisement. This is also shown in Figures 12a and b. Significantly, the advertisement can be targeted by modifying the ad responsive to the

apparent navigation path of the user. This leaves the potential of showing the user an advertisement for a product or service more likely to be of interest. For example, when a user selects Electronics in the example of Figures 10a-g, the next screen may have as background an advertisement, e.g. for Circuit City.

Figure 13 shows the e-mail creation screen for one embodiment of the invention. This would be reached by pressing 3 on the keypad when the matrix layer of Figure 9d is displayed. Again, all e-mail functions other than actually entering the text and the address can be performed using the simple interface with numerical digits and the letters ABC corresponding to inbox, the outbox, and the sent features of standard e-mail, respectively.

Figure 14 shows an alternative matrix page of one embodiment of the invention. In this embodiment, the matrix occupies only a portion of the screen real estate. The remaining real estate may be occupied by content, a zoom of the focus cell, or advertising.

The simplified navigation system may be used for specific applications and systems. In one embodiment, the simplified navigation system is used as an interface for an interactive television shopping system. In this embodiment, the content from multiple providers may be interleaved to form a hierarchy of content. This interleaving of content organizes the shopping experience such that a user can easily browse the shopping system using the simplified navigation interface. Products and services may be grouped by sellers and categories in order to assist the user in finding a desired product or service. This system may utilize primary navigation options and allows a user to select categories, products, services, and sellers using a unique input. A primary navigation option in this context may be an option that is correlated with a specific category, seller, product or similar content. In another embodiment, the system uses scrolling mechanisms, pulldown menus, rolling displays, pointing mechanisms, hot keys, enter commands or similar interfaces or navigation options. Navigation options that the alternative interface mechanisms may

be applied to include ordinary navigation options and navigation options related to advertisements. Advertisements may be navigable content. The content of advertisements may be web based, specialized format or similar content. A navigation option related to an advertisement may be selected by a user in order to obtain a further matrix level containing further information or navigation options related to the advertisement. In a further embodiment, combinations of these interfaces or navigation options may be utilized. The simplified matrix navigation system is used herein with the exemplary interactive television shopping mechanism. Other interface and navigation options may be used in combination with or in place of the simplified matrix navigation system. The interfaces may be used with the email and search systems of the simplified navigation interface.

The interactive television shopping system utilizes the physical system of servers and clients described in regard to the simplified navigation system. The interactive television shopping system is not limited to use with televisions. The system may also be used with web devices, console systems (e.g., gaming systems, set top boxes, and similar systems) and similar devices. The communication data including matrix layer content, user data and similar information relevant to the system may be transmitted and received over a network as described in the previous exemplary embodiments. In another embodiment, other communication methods may be used to transmit at least a portion of the data related to the system. In one embodiment cable systems, telephone systems, cellular or wireless systems including wireless fidelity (WIFI) systems and similar communication systems may be used to deliver a navigation interface to a user, obtain data (e.g., purchase information) from a user, or compile user data from a set top box, television service providers or similar source.

Figure 15 is an illustration of a simplified navigation interface to be displayed on a television or similar display device. Matrix layer 1511 includes a set of navigation options intended to allow a simple search or

browsing of products and services offered by a single or multiple manufacturers, retailers or distributors. Exemplary initial matrix layer 1511 may be a starting or top level matrix layer. In this embodiment, a user starts at this layer of the navigation hierarchy when shopping. Matrix layer 1511 includes a set of options that are each related to a unique input. The unique input may be received from a remote control, peripheral device or similar input mechanism. Each option corresponds to a broad classification of goods or services. For example, option '1' 1501 is related to 'Apparel & Accessories.' Other options presented to a user include access to a search page 1503, access to reports and reviews 1509, access to a displayed advertisement 1507 and similar options. Each interface screen may include a limited set of options in order to maintain the overall simplicity of the navigation. A user selects an option presented at the top level matrix 1511, which results in a new matrix layer being generated based on that selection. In one embodiment, each matrix layer may present an option to display additional options at the same level of the navigation hierarchy. In a further embodiment, multiple top level or start matrices may be supported by the interactive television shopping network. Separate top level matrices may be related to separate television or sponsor channels and represent separate or interleaving navigable hierarchies of products.

Figure 16 is an illustration of an intermediate level of a navigation hierarchy. In one embodiment, matrix layer 1611 may be generated when a user selects a top level category. In another embodiment, matrix layer 1611 may be generated as a result of a search. Matrix layer 1611 includes a set of options corresponding to a set of sellers of products related to the category chosen from matrix layer 1511 or related to a keyword or other search indicator input into a search page. As used in the context of the interactive television shopping system a product may be a service offered by a seller or an item offered for sale by the seller. Sellers in this context may be retailers, distributors, manufacturers, processing centers or fulfillment houses offering products or service for sale. Matrix layer 1611 may present a set of sellers of electronics as options, option '9' from top matrix layer 1511.

Intermediate level matrix layer 1611 may include options offering a search page 1603, reports and review of material present in the matrix (e.g., stores, retailers and other sellers of merchandise), additional options and similar options. Matrix layer 1611 may also display advertisements 1609. Selecting an option from intermediate level matrix 1611, such as Best Buy 1601, may result in the generation of an additional intermediate level matrix with information that presents options with greater specificity. The navigation system may include any number of levels in its hierarchy. In another embodiment, the intermediate levels of matrices may include additional subcategories of products and services. In a further embodiment, sellers may be options in a top level matrix of a navigation hierarchy and the intermediate level matrices may include categories of products offered by the seller. Similar combinations of categories and seller options within the hierarchy may also be used.

Figure 17 is a diagram of an intermediate level of a simplified navigation interface for use in shopping in an interactive television system. In this embodiment, of the invention, sellers of products are presented that are related to the category of products selected from a top level matrix. In this embodiment, sellers are selected and displayed based on the location of a user. Sellers may be presented as options in a matrix layer if they are within a specified geographic distance from the location of a user. For example, in one exemplary embodiment, sellers sharing a zip code with the residence of a user are presented as options in the matrix layer. Matrix layer 1711 presents an exemplary embodiment of the invention, where a set of local electronics sellers are listed after the 'Electronics' option is selected at a top or higher level in the hierarchy than the current matrix layer 1711. In one embodiment, advertisement 1709 is present in matrix layer 1711. This advertisement may also be selected based on geographical proximity of the advertiser to the residence of the user. Additional sellers may be accessed by selecting an option 1705 that alters the geographical location or distance utilized by the system to find sellers local to the user. In one embodiment, the location of a user is obtained via a cable or set top box provider,

subscription service provider or similar intermediary service provider. A user may call the interactive television shopping service provider to indicate the location of a user. In a further embodiment, the user may alter or set the location data including residence address, base search address for proximity determinations, proximity range and similar data through a settings screen or matrix layer accessible as an option from a layer of the hierarchical navigation system or through a set top box or similar physical device related to the interactive television system. In one embodiment, the user may switch between a local and national or regional presentation of content. The navigation interface may include an option that switches between a local and regional display.

Figure 18 is a diagram of an intermediate level of a hierarchical navigation interface for use in shopping in an interactive television system. Matrix layer 1811 is an exemplary embodiment of the invention where an intermediate level of the navigation hierarchy displays categories of goods and services offered by a seller. An option 1801 may be selected by a user to display a lower level matrix layer of the navigation hierarchy that lists the goods and services in that category offered by the seller. In one embodiment, the seller is a local seller and the categories, goods and services displayed as options for a user are available at the local seller's store or establishment. In one embodiment, each seller provides the interactive television shopping provider with inventories, lists and similar data detailing the goods and services available at each location of the seller. For example, matrix layer 1811 may be the matrix layer 'below' matrix layer 1711 where the 'Best Buy' option has been selected. Matrix layer 1811 includes a set of options 1801 related to the types of goods sold by Best Buy at its Culver City store which in this example is the closest store to a user having a zip code of 90066.

Figure 19 is a diagram of a low level matrix of a hierarchical navigation interface for use in shopping in an interactive television system. Matrix layer 1911 includes a display section 1901 where details including price, product information, images, usage information and similar

information regarding the product may be displayed. In one embodiment, the display section or other section of a matrix display, including an advertising option, may include audio or video content. The video or audio content may be played when a matrix layer is accessed. The video or audio may be replayed by selecting an option. Additional options such as an option 1921 to provide additional details regarding the product may be presented as well. Additional options may include but are not limited to availability of the product at a location or set of locations, a presentation of additional product information, a presentation of similar products, price comparisons at a set of stores and similar information. In one embodiment, the low level matrix 1911 includes an option 1903 to enable a user to initiate the purchase of the displayed item. In one embodiment, the navigation system tracks the items that a user has indicated an interest in purchasing. The navigation system may display an interface for inputting purchase information. In one embodiment, low level matrix layer 1911, or higher level matrix layers display contact information such as a telephone number for initiating a purchase of the products displayed via the navigation system.

In another embodiment, the content accessible in the interactive television shopping system may be accessible through other interfaces, including web browsers, specialized applications and similar interfaces. The content may be accessible through a personal computer, web appliance, hand held device or similar system. The content accessible through these systems may be filtered based on the location of a user. The location of the user may be input into the interface. This embodiment allows for the same access to searches, email, purchasing and other features of the matrix simplified navigation system.

Figure 20 is a flowchart depicting a system for enabling a user to purchase items using an interactive television shopping system, including enabling the purchase of multiple products from different sellers. In one embodiment of the invention, a simplified navigation system including a

hierarchy of categorization for sellers and products is made available via a television, web appliance or similar display mechanism (block 2001). A user indicates the products that are desired to be purchased by selecting an option related to the product (block 2003). A user may indicate products to be purchased by selecting a corresponding option displayed in relation to the product to be purchased. In one embodiment, the user may select multiple products to be purchased, which are tracked by the navigation system provider. Navigation system provider may include options and displays that allow a user to manage the set of products that are to be purchased by a user. In one embodiment, the navigation system may display a list of products selected and allow a user to remove a product or modify the number of products to be purchased. Navigation system may maintain a shopping cart for each user.

When a user is prepared to complete a purchase of products that have been selected the user may select a method of purchasing the products (block 2005). The user may choose to utilize a displayed phone number to call a call center provided by navigation system provider (block 2007). A user may indicate the products to be purchased by informing a call center operator of a unique identifier for each product to be purchased. The navigation system assigns a unique identifier to each product in the hierarchy. In one embodiment, navigation system unique identifiers may indicate the product type, seller and similar information related to the product. The identifier may encode these details about a product. A call center operator records the unique identifiers for the products to be purchased by the user (block 2009).

In one embodiment, during the process of obtaining purchase data from the user the call center operator enters the data into the navigation and shopping system to generate a display screen sent to a user that displays the information provided by the user including the list of products selected by the user (block 2011). In one embodiment, the information obtained by the call center operator is by verbal communication. In another

embodiment, information may be gathered with the assistance of electrical devices such as electronic card readers (e.g. credit card readers), facsimile devices or similar input or communication devices. The call center operator also obtains information needed to complete the purchase including but not limited to: credit card information, shipping address, quantity, warranty options, delivery options and similar purchasing information (block 2013). When a user calls a call center, data related to the user may be retrieved based on a matching of the user's telephone number with the data stored regarding that user. In another embodiment, the user may be identified by a personal identification number, through a system provider back channel, or similar system for associating a user with the navigation feed sent to the user. In an further embodiment, a telephone or voice communication system may be integrated with a console or similar system supporting the interactive television shopping service. The console includes identification information in the voice communications with the call center.

The purchase information given by the user, including payment information, product information and delivery information may also be displayed via the interactive television shopping system (block 2011). The user may be asked to confirm the purchase by reviewing the purchase information displayed through the interactive television system (block 2015). In another embodiment, the information is not displayed via the interactive television system.

A user may choose to complete a purchase using an online method. In this scenario the selected products are displayed via the interactive television system (block 2011). A user may confirm or edit the list of displayed products by removing or altering the amount of the products to be purchased. In one embodiment, the user may adjust the seller of a product to choose another seller that also provides the product. Alternate sellers may be available by selecting an option associated with a listed product. A user may confirm the purchase list provided by the interactive television system by selecting a confirmation option. Payment information may then

be obtained though forms or similar interactive input mechanisms (block 2013). A user confirms the input information and the purchase is completed (block 2015).

In another embodiment, purchase information including payment information such as credit card numbers as well as shipping addresses and similar data is obtained through a cable or set top box service provider, subscription service provider or similar source. This information is stored by the interactive television shopping system provider and displayed when a user calls a call center or confirms a product list to be purchased. The user then confirms and may modify any of the data displayed by the system. When the user is satisfied that the information is correct the user may confirm the purchase information and the purchase will then be processed.

In a further embodiment, the call center may be automated using recorded voice messages and options that allow a user to enter personal and purchase information through a touch tone phone or similar mechanism. Products to be purchases may be identified by entering in the unique identifier associated with the product. The user may be presented with a series of options allowing them to choose between services offered by the automated call center including product purchasing, order status information, customer service and similar options. A user may elect to bypass the automated system by selecting to speak with a human operator. In one embodiment, the call center or automated call center may utilize a videophone, computer based phone or similar apparatus. In this embodiment, the call center operator or system present options for the user visually to be selected verbally by the user or through an input system such as a keypad.

Finalized purchases may cause interactive shopping television provider to forward the purchase information to the sellers of the products purchased by the user. Sellers may then fulfill the orders made by the user by reserving the items purchased at a designated store or by shipping the item to the user dependent on the delivery options selected by the user.

Similarly, the system provider may handle billing of the purchases in a centralized manner or may distribute the purchases to the sellers and allow the sellers to separately bill a user for the products purchased. Billing may be coordinated through a call center, network server, local store, seller service center or similar establishment. Interactive television shopping system provider may have an established relationship with the seller such that the system provider may coordinate the shipping of the items and handle customer service including order returns, modifications, exchanges, shipping questions and similar matters.

Figure 21 is a diagram of an interface for the management of advertising and seller client accounts with the interactive television shopping system. In one embodiment, interactive television shopping network bases the order and level of sellers and advertisers in the navigation hierarchy on a set of factors including the bid by an advertiser or seller for a category, search keyword, location, time of day, date and similar factors. An advertiser may be a client that pays for the display of ads or listings in the navigation system. A seller may be a retailer, vendor, distributor, manufacturer, fulfillment house or similar entity that seeks to have its products and services listed in the navigation hierarchy.

In one embodiment, advertisers and sellers manage their accounts with the interactive television shopping system using interface 2111. An advertiser or seller may select a set of search keywords or hierarchy categories that a product is to be listed under or an advertisement to be displayed in connection with that keyword or category when it is input or selected by a user 2101. The advertiser or seller may place a bid for the use of the keyword or category 2103. This system may be a keyword auction system where keywords and categories are given to a highest bidder. Interactive television shopping provider may determine the order or frequency in which an advertisement, seller or product is displayed based on ranking the bids amongst the clients (i.e., advertisers and sellers) of the interactive television shopping provider 2105. The system of ranking or ordering the

categories, sellers, products or similar content may be a bid for placement system where the placement of the content is determined by the bidding of the clients though the auction keyword system. In addition, an advertiser or seller may designate a geographic location to which an advertisement or product is tied 2109. Also, the product or advertisement display may further be dependent on a time frame designated by the advertiser or seller 2107. The bidding system may utilize any time frame for categorizing advertisements and listings. The time criteria may include date, day of the week, year, week, month, time of day, hour or similar unit of time or combinations thereof.

In this manner the advertiser or seller may closely target an intended audience or users that have known locations, shopping times or similar patterns of behavior. Other criteria that may be used to target advertising and product listings include, dates, shopper profile information, shopping cart information, related search or category designations and similar factors useful in targeting products and advertisements at a desired user group. For example, an ice cream store advertising using the interactive television shopping network may designate summer months, afternoon times, and locations within a seven mile radius of its store. An advertiser or seller may set separate bids for each permutation of the targeting criteria in order to set their bids in order to reach their target audience at a cost commensurate with expected returns. In one embodiment, bids are the rates for fees that are charged to clients of the interactive television shopping system provider based on the number of clicks, purchases, or similar performance indicators that result from the display of the seller or its products via the system. This system may be used for a pay for performance system where fees and billing to a client is based on the tracking of the performance data.

In another embodiment, flat fees for advertising related to keywords, categories, dates, times or other targeting criteria may be charged to a client. In one embodiment, a client may have a national or international account

with the interactive television shopping provider. A national or international account places listings and advertisements on keyword search result pages, navigation matrix layers and similar displays of the system for user's in most or all locations that the service is provided. Advertisements and listings may be designated for any location type including countries, states, provinces, regions and similar locations. A client may also have a local account that allows a designation of advertisement or listings for a small regions such as a city, postal code area or similar region. A combination of local and national or international advertising and listings is also allowed by the system.

In one embodiment, account management interface 2111 includes an input and modification form or similar updating or modifying mechanism in order to add, cancel or modify the set of bids established by the client. In a further embodiment, the account management interface 2111 allows the monitoring and production of reports based on profiling information collected by the interactive television shopping system provider. In this embodiment, the system provider tracks the individual information of user including personal information such as age, gender, income and similar factors and correlates the information with the browsing pattern of the user and the purchases of the user. Additional information collected by the system includes but is not limited to times of shopping by users, locations of users, locations of purchases, related purchases of a user and similar information about a user and the user shopping patterns. This information may be used to allow advertisers and sellers to tailor their advertisements and product placement in the navigation systems in order to correlate their display with the browsing and purchase patterns of the users.

In a further embodiment, the navigation system and content of the interactive television shopping system may be utilized and displayed as a directory lookup service. The sellers are categorized by their service and goods. When a seller is selected, contact information including telephone, address and website information may be displayed. This system may be

integrated with the interactive television shopping system or accessible as a separate system. The directory look up service may also have listings ordered according to a keyword auction system and utilizing a pay for performance system.

In a further embodiment, the interactive television shopping system may be used in conjunction with a auctioning system, reverse auctioning system or similar system for bidding on goods and services. The interactive television shopping system may also support providing a simplified navigation and interactive display for use with gaming systems including gaming systems that allow for gambling on events such as horse races, games such as blackjack, the lottery and similar services. The interactive television shopping and navigation system may also be used as an interface for providing access to online video games and similar services.

Figure 22 is a diagram of input device 2200 for use with the simplified navigation system. Device 2200 may be a wireless device, utilizing IR communication, RF communication, wireless fidelity or similar modes of communication with a television set top device, console device, web appliance or similar system. Device 2200 includes a set of keys or buttons 2201 for generating unique inputs that correlate with displayed options of a navigation system. Device 2200 may have any number of keys 2201 including digit keys, alphanumeric keys, symbol keys or similar keys. Device 2200 may include specialized navigation keys 2205 such as a 'back' key, 'forward' key or similar key. In one embodiment, device 2200 may include a pointer device such as a roller ball 2203. Pointer device 2203 may be used to move a cursor over the navigation matrix layer in order to select an option. Device 2200 may include an enter key to confirm selections. In another embodiment, depressing pointer device 2203 functions as an enter key. In one embodiment, as the cursor moves over a navigation option the navigation option is highlighted by changing the color of the option, the color or contrast of the boarder of the option or through similar visual cues.

In another embodiment, a voice recognition or activation system may be used with the interactive television shopping system. A user may select a navigation option by audibly reciting the option. The option is recognized by the set top box, console, web appliance or similar device that displays the system over a television, liquid crystal display or similar display device.

In the foregoing specification, the invention has been described with reference to specific embodiments thereof. It will, however, be evident that various modifications and changes can be made thereto without departing from the broader spirit and scope of the invention as set forth in the appended claims. The specification and drawings are, accordingly, to be regarded in an illustrative rather than a restrictive sense. Therefore, the scope of the invention should be limited only by the appended claims.

CLAIMS

What is claimed is:

1. A method comprising:

receiving a request for content;

determining content to be displayed based on a set of factors including a time and a location;

ranking the content based on a bid amount, the bid amount correlated to the time and the location; and

displaying the content in a rank pattern determined according to rank of the content.

2. The method of claim 1, wherein the content is a set of products.

3. The method of claim 1, wherein the content is a set of sellers.

4. The method of claim 1, wherein time is one of a date, hour of day, and day of week.

5. The method of claim 1, further comprising:

determining an advertisement to be displayed based on the set of factors; and

displaying the advertisement with the content.

6. The method of claim 1, further comprising:

obtaining a bid from a client through a web based interface.

7. The method of claim 1, further comprising:

displaying content that has a correlated location, the correlated location within a defined distance from a customer.

8. The method of claim 1, further comprising:

displaying content that has a correlated location that is a geographic region which a customer is within.

9. The method of claim 1, wherein the displaying of the content is through one of an interactive television system, web appliance, computer system and wireless device.

10. The method of claim 9, wherein the interactive television system utilizes a simplified navigation system.

11. A machine-readable medium that provides instructions, which when executed by a machine cause the machine to perform operations comprising:

receiving a request for content;

determining content to be displayed based on a set of factors including a time and a location;

ranking the content based on a bid amount, the bid amount correlated to the time and the location; and

displaying the content in a rank pattern determined according to rank of the content.

12. The machine-readable medium of claim 11, wherein the content is a set of products.

13. The machine-readable medium of claim 11, wherein the content is a set of sellers.

14. The machine-readable medium of claim 11, wherein time is one of a date, hour of day, and day of week.

15. The machine-readable medium of claim 11, which provides further instructions which when executed cause the machine to perform operations further comprising:

determining an advertisement to be displayed based on the set of factors; and

displaying the advertisement with the content.

16. The machine-readable medium of claim 11, which provides further instructions which when executed cause the machine to perform operations further comprising, further comprising:

obtaining a bid from a client through a web based interface.

17. The machine-readable medium of claim 11, which provides further instructions which when executed cause the machine to perform operations further comprising, further comprising:

displaying content that has a correlated location, the correlated location within a defined distance from a customer.

18. The machine-readable medium of claim 11, which provides further instructions which when executed cause the machine to perform operations further comprising, further comprising:

displaying content that has a correlated location that is a geographic region which a customer is within.

19. The machine-readable medium of claim 11, wherein the displaying of the content is through one of a web appliance, computer system, wireless device and interactive television system.

20. The machine-readable medium of claim 19, wherein the interactive television system utilizes a simplified navigation system.

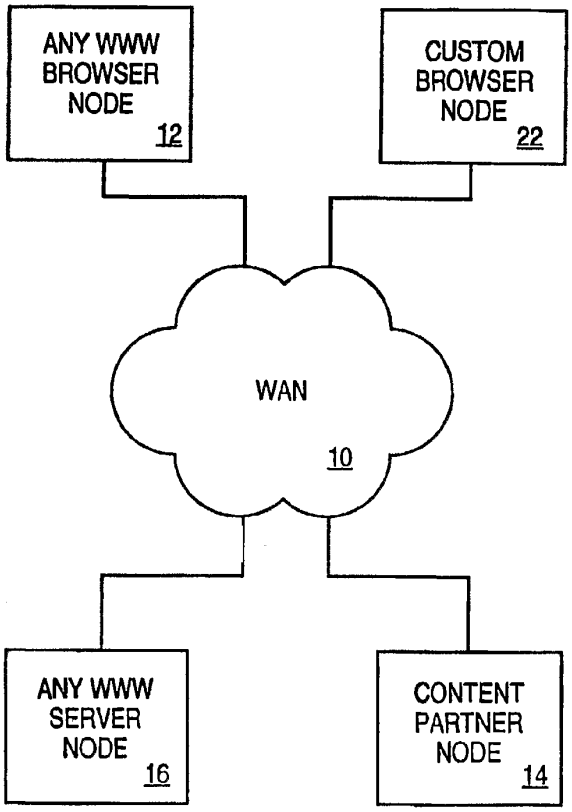

ANY WWW BROWSER NODE 12
CUSTOM BROWSER NODE 22
WAN 10
ANY WWW SERVER NODE 16
CONTENT PARTNER NODE 14

FIG. 1

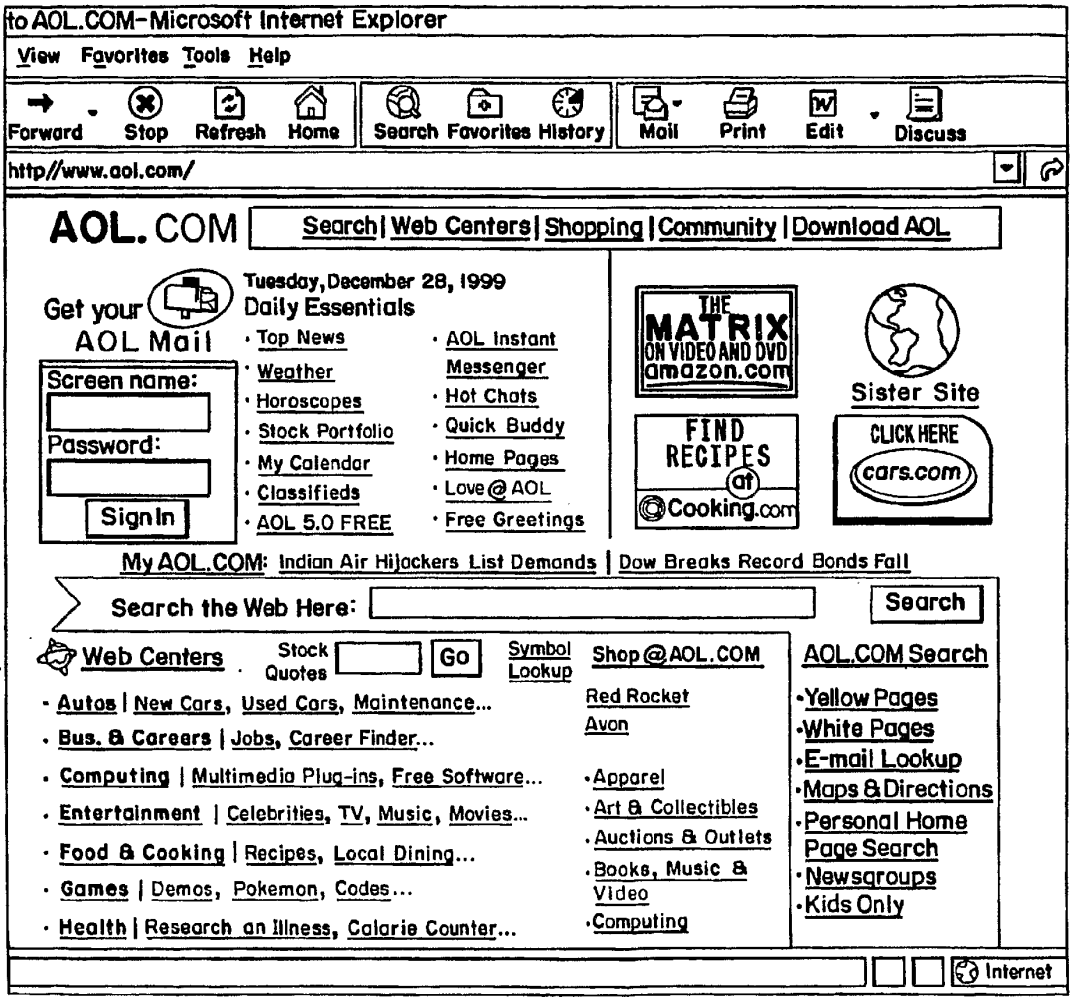

to AOL.COM-Microsoft Internet Explorer
View Favorites Tools Help
Forward Stop Refresh Home Search Favorites History Mail Print Edit Discuss
http//www.aol.com/
AOL.COM
Search | Web Centers | Shopping | Community | Download AOL
Get your AOL Mail
Tuesday, December 28, 1999
Daily Essentials
Top News
Weather
Horoscopes
Stock Portfolio
My Calendar
Classifieds
AOL 5.0 FREE
AOL Instant Messenger
Hot Chats
Quick Buddy
Home Pages
Love@AOL
Free Greetings
Screen name:
Password:
Sign In
THE MATRIX ON VIDEO AND DVD amazon.com
Sister Site
FIND RECIPES at Cooking.com
CLICK HERE cars.com
My AOL.COM: Indian Air Hijackers List Demands | Dow Breaks Record Bonds Fall
Search the Web Here:
Search
Web Centers
Stock Quotes
Go
Symbol Lookup
Shop@AOL.COM
AOL.COM Search
Autos | New Cars, Used Cars, Maintenance...
Bus. & Careers | Jobs, Career Finder...
Computing | Multimedia Plug-ins, Free Software...
Entertainment | Celebrities, TV, Music, Movies...
Food & Cooking | Recipes, Local Dining...
Games | Demos, Pokemon, Codes...
Health | Research an Illness, Calorie Counter...
Red Rocket
Avon
Apparel
Art & Collectibles
Auctions & Outlets
Books, Music & Video
Computing
Yellow Pages
White Pages
E-mail Lookup
Maps & Directions
Personal Home Page Search
Newsgroups
Kids Only
Internet

FIG. 2A

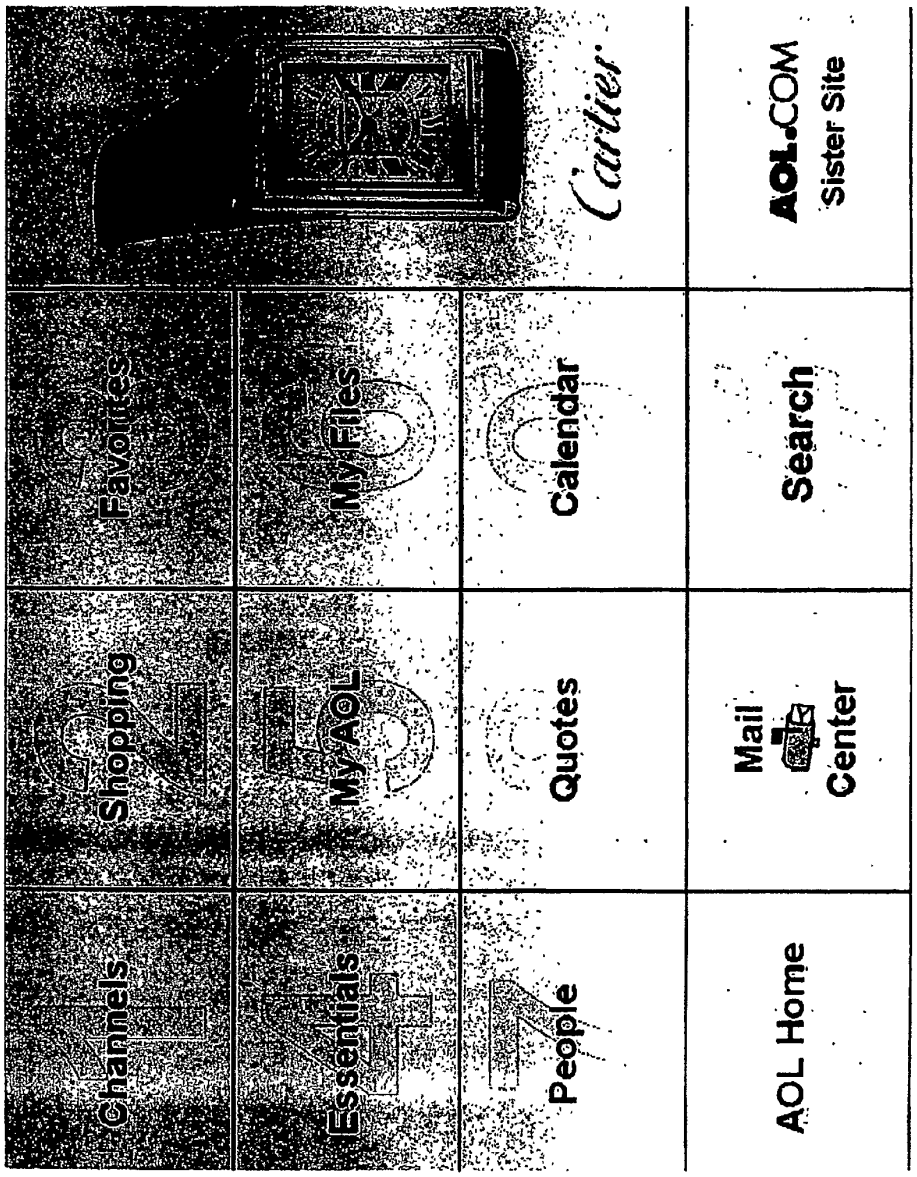

Channels
Shopping
Favorites
Essentials
My AOL
My Files
People
Quotes
Calendar
AOL Home
Mail Center
Search
AOL.COM Sister Site
Cartier

FIG. 2B

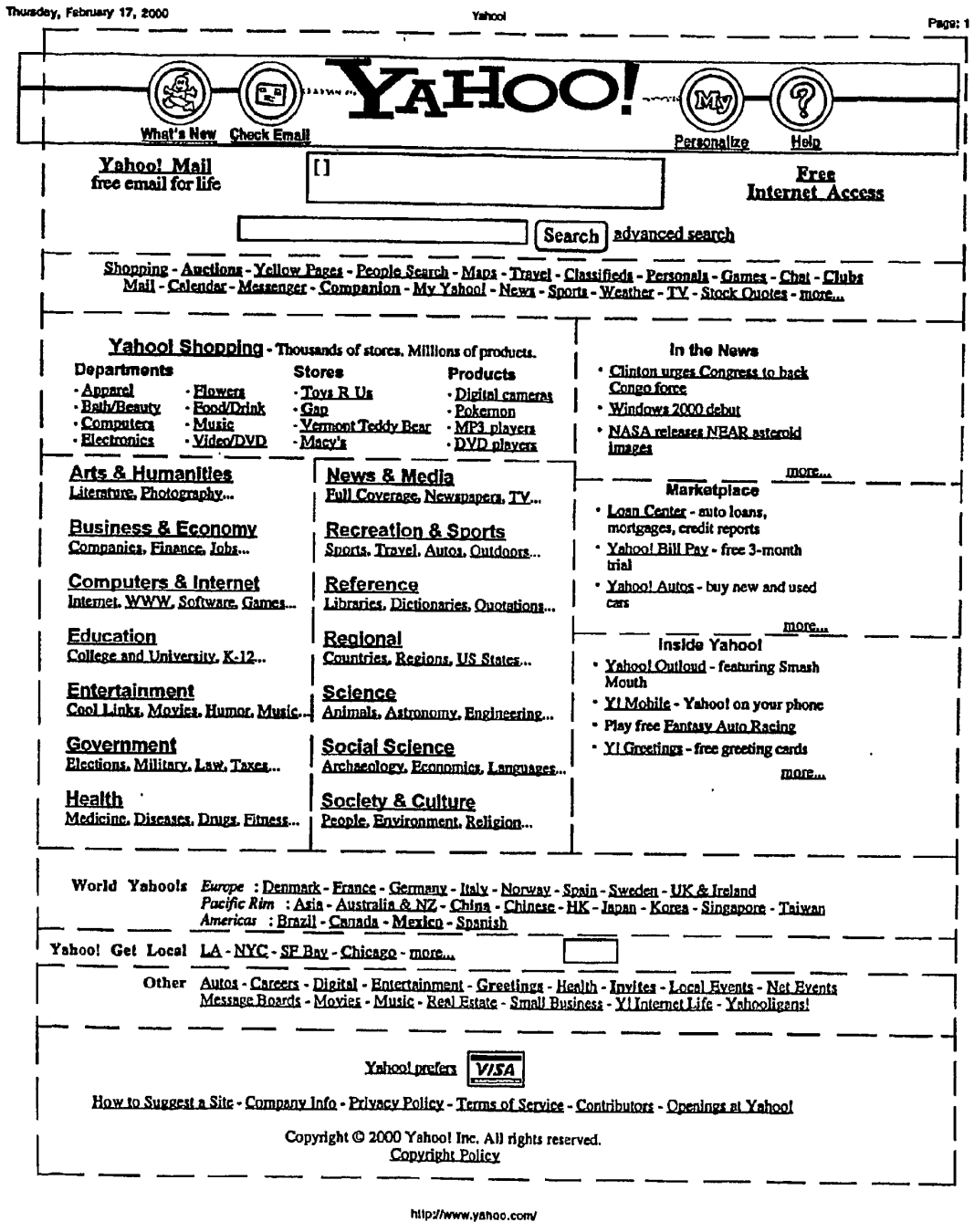

Thursday, February 17, 2000
Yahoo!
Page: 1
YAHOO!
What's New
Check Email
Personalize
Help
Yahoo! Mail
free email for life
Free
Internet Access
Search
advanced search
Shopping - Auctions - Yellow Pages - People Search - Maps - Travel - Classifieds - Personals - Games - Chat - Clubs
Mail - Calendar - Messenger - Companion - My Yahoo! - News - Sports - Weather - TV - Stock Quotes - more...
Yahoo! Shopping - Thousands of stores. Millions of products.
Departments
Apparel
Bath/Beauty
Computers
Electronics
Flowers
Food/Drink
Music
Video/DVD
Stores
Toys R Us
Gap
Vermont Teddy Bear
Macy's
Products
Digital cameras
Pokemon
MP3 players
DVD players
In the News
Clinton urges Congress to back Congo force
Windows 2000 debut
NASA releases NEAR asteroid images
more...
Arts & Humanities
Literature, Photography...
Business & Economy
Companies, Finance, Jobs...
Computers & Internet
Internet, WWW, Software, Games...
Education
College and University, K-12...
Entertainment
Cool Links, Movies, Humor, Music...
Government
Elections, Military, Law, Taxes...
Health
Medicine, Diseases, Drugs, Fitness...
News & Media
Full Coverage, Newspapers, TV...
Recreation & Sports
Sports, Travel, Autos, Outdoors...
Reference
Libraries, Dictionaries, Quotations...
Regional
Countries, Regions, US States...
Science
Animals, Astronomy, Engineering...
Social Science
Archaeology, Economics, Languages...
Society & Culture
People, Environment, Religion...
Marketplace
Loan Center - auto loans, mortgages, credit reports
Yahoo! Bill Pay - free 3-month trial
Yahoo! Autos - buy new and used cars
more...
Inside Yahoo!
Yahoo! Outloud - featuring Smash Mouth
Y! Mobile - Yahoo! on your phone
Play free Fantasy Auto Racing
Y! Greetings - free greeting cards
more...
World Yahoos
Europe : Denmark - France - Germany - Italy - Norway - Spain - Sweden - UK & Ireland
Pacific Rim : Asia - Australia & NZ - China - Chinese - HK - Japan - Korea - Singapore - Taiwan
Americas : Brazil - Canada - Mexico - Spanish
Yahoo! Get Local LA - NYC - SF Bay - Chicago - more...
Other Autos - Careers - Digital - Entertainment - Greetings - Health - Invites - Local Events - Net Events
Message Boards - Movies - Music - Real Estate - Small Business - Y! Internet Life - Yahooligens!
Yahoo! prefers VISA
How to Suggest a Site - Company Info - Privacy Policy - Terms of Service - Contributors - Openings at Yahoo!
Copyright © 2000 Yahoo! Inc. All rights reserved.
Copyright Policy
http://www.yahoo.com/

FIG. 2C

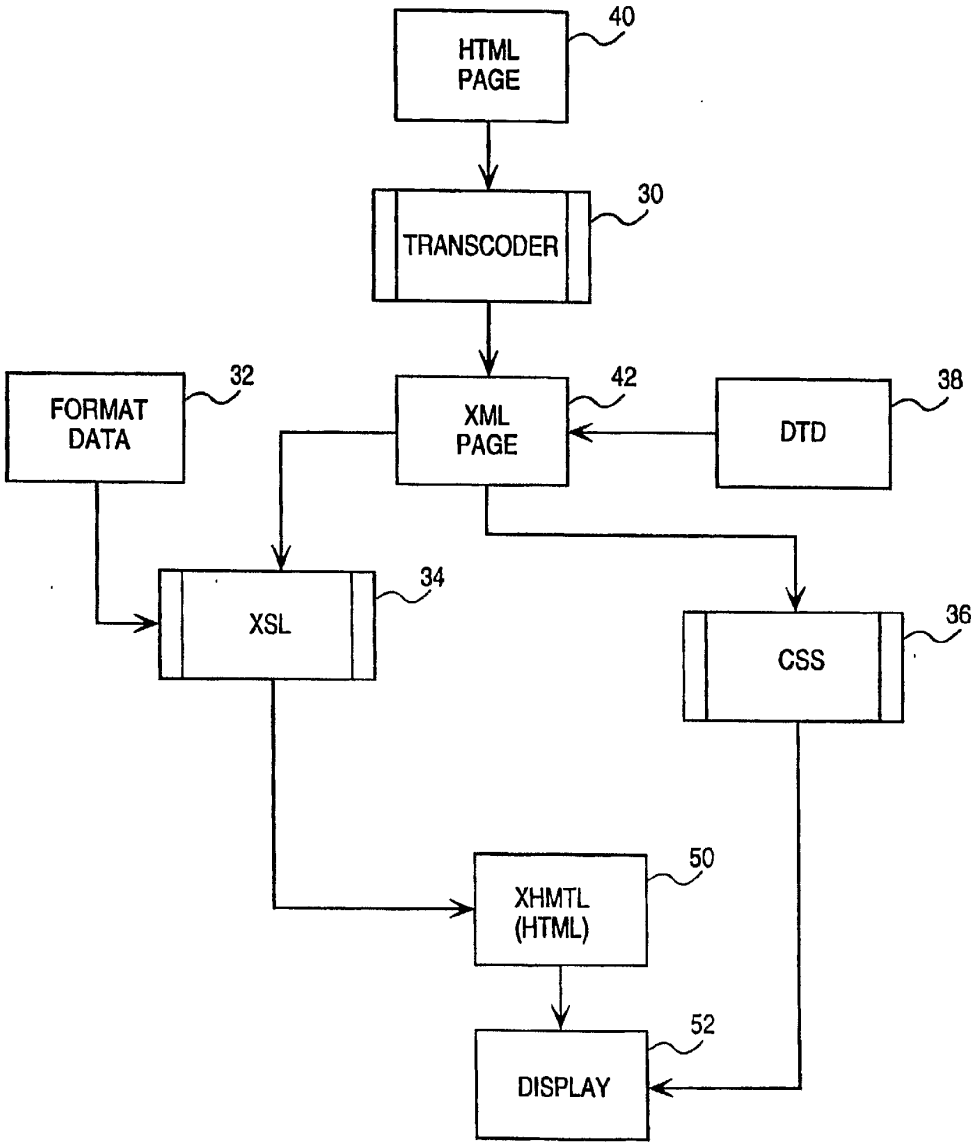

HTML PAGE
40
TRANSCODER
30
FORMAT DATA
32
XML PAGE
42
DTD
38
XSL
34
CSS
36
XHMTL (HTML)
50
DISPLAY
52

FIG. 3

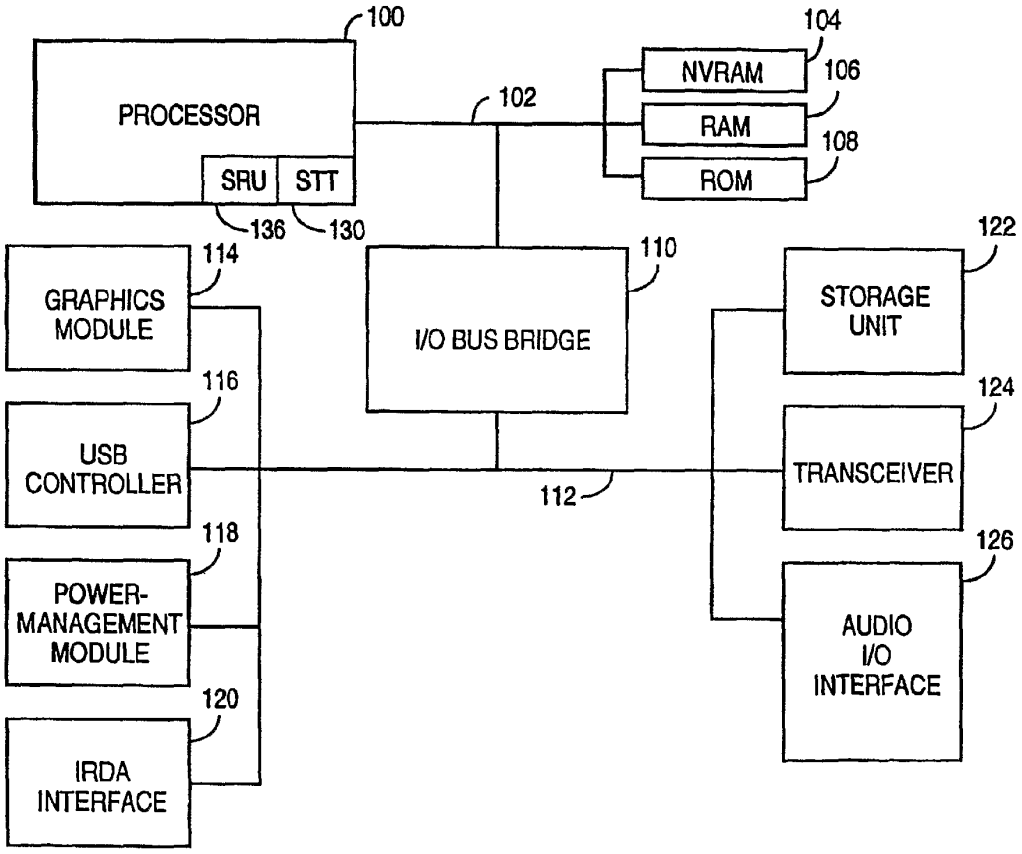

100
PROCESSOR
SRU
STT
136
130
102
104
NVRAM
106
RAM
108
ROM
114
GRAPHICS MODULE
116
USB CONTROLLER
118
POWER-MANAGEMENT MODULE
120
IRDA INTERFACE
110
I/O BUS BRIDGE
112
122
STORAGE UNIT
124
TRANSCEIVER
126
AUDIO I/O INTERFACE

FIG. 4

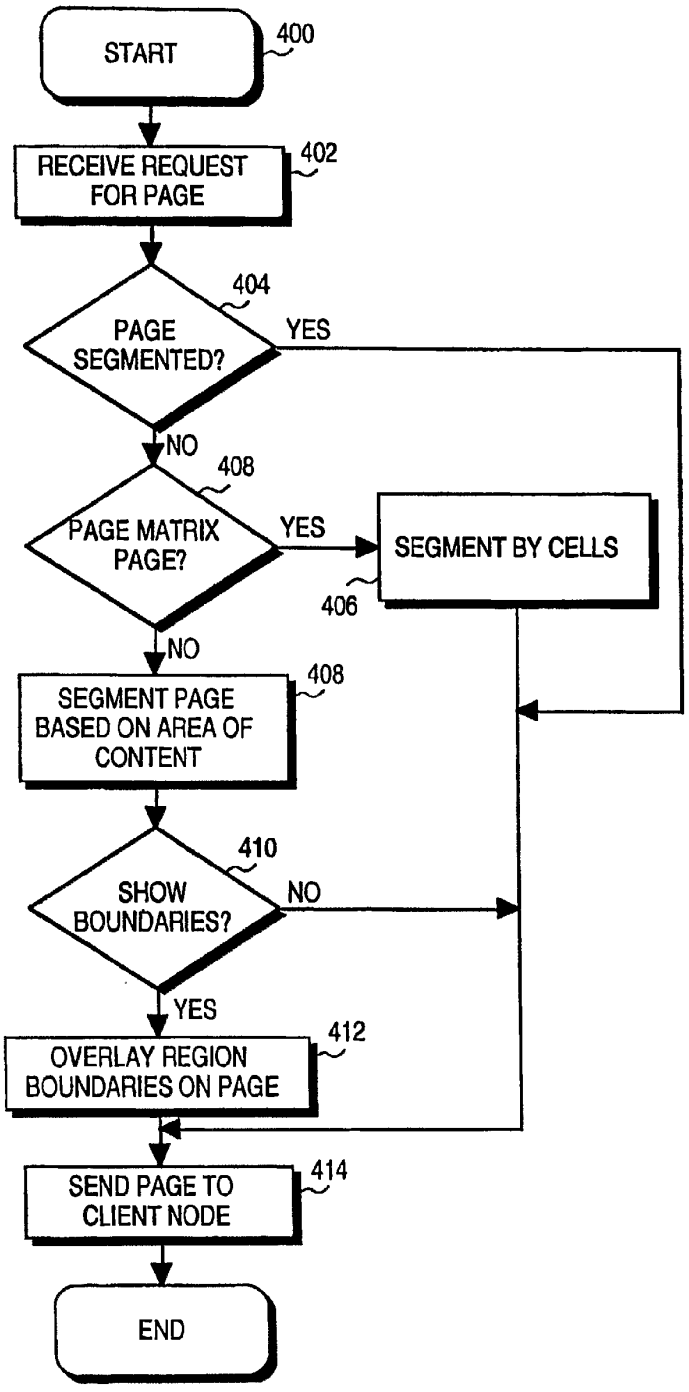

START
400
RECEIVE REQUEST FOR PAGE
402
PAGE SEGMENTED?
404
YES
NO
PAGE MATRIX PAGE?
408
YES
SEGMENT BY CELLS
406
NO
SEGMENT PAGE BASED ON AREA OF CONTENT
408
SHOW BOUNDARIES?
410
NO
YES
OVERLAY REGION BOUNDARIES ON PAGE
412
SEND PAGE TO CLIENT NODE
414
END

FIG. 5A

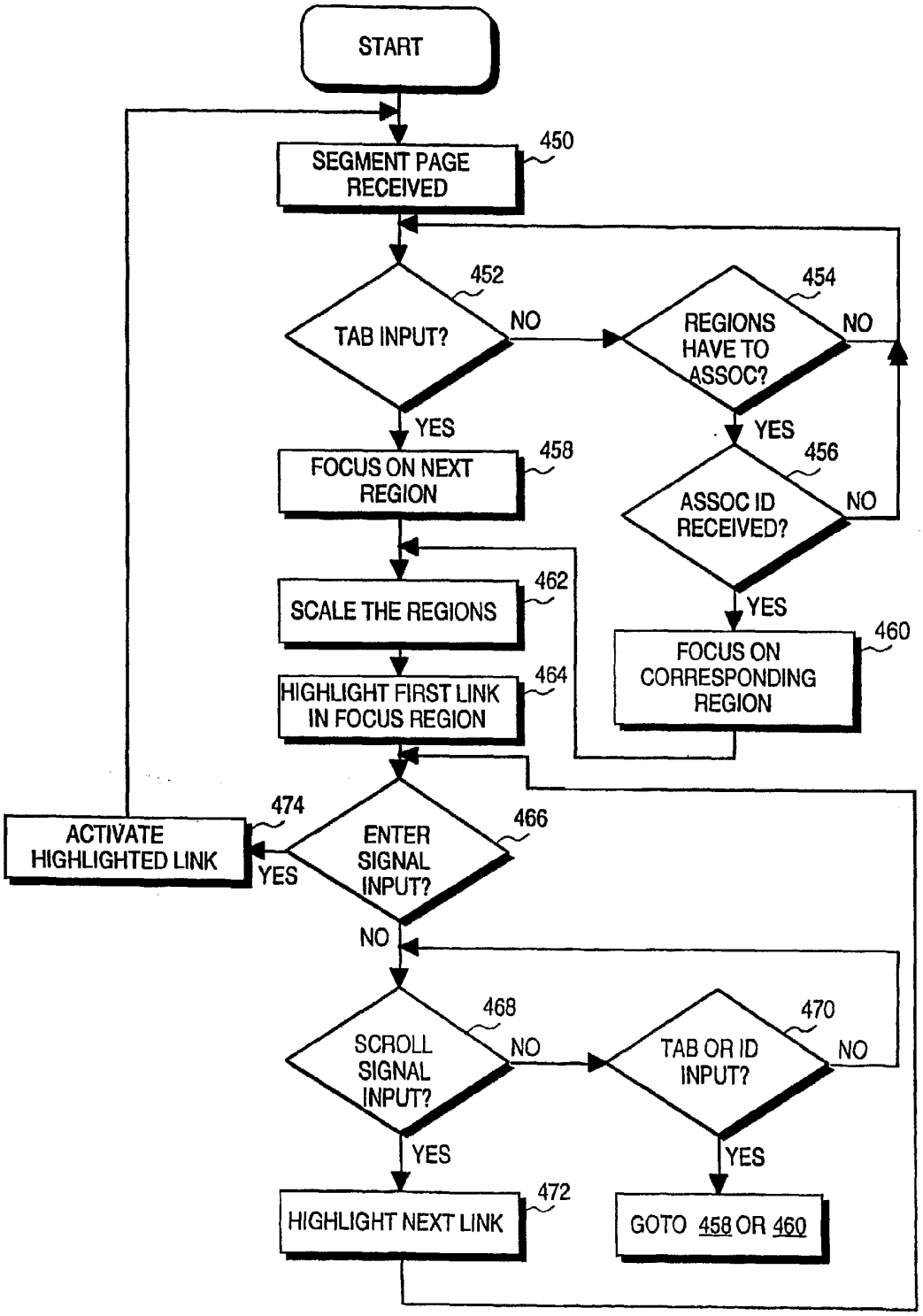

START
SEGMENT PAGE RECEIVED
450
TAB INPUT?
452
NO
REGIONS HAVE TO ASSOC?
454
NO
YES
YES
FOCUS ON NEXT REGION
458
ASSOC ID RECEIVED?
456
NO
YES
SCALE THE REGIONS
462
FOCUS ON CORRESPONDING REGION
460
HIGHLIGHT FIRST LINK IN FOCUS REGION
464
ACTIVATE HIGHLIGHTED LINK
474
YES
ENTER SIGNAL INPUT?
466
NO
SCROLL SIGNAL INPUT?
468
NO
TAB OR ID INPUT?
470
NO
YES
YES
HIGHLIGHT NEXT LINK
472
GOTO 458 OR 460

FIG. 5B

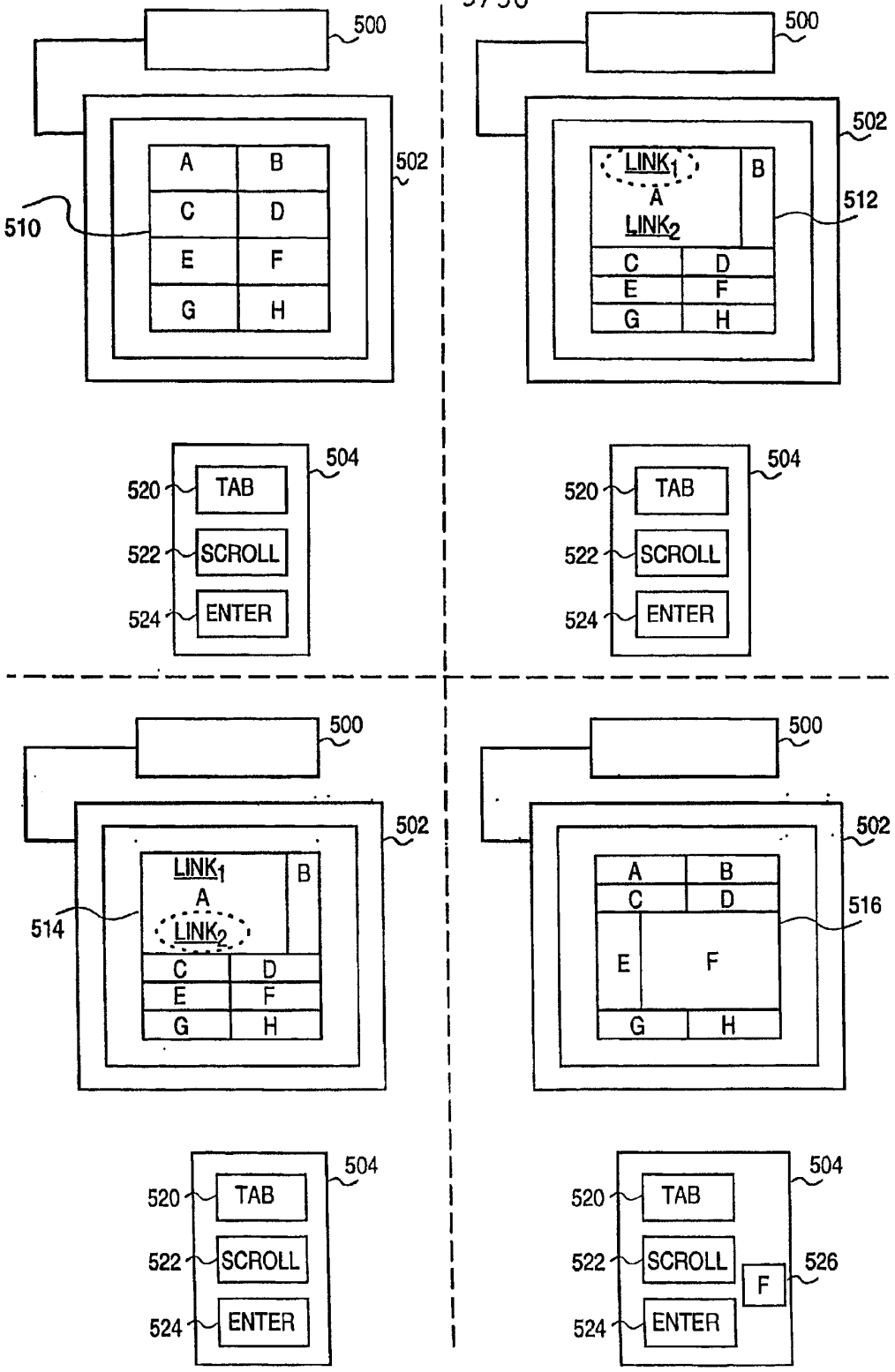

500
502
510
A
B
C
D
E
F
G
H
504
520
TAB
522
SCROLL
524
ENTER
LINK1
LINK2
512
514
516
526
F

FIG. 5C

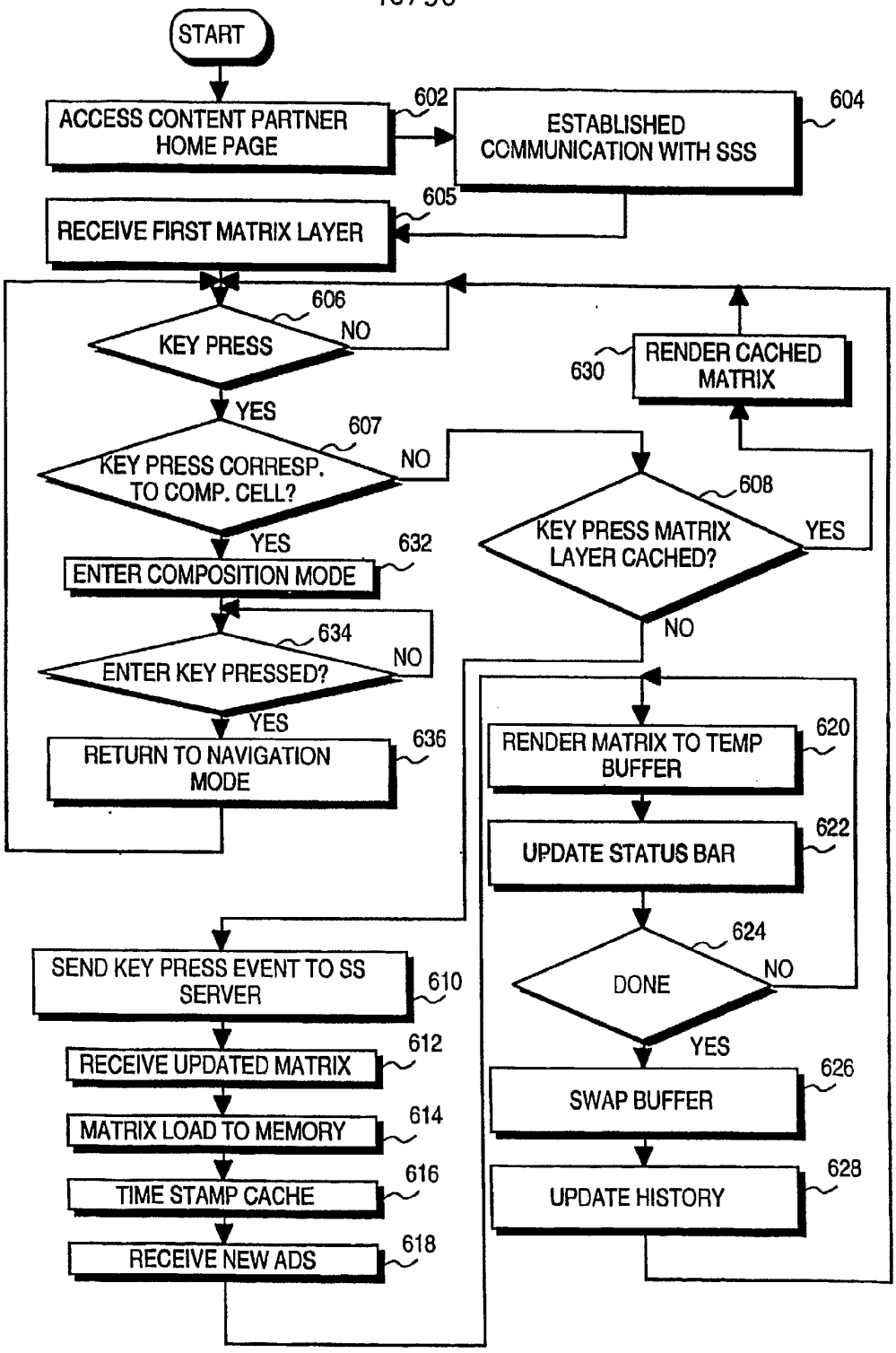

START
ACCESS CONTENT PARTNER HOME PAGE
602
ESTABLISHED COMMUNICATION WITH SSS
604
RECEIVE FIRST MATRIX LAYER
605
606
KEY PRESS
NO
YES
607
KEY PRESS CORRESP. TO COMP. CELL?
NO
YES
632
ENTER COMPOSITION MODE
634
ENTER KEY PRESSED?
NO
YES
636
RETURN TO NAVIGATION MODE
630
RENDER CACHED MATRIX
608
KEY PRESS MATRIX LAYER CACHED?
YES
NO
620
RENDER MATRIX TO TEMP BUFFER
622
UPDATE STATUS BAR
624
DONE
NO
YES
626
SWAP BUFFER
628
UPDATE HISTORY
SEND KEY PRESS EVENT TO SS SERVER
610
612
RECEIVE UPDATED MATRIX
614
MATRIX LOAD TO MEMORY
616
TIME STAMP CACHE
618
RECEIVE NEW ADS

FIG. 6

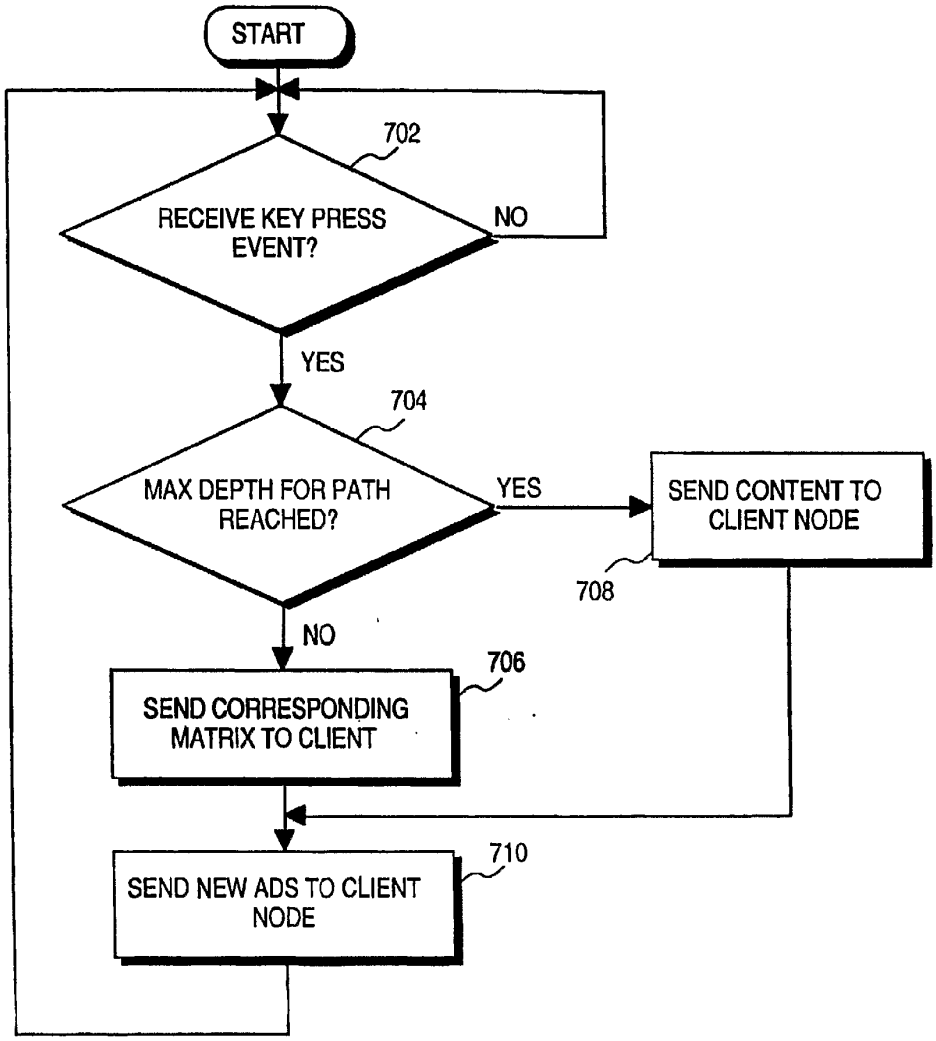

START
702
RECEIVE KEY PRESS EVENT?
NO
YES
704
MAX DEPTH FOR PATH REACHED?
YES
SEND CONTENT TO CLIENT NODE
708
NO
706
SEND CORRESPONDING MATRIX TO CLIENT
710
SEND NEW ADS TO CLIENT NODE

FIG. 7

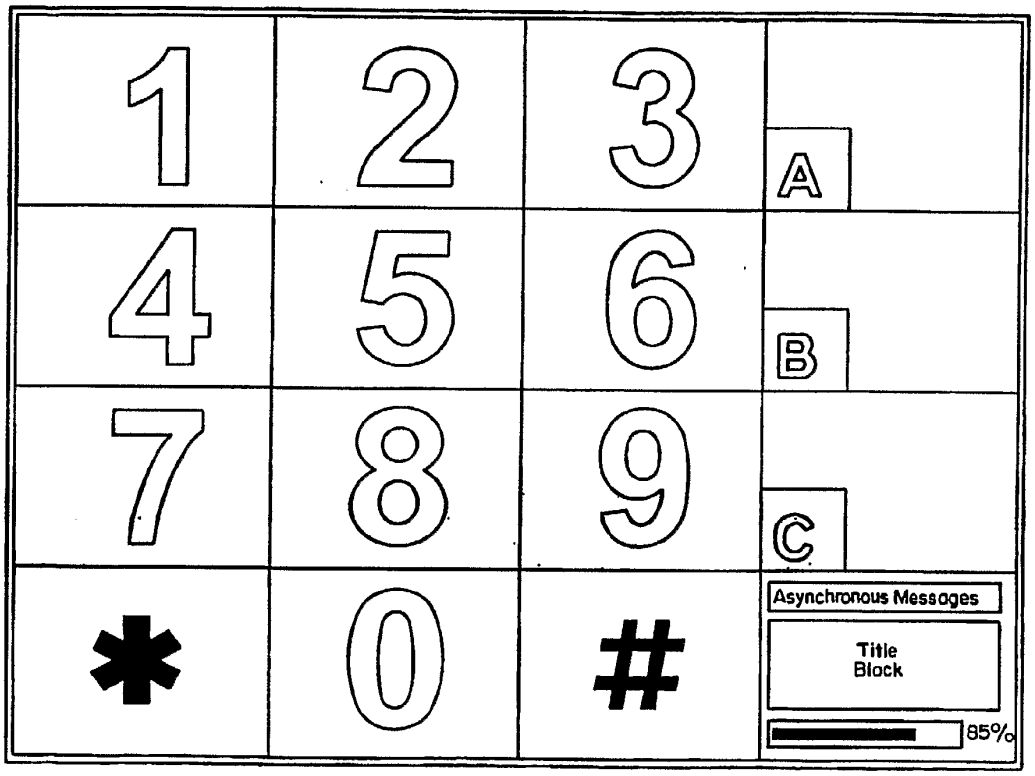


FIG. 8

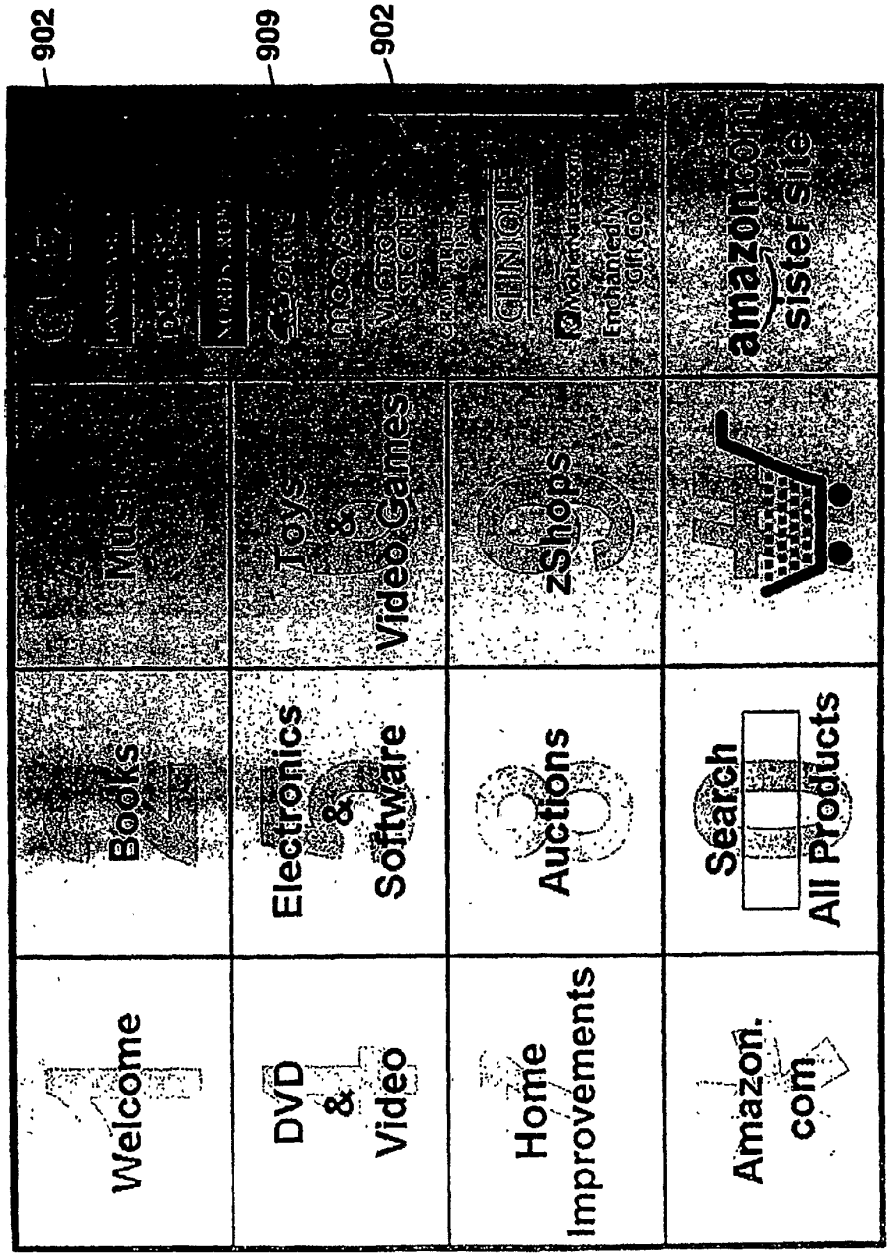

902
909
902
Welcome
Books
DVD & Video
Electronics & Software
Home Improvements
Auctions
Amazon.com
Search All Products
Toys
Video Games
zShops
amazon.com sister site

FIG. 9A

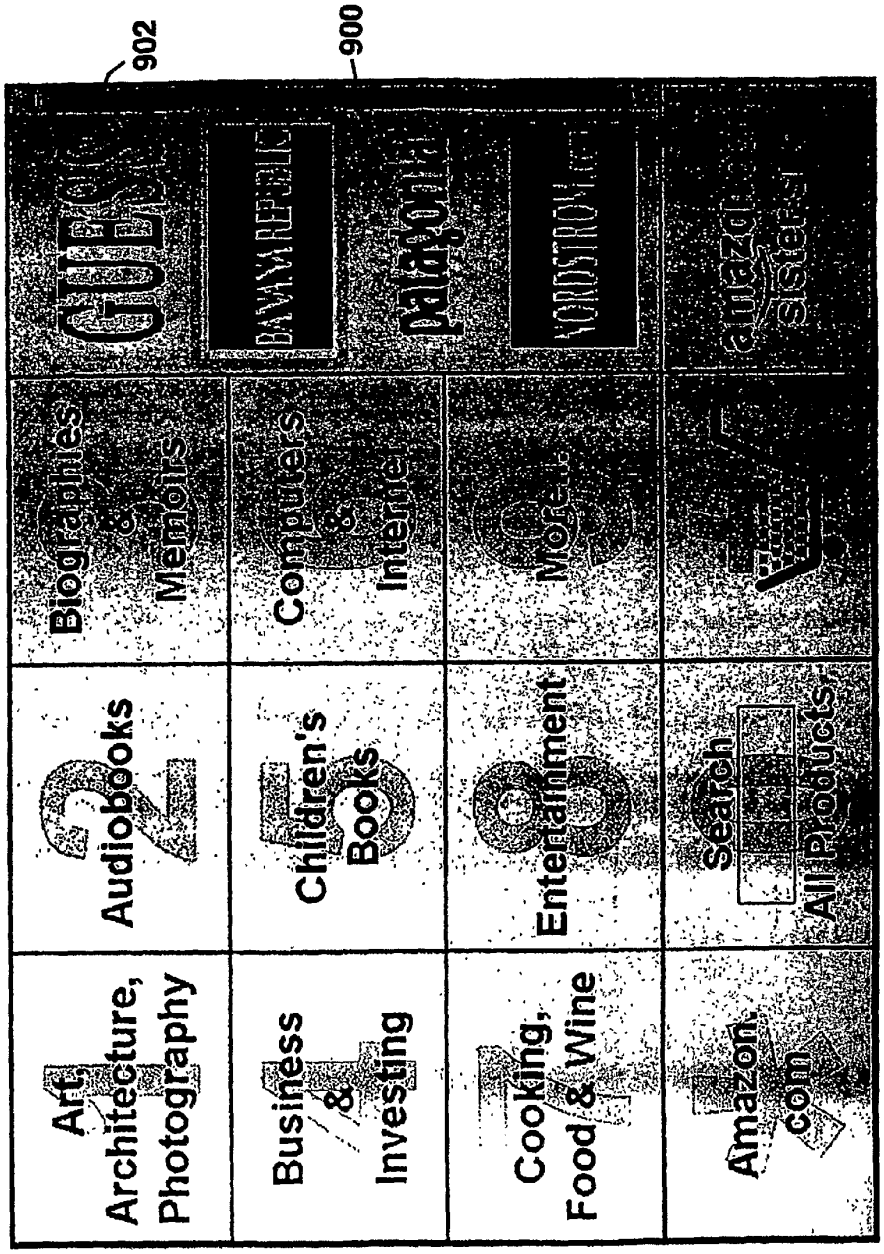

902
900
Biographies & Memoirs
Audiobooks
Computers & Internet
Children's Books
Entertainment
Cooking, Food & Wine
Search All Products
Amazon.com

FIG. 9B

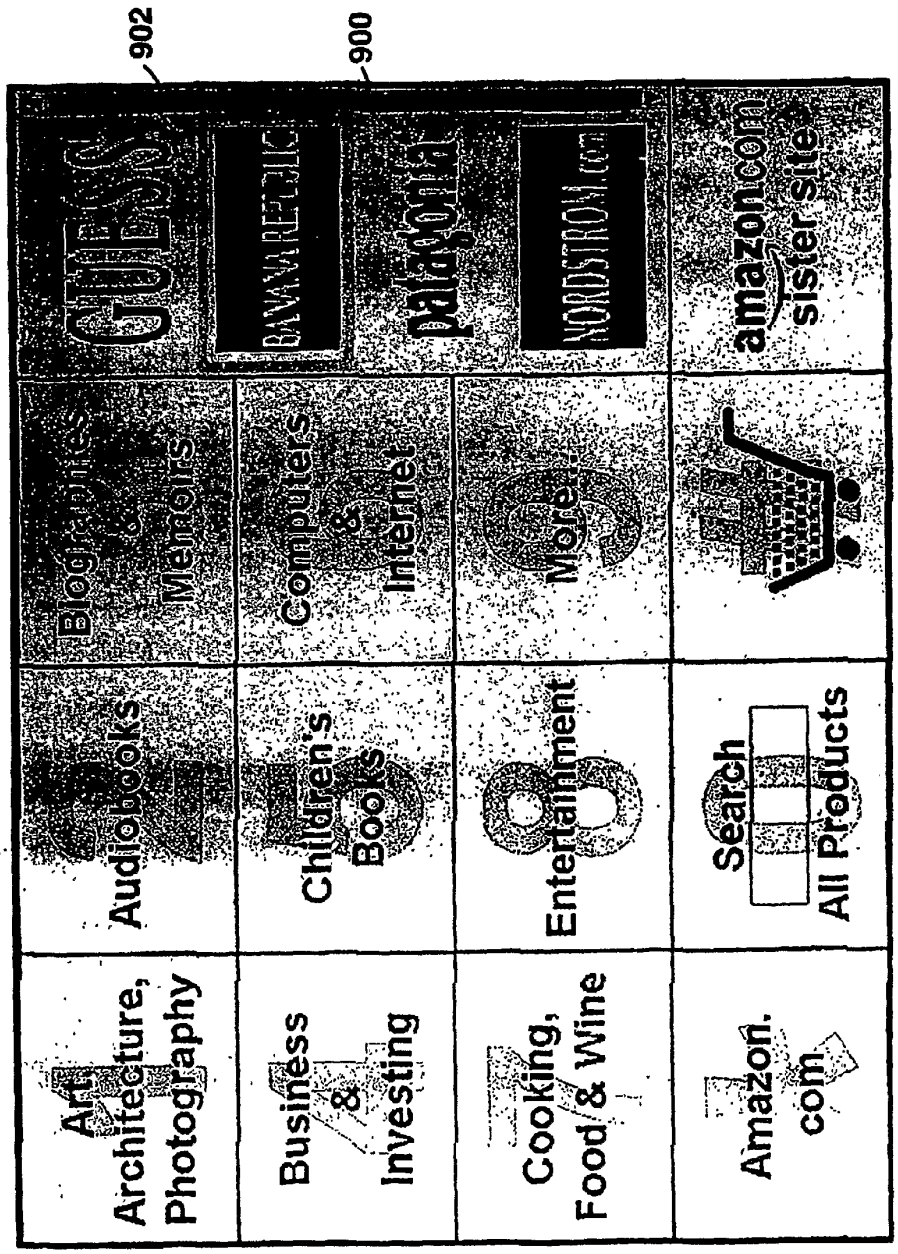

902
900
Art, Architecture, Photography
Audiobooks
Biographies & Memoirs
GUESS
Business & Investing
Children's Books
Computers & Internet
BANANA REPUBLIC
Cooking, Food & Wine
Entertainment
More...
NORDSTROM.com
Amazon.com
Search All Products
amazon.com sister site

FIG. 9C

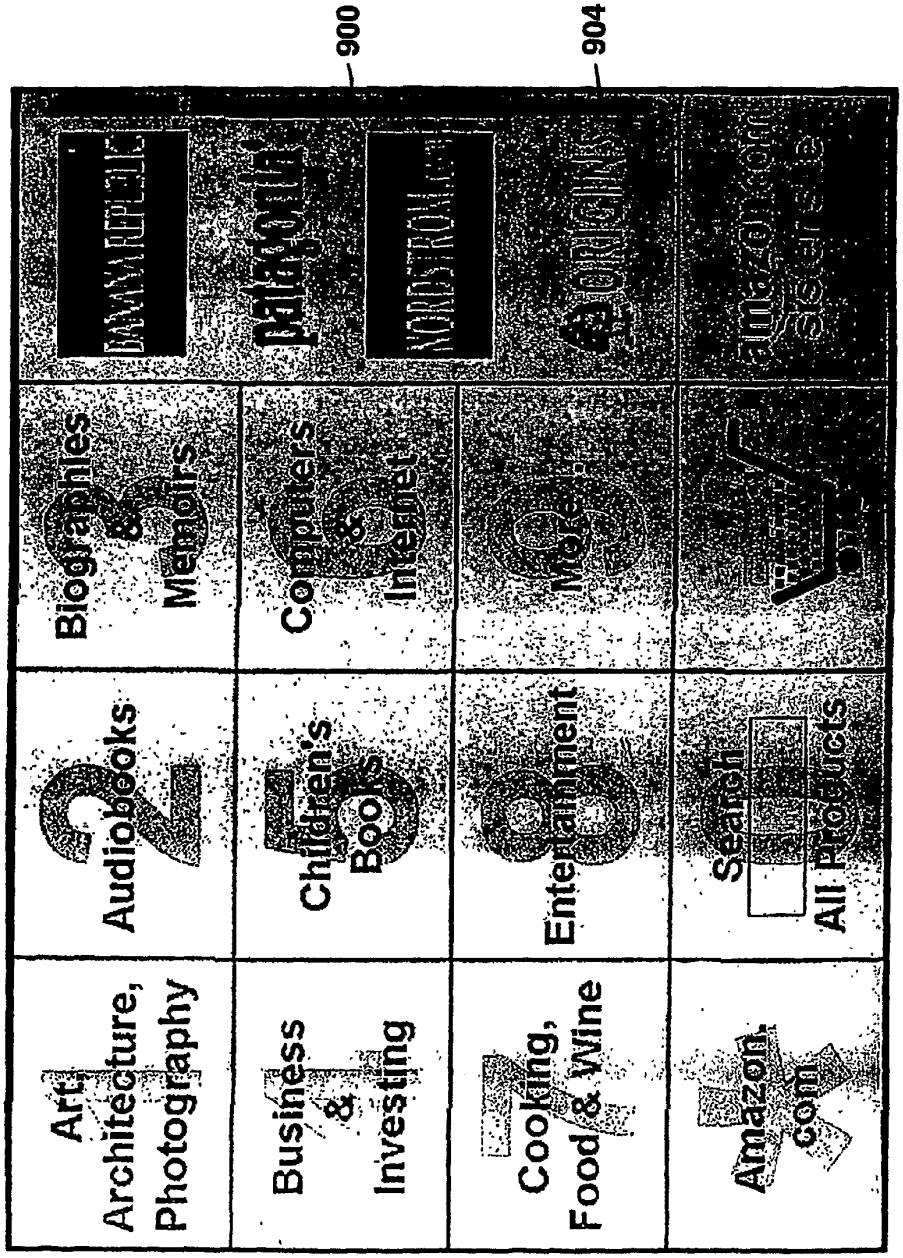

900
904
Art, Architecture, Photography
Audiobooks
Biographies & Memoirs
Business & Investing
Children's Books
Computers & Internet
Cooking, Food & Wine
Entertainment
More
Amazon.com
Search
All Products

FIG. 9D

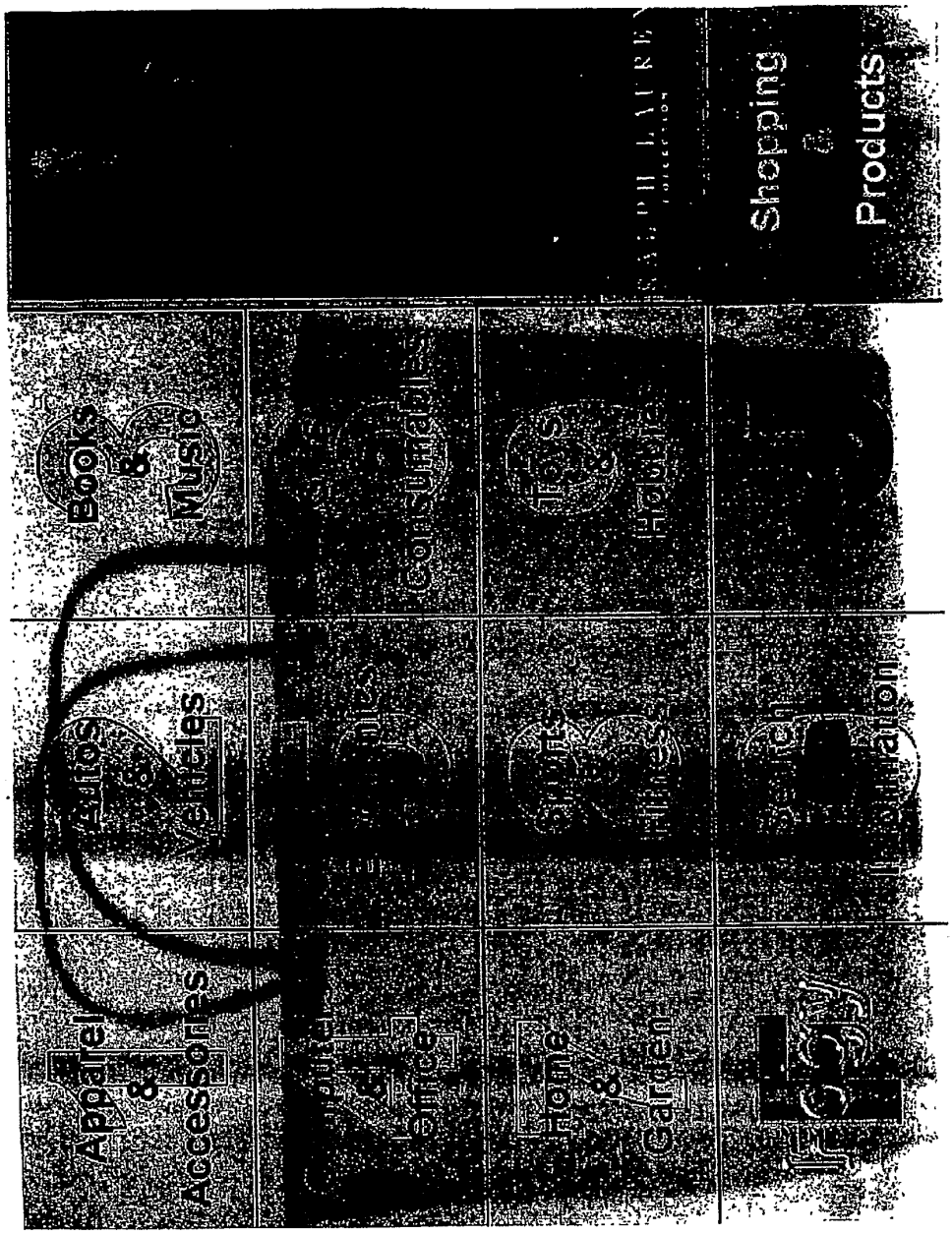

Apparel & Accessories
Autos & Vehicles
Books & Music
Consumables
Food & Groceries
Health & Beauty
Home & Garden
Office
Shopping & Products

FIG. 10A

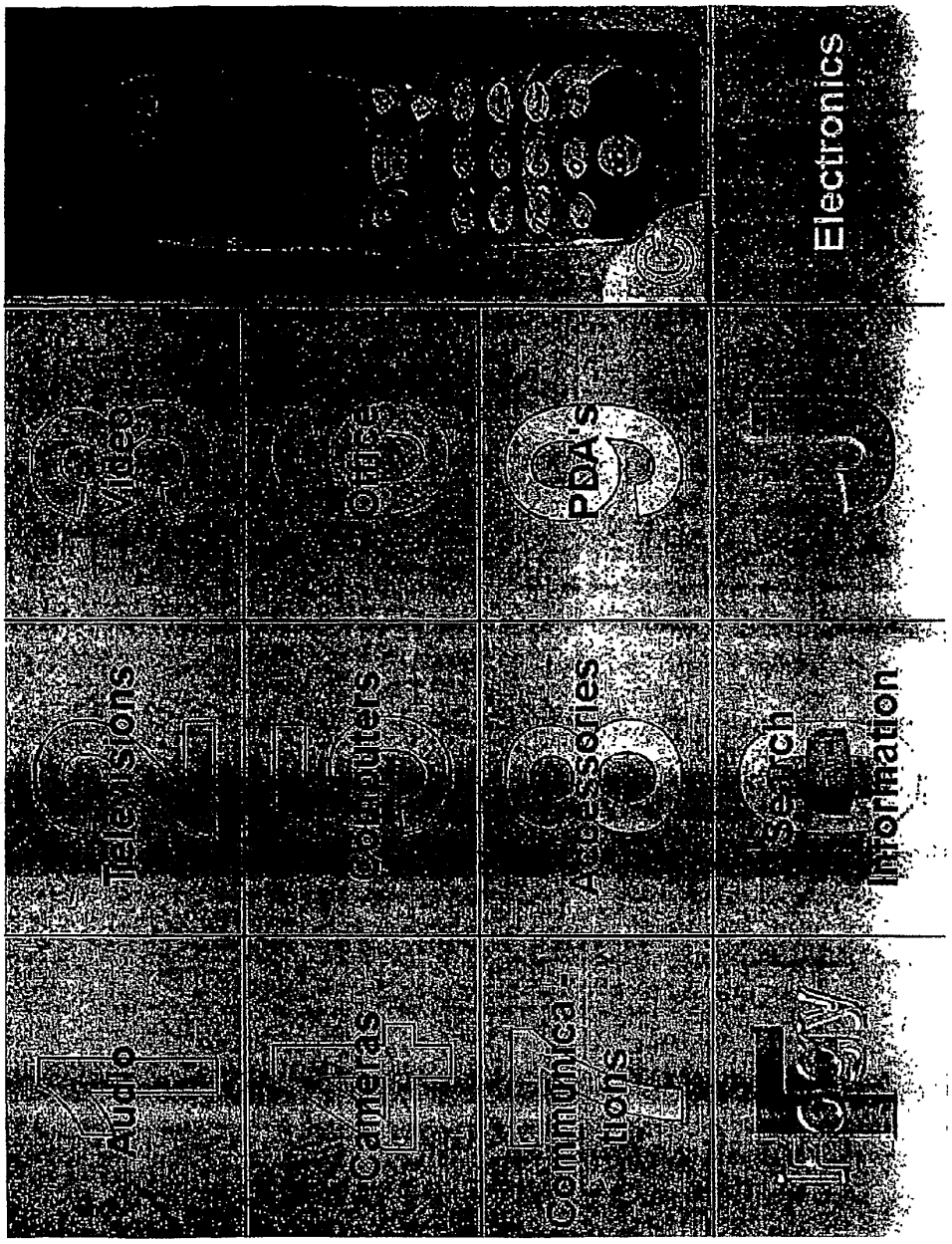

Electronics
Video
Office
PDA's
Audio
Televisions
Computers
Accessories
Communications
Search
Information

FIG. 10B



FIG. 10C

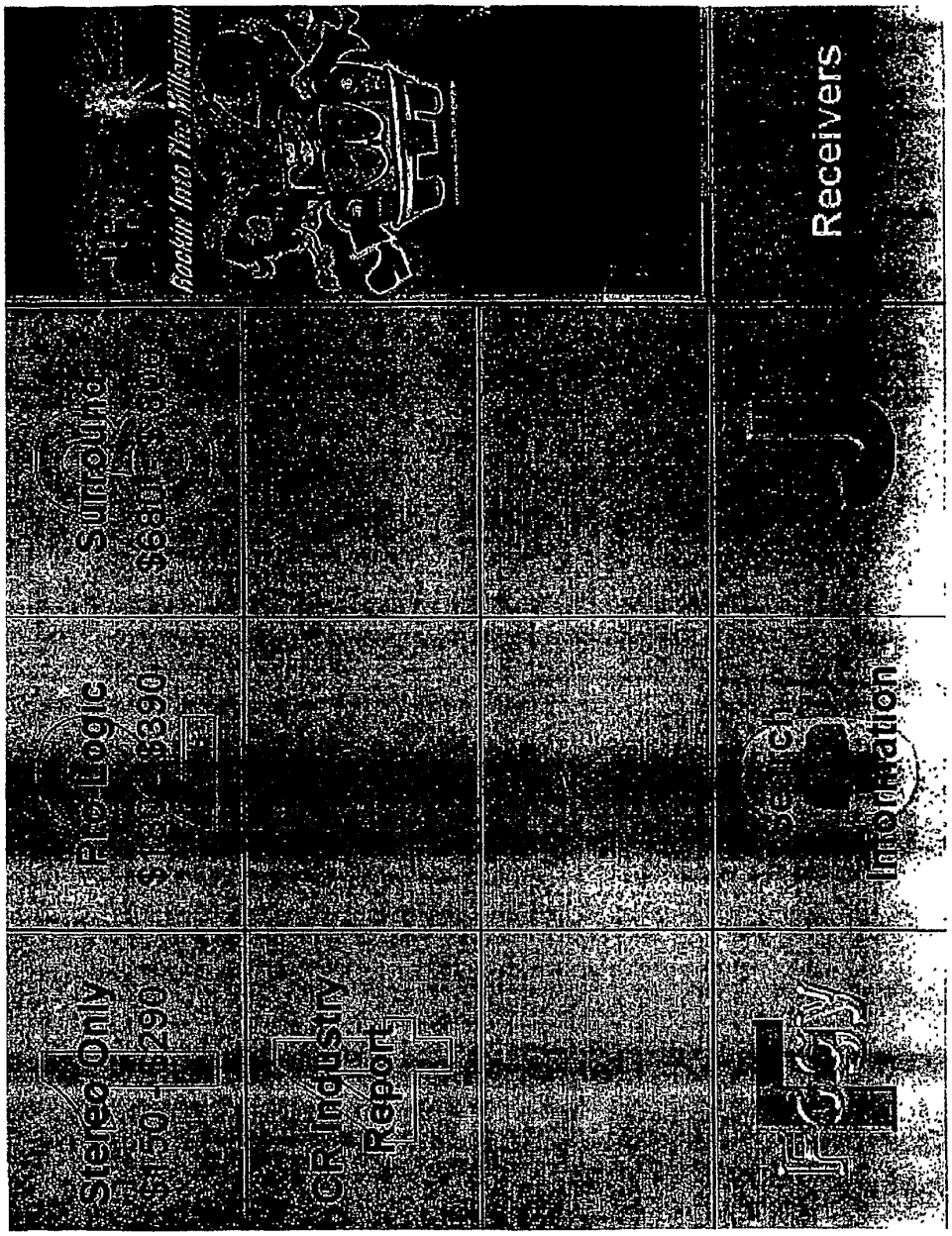


FIG. 10D

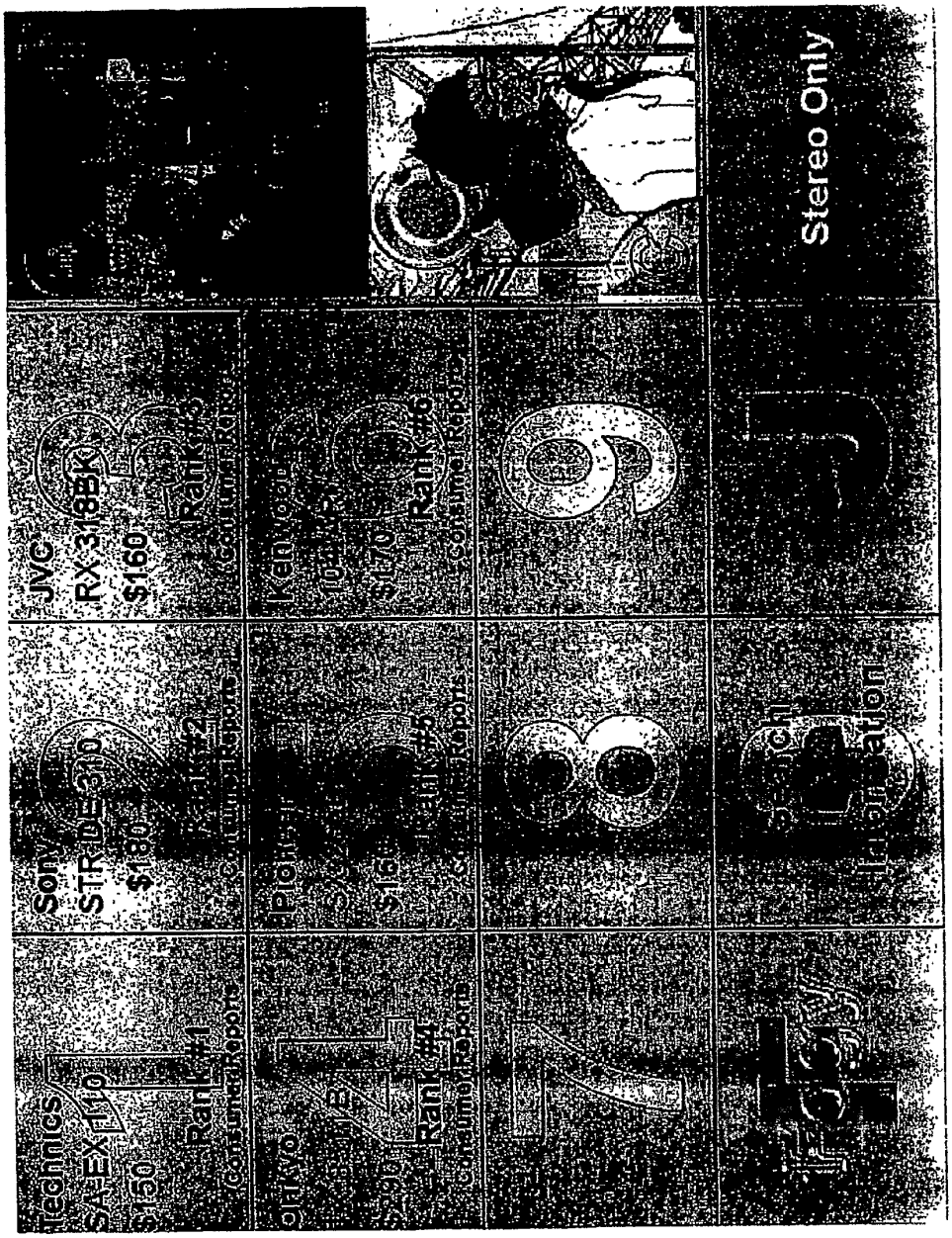


FIG. 10E

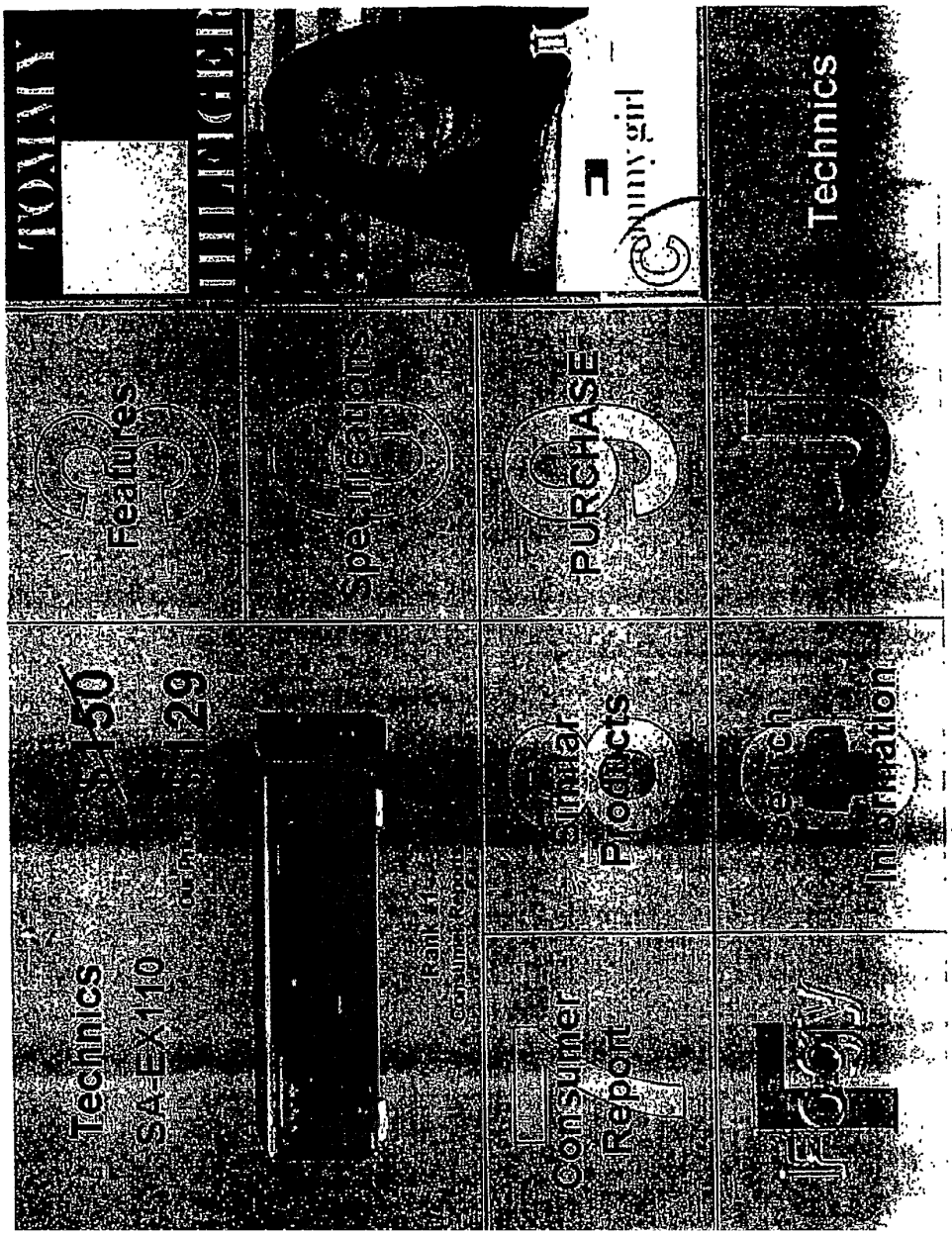

Technics
SA-EX110
Features
Specifications
PURCHASE
Consumer Reports
Technics

FIG. 10F

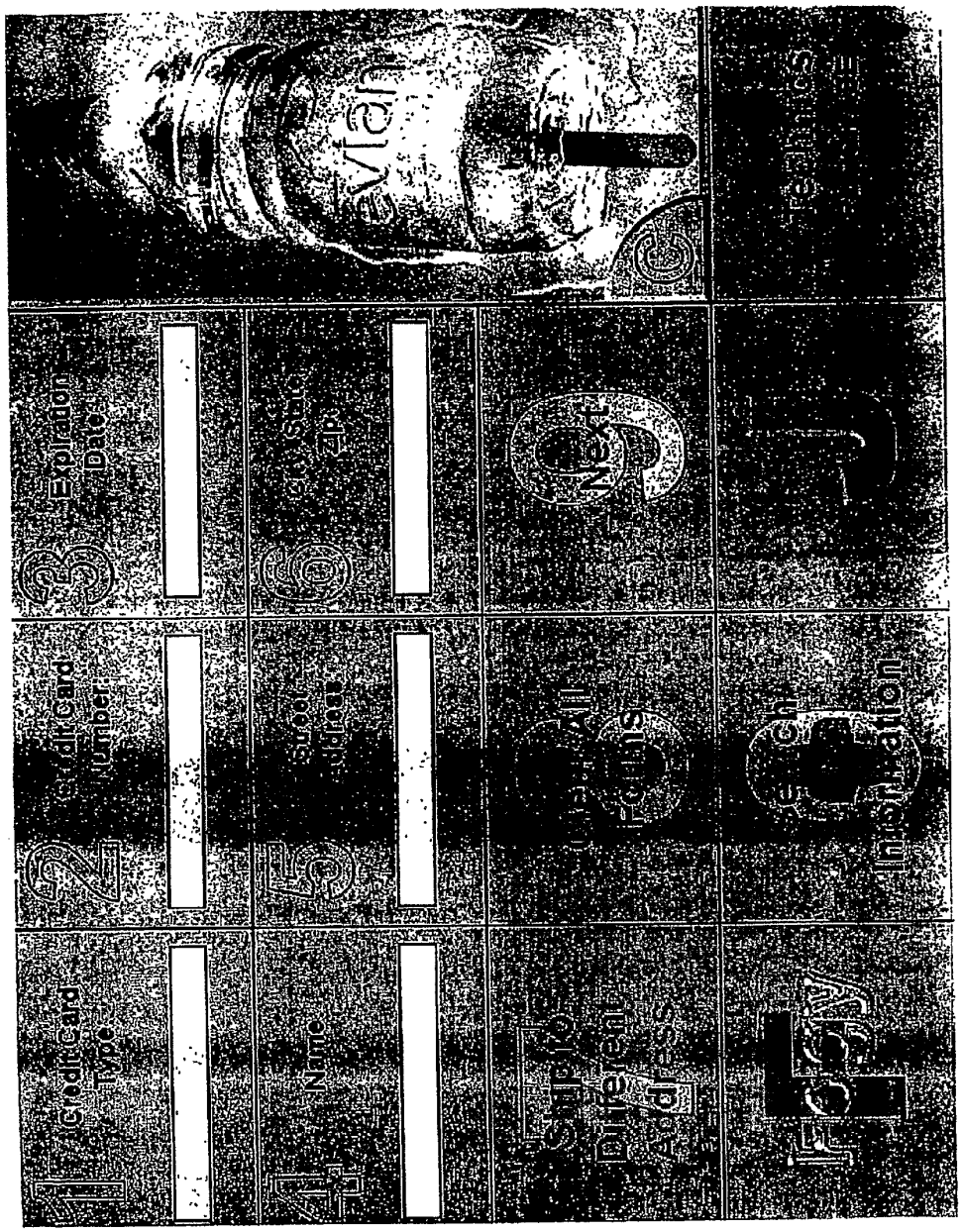

Vitamins
Expiration Date
Credit Card Number
Credit Card Type
Name
Zip
Net
Different Address
Enter Information

FIG. 10G

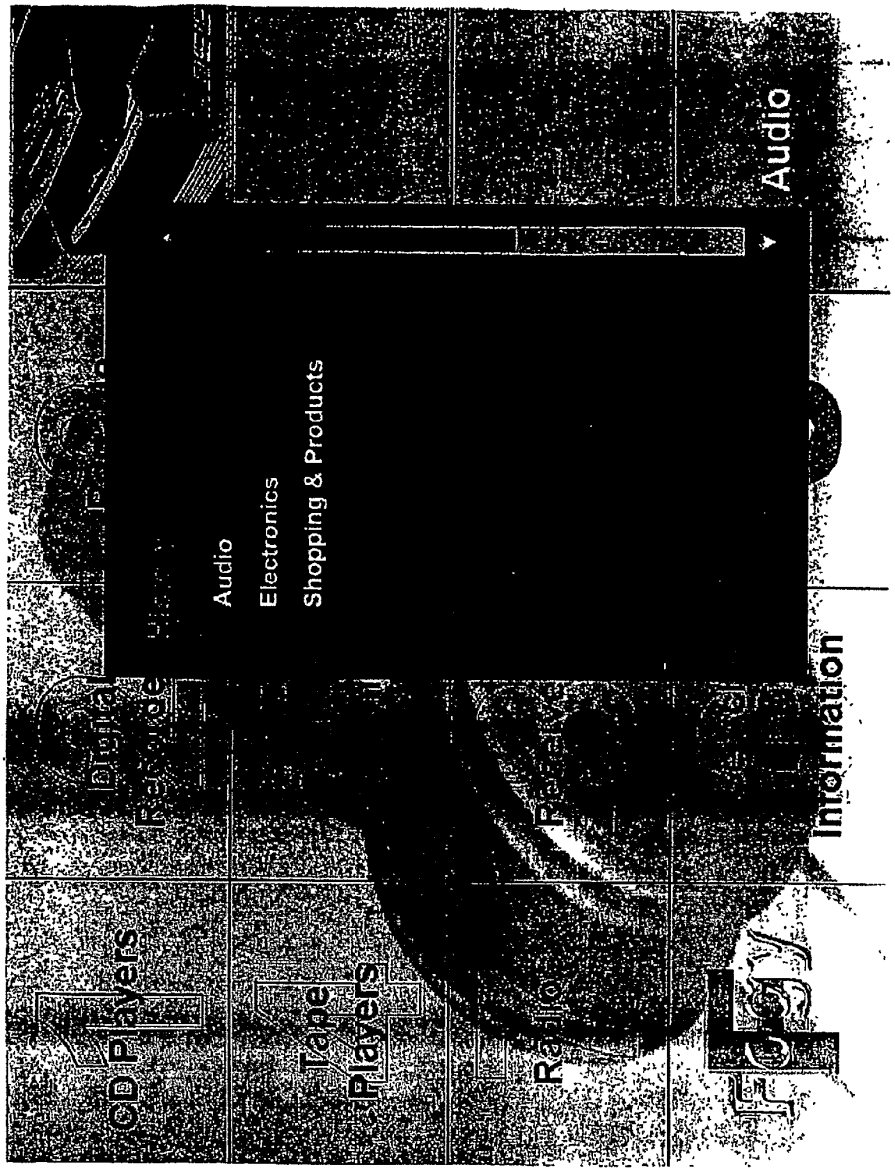

Audio
Electronics
Shopping & Products
Audio
CD Players
Tape Players
Radio
Information

FIG. 11



FIG. 12A

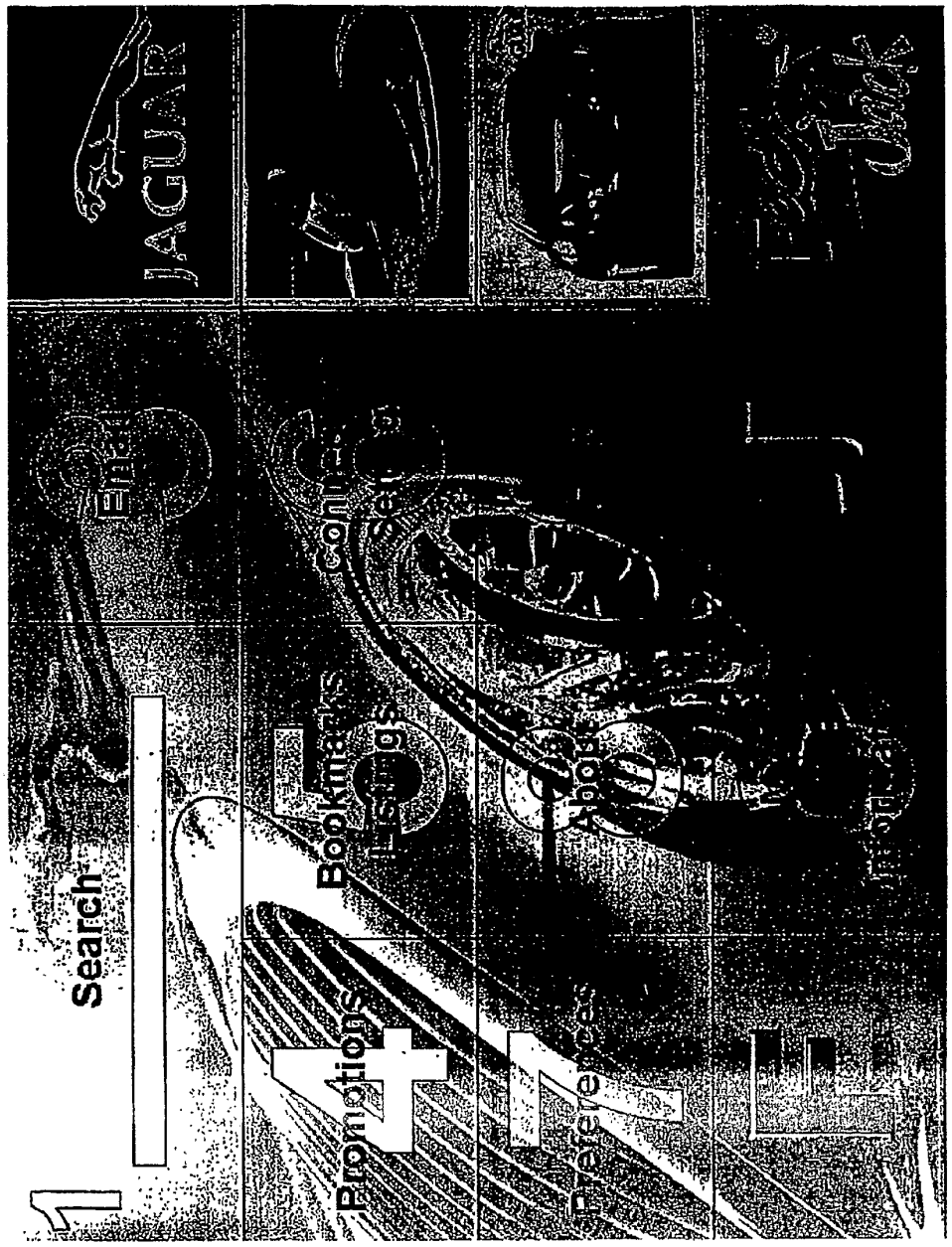


FIG. 12B

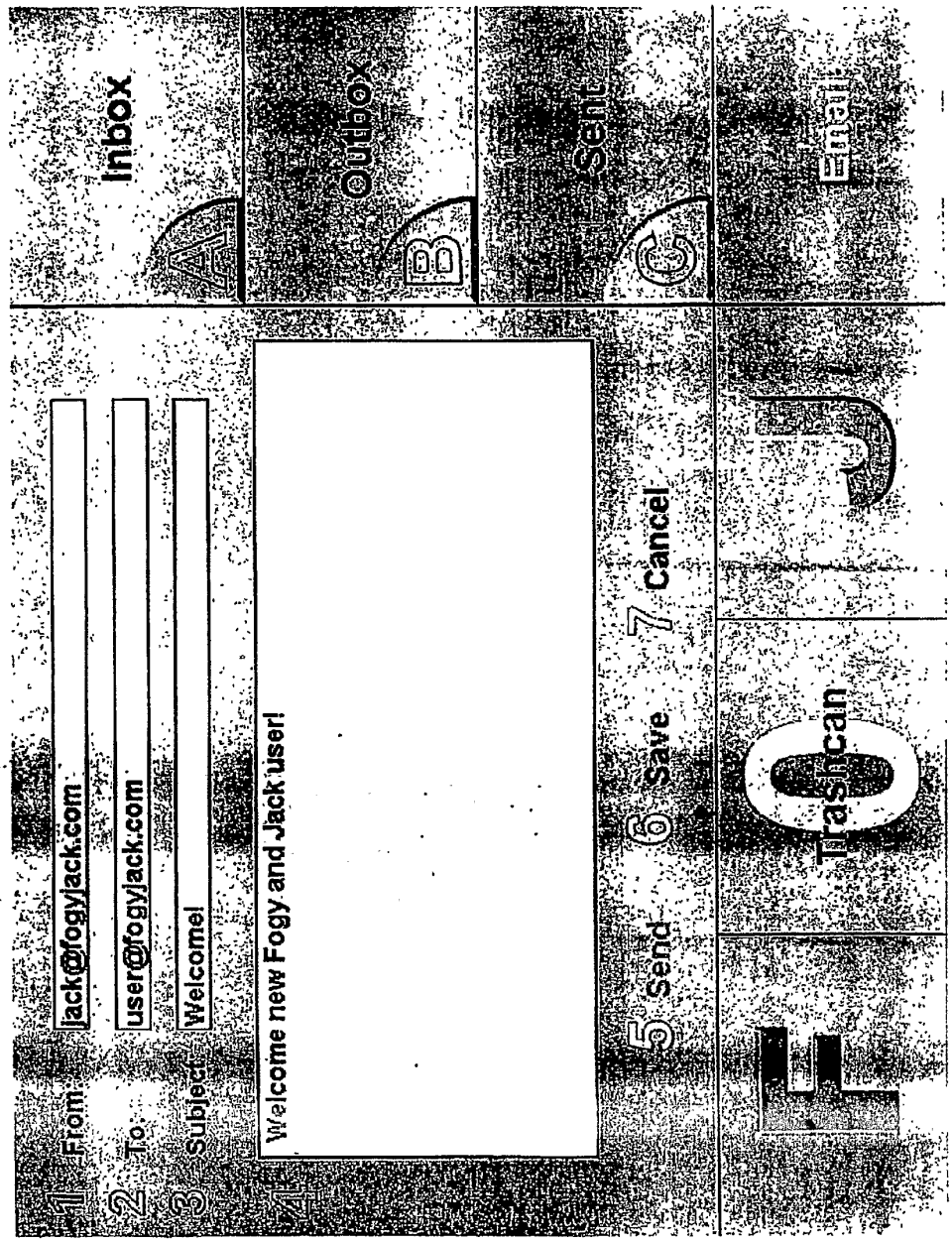

Inbox
A
Outbox
B
Sent
C
Email
D
1 From
jack@fogyjack.com
2 To
user@fogyjack.com
3 Subject
Welcome!
Welcome new Fogy and Jack user!
5 Send
6 Save
7 Cancel
Trashcan

FIG. 13

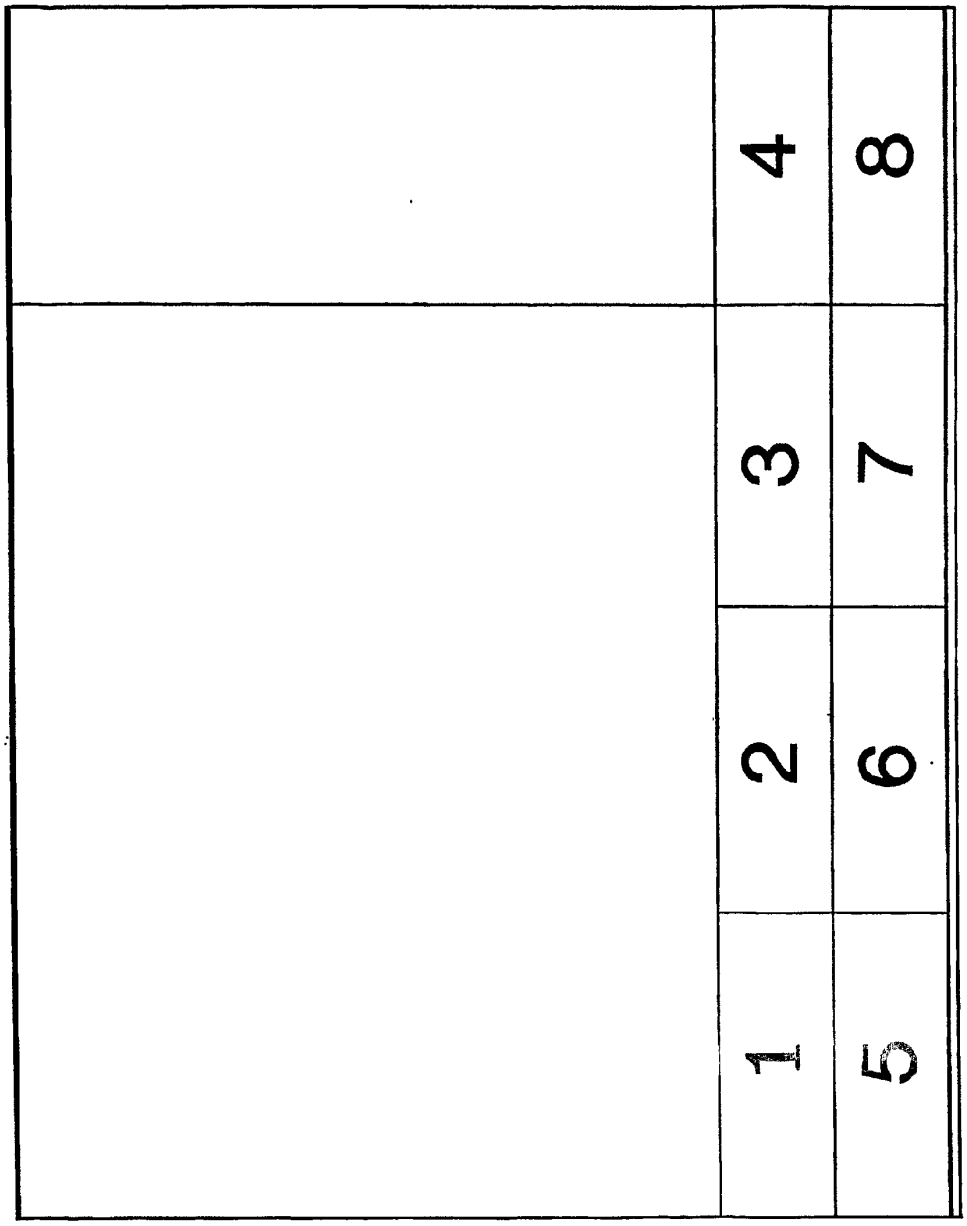
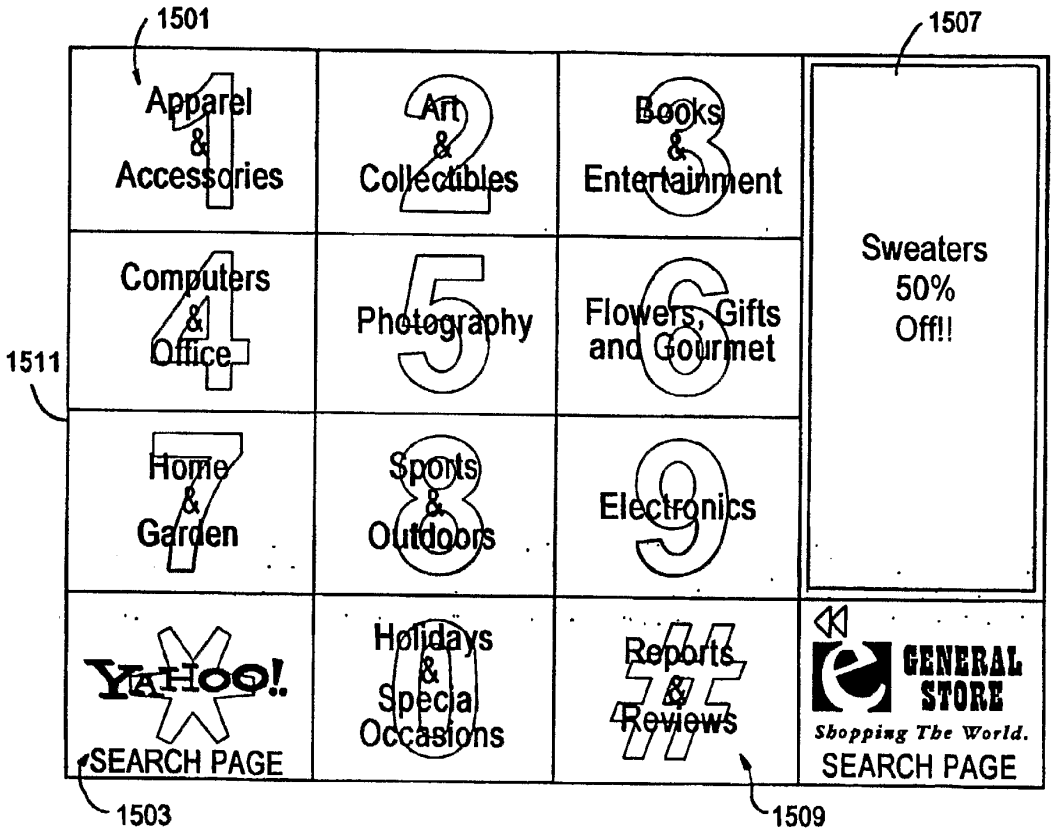


FIG. 14



Yahoo! E-Commerce Channel

FIG. 15

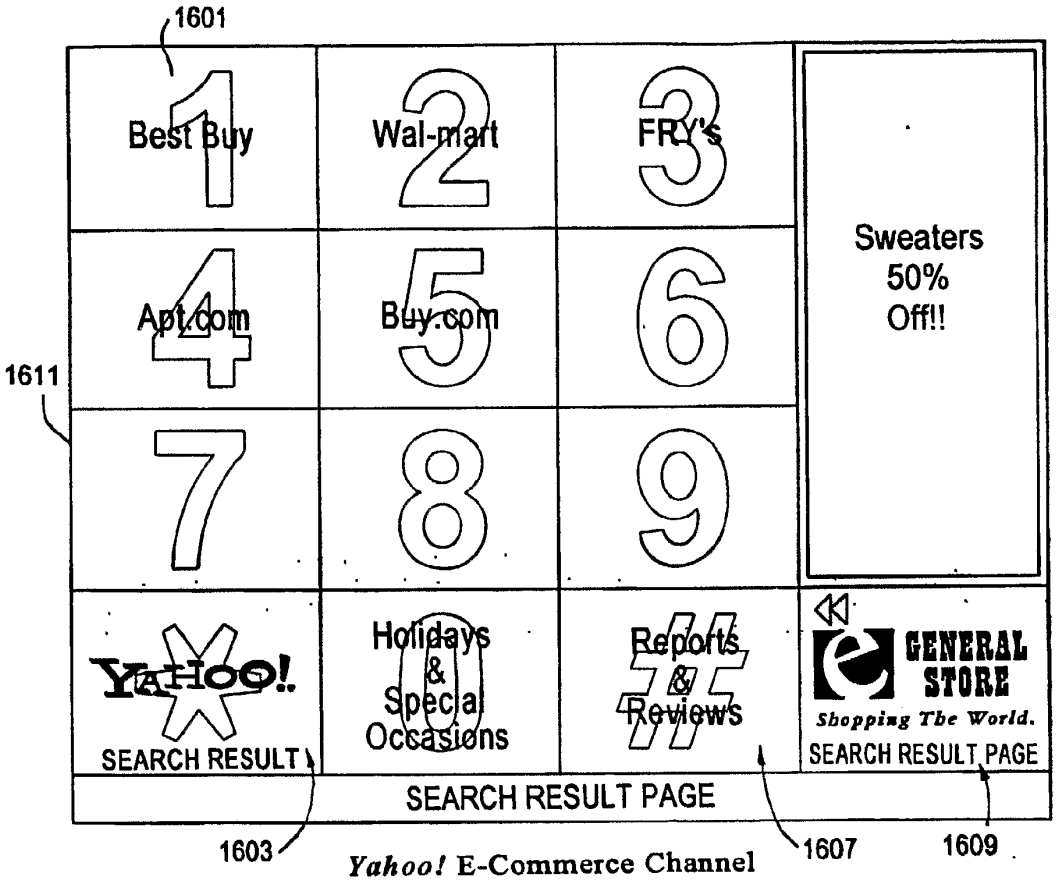

1601
1
Best Buy
2
Wal-mart
3
FRY's
Sweaters
50%
Off!!
4
Apt.com
5
Buy.com
6
1611
7
8
9
YAHOO!
SEARCH RESULT
Holidays
&
Special
Occasions
Reports
&
Reviews
GENERAL
STORE
Shopping The World.
SEARCH RESULT PAGE
SEARCH RESULT PAGE
1603
1607
1609
Yahoo! E-Commerce Channel

FIG. 16

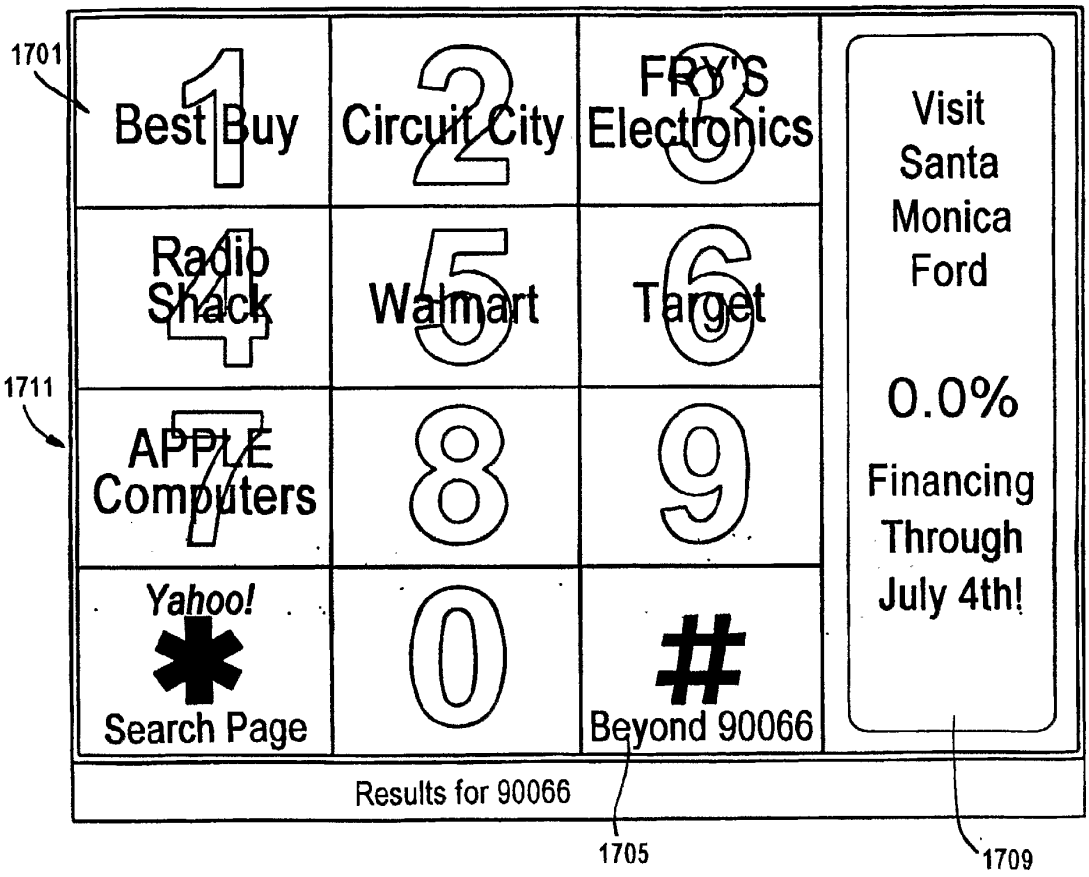

1701
1
Best Buy
2
Circuit City
3
FRY'S Electronics
4
Radio Shack
5
Walmart
6
Target
1711
7
APPLE Computers
8
9
Yahoo!
*
Search Page
0
#
Beyond 90066
Visit Santa Monica Ford
0.0%
Financing Through July 4th!
Results for 90066
1705
1709

FIG. 17

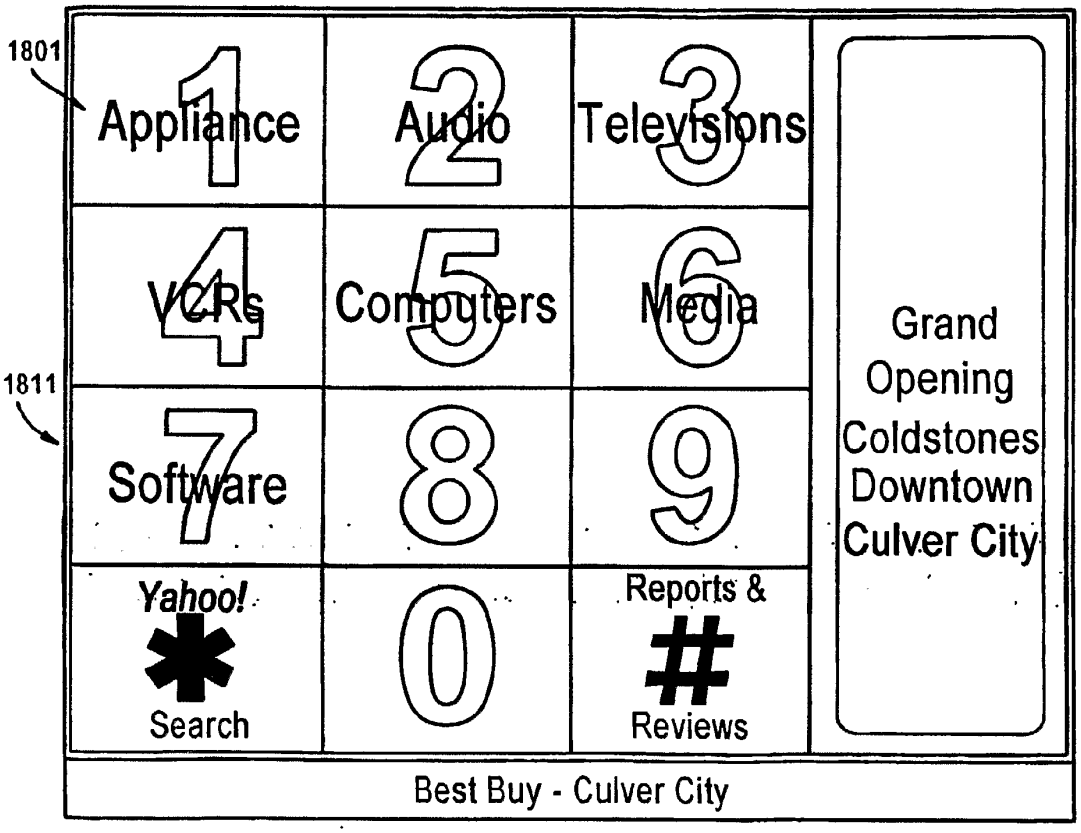

1801
1811
1 Appliance
2 Audio
3 Televisions
4 VCRs
5 Computers
6 Media
7 Software
8
9
Yahoo!
*
Search
0
Reports &
#
Reviews
Grand Opening
Coldstones
Downtown
Culver City
Best Buy - Culver City

FIG. 18

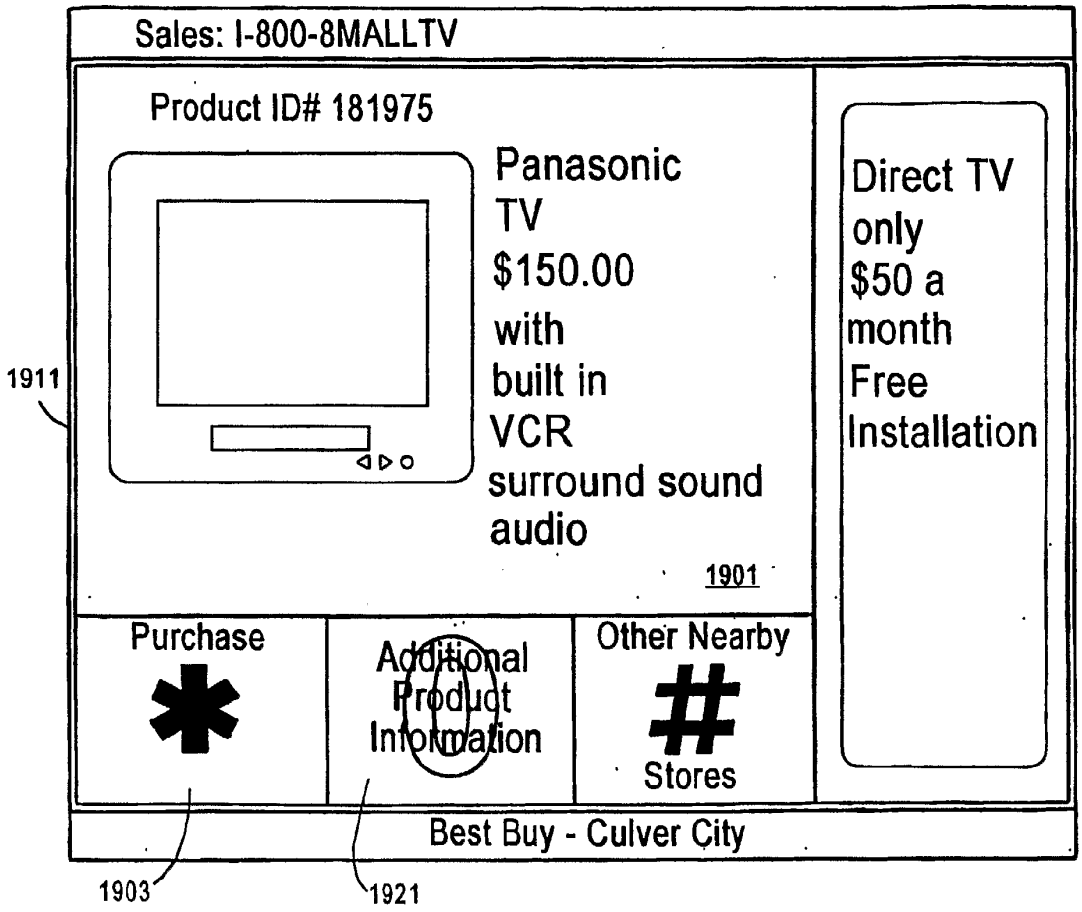

Sales: I-800-8MALLTV
Product ID# 181975
Panasonic
TV
$150.00
with
built in
VCR
surround sound
audio
1901
Direct TV
only
$50 a
month
Free
Installation
1911
Purchase
Additional
Product
Information
Other Nearby
Stores
Best Buy - Culver City
1903
1921

FIG. 19

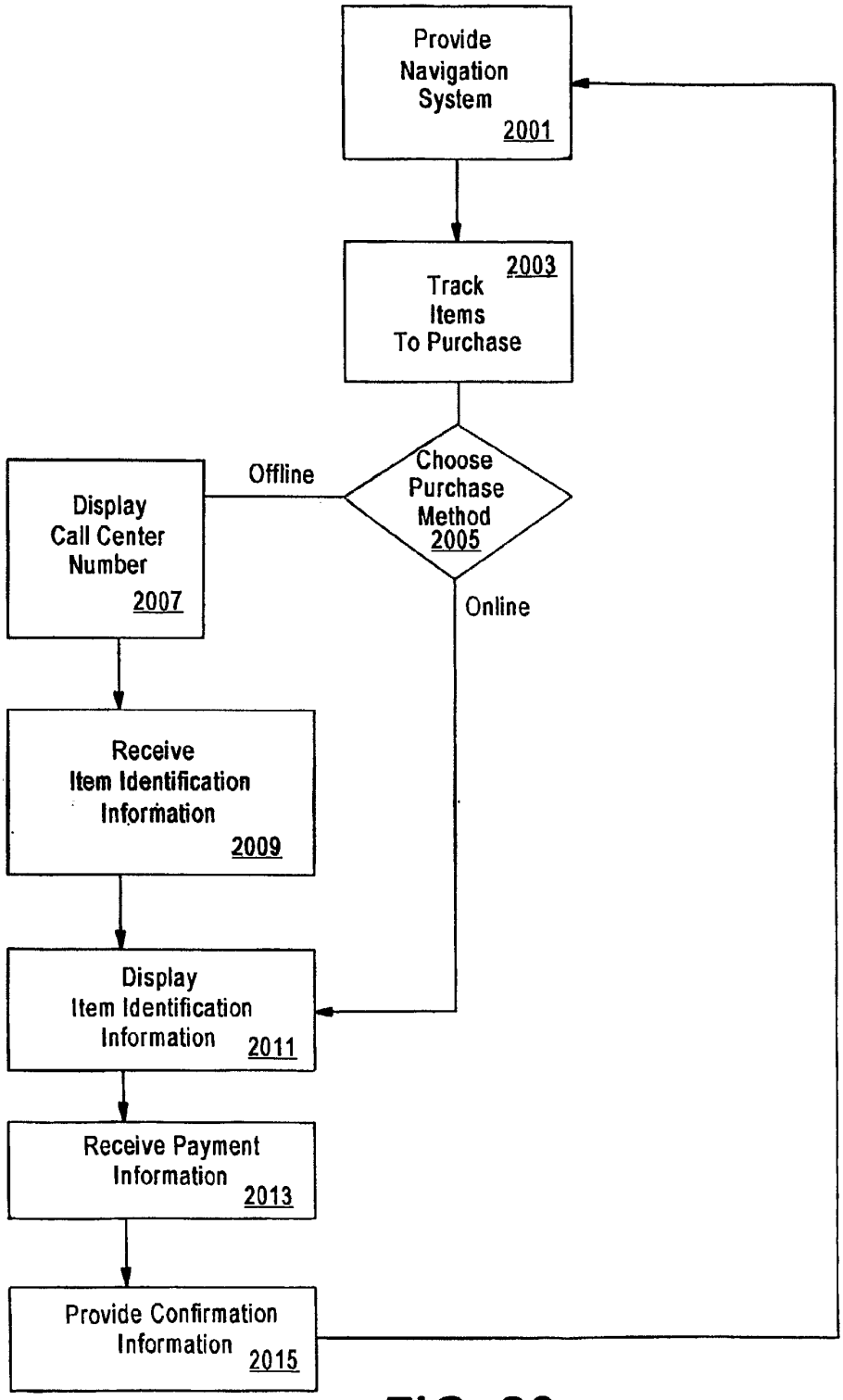

Provide Navigation System 2001
2003
Track Items To Purchase
Choose Purchase Method 2005
Offline
Online
Display Call Center Number 2007
Receive Item Identification Information 2009
Display Item Identification Information 2011
Receive Payment Information 2013
Provide Confirmation Information 2015

FIG. 20

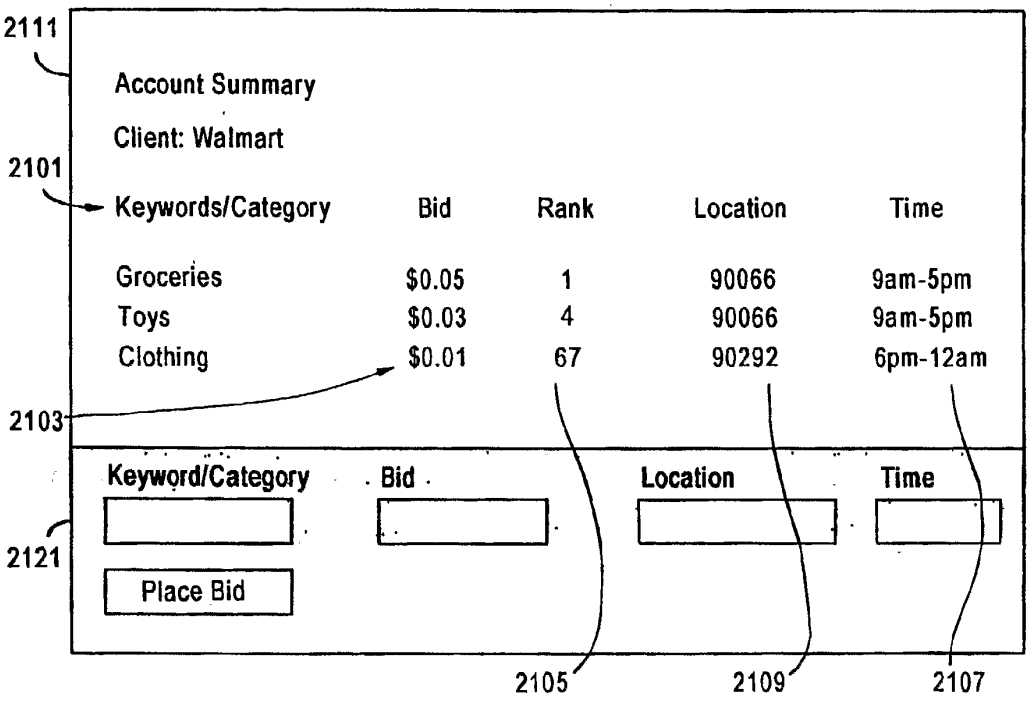

2111
Account Summary
Client: Walmart
2101
Keywords/Category
Bid
Rank
Location
Time
Groceries
$0.05
1
90066
9am-5pm
Toys
$0.03
4
90066
9am-5pm
Clothing
$0.01
67
90292
6pm-12am
2103
Keyword/Category
Bid
Location
Time
2121
Place Bid
2105
2109
2107

FIG. 21

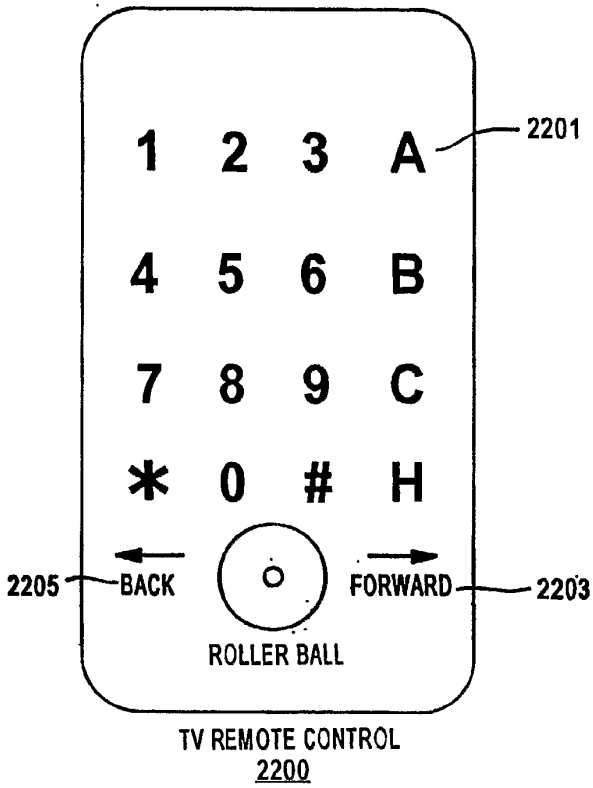

1 2 3 A
2201
4 5 6 B
7 8 9 C
* 0 # H
2205
BACK
FORWARD
2203
ROLLER BALL
TV REMOTE CONTROL
2200

FIG. 22

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	1806	1	240	240
		Total in USD ($)		**240**

Electronic Acknowledgement Receipt	
EFS ID:	36570818
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	12-JUL-2019
Filing Date:	09-FEB-2018
Time Stamp:	15:11:18
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$240
RAM confirmation Number	071519INTEFSW15115900
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	19-07-12-DAT-PP_CON4-IDS.pdf	1034464 73c8174de522b3fa3268a43f29505fbcfa2fc691	no	4
Warnings:					
Information:					
A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.					
2	Foreign Reference	WO2005-022887_Gottfurcht.pdf	2296695 10d40a05793b35ab71ebb76a3092e91ec94378a6	no	72
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30837 3691689ca8823e0c829a338de2f948fd8be495d0	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	3361996		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	3622
Serial No.	:	15/893,354	Examiner	:	Sittner, Michael J.
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title	:	Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on June 13, 2019

BRIEF ON APPEAL

Dear Sir:

Pursuant to 37 C.F.R. § 41.37, appellant submits this brief on appeal.

This application has been granted Prioritized Examination (Track I) status, therefore, appellant respectfully requests prompt processing and accelerated review.

Real parties in interest: Appellant/assignee Datonics, LLC owns this application by assignment from AlmondNet, Inc., which in turn received an assignment from the inventors. AlmondNet, Inc. also has an interest at least on account of its license back from Datonics.

Related appeals, interferences, and judicial proceedings: Nothing is pending or ongoing. In CBM2017-00059, the Board denied institution of a CBM proceeding that sought to invalidate parent U.S. Patent 8,244,574, which assignee had asserted against Yahoo! Inc. (later Oath Holdings Inc.) in a now-settled litigation, which included district court cases 16-cv-01557-ILG-SMG (E.D.N.Y.) and 18-cv-943-CFC-SRF (D. Del.).

Status of claims: Claims 34-61 are pending. Claims 34, 48, and 61 are independent claims.

Statement of post-final amendments: None.

Priority date, related patents, and applicable law: This application is a continuation of application Serial No. 14/080,999, filed November 15, 2013, which is a

continuation of application Serial No. 13/631,244, filed September 28, 2012, now U.S. Patent 8,589,210, which is a continuation of application Serial No. 11/765,433, filed June 19, 2007, now U.S. Patent 8,280,758, which claims the benefit of provisional application Serial No. 60/805,114, filed June 19, 2006.

The original regular application is a copy of the provisional application with modest changes, mostly for grammatical improvement. Appendix A shows a comparison of a particularly significant portion of the provisional application, showing how appellant modified it to produce the corresponding text of the regular application.

In view of all claims having support to the June 19, 2006, provisional and June 19, 2007, regular applications, pre-AIA law applies.

Concise summary of claimed subject matter: Appellant provides the following description (with the numbers in brackets referring to page:line(s) of the specification as originally filed or the figure:numeral of drawings as filed), but the claims themselves define the invention, and this summary is not intended to supersede claim language.

Beginning with terminology, the specification discloses two primary types of actors involved with the system, aside from the visitor: (1) "profile owners" or "PO companies"; and (2) "media property entities":

(1) "Profile owners … either own profiles or have the right to resell the profiles." 8:12-14. A profile owner may own the profile by virtue of automatically recognizing some activity of the user during the user's visit to the profile owner's own website, 3:18-21, such as a search in a search engine on the website or a click by the user in a particular location, 4:11-12, 13:3-9. A profile owner also may obtain access to the user's profile because the user accessed the website of a "profile supplier" (*see generally* 2:10-3:27), which in one embodiment may redirect the visitor to the profile owner. Fig. 1:2000; Fig. 2:11 & Pr1; 12:22-13:2. The profile owner optionally may categorize the user's action into one of a number of predefined categories. 13:16-27.

(2) A "media property entity" is an entity that controls a computer system that includes equipment that controls an ad space viewed by a visitor, at least temporarily. 5:4-5, 17-18. Examples of "media property entities" include companies operating websites or ad network companies that have access to a website's ad space. 5:5-6. The "claim construction" section of this appeal brief contains further discussion of the specification's discussion of "media property" (entity or equipment).

In general, each independent claim refers to the following features, disclosed in the following exemplary parts of the specification.

Overall, independent method claim 34 refers to actions performed by a *selected media property entity's* computer system, *see* parts (a) and (c), in response to information received from a specially programmed PO company's computer, defined in part (b). Specifically, starting with the PO computer's programming:

In claim 34, part (b)(i)(B) refers to a PO computer system storing requests for profiles or types of profiles of particular kinds received from various entities, which the specification describes as "media property entities" (see above). The specification discloses the PO system having a database storing a set of requests from each of a plurality of media property entities; the requests are either for specific profiles or categories of profiles of interest to each media property entity. 12:14-21. For example, one media property entity may be interested in visitors who have searched for car insurance while another is looking for visitors interested in autos. 12:17-19.

In claim 34, part (b)(i) & (A) refers to the PO computer being programmed to select a media property entity from among a plurality of such entities based on comparing the above stored requests with profile information about a visitor who accessed a profile supplier website. *See* above discussion of "profile supplier." The specification discloses the profile owner computer system being programmed so that, as it gains access to each visitor, it identifies which media properties "have asked to receive a visitor having a profile such as the one recognized." 14:3-5.

In claim 34, part (b)(i)(ii) refers to automatically arranging for storage of a requested profile linked to a tag readable by equipment controlled by the selected media property entity. The specification teaches that, once having selected one or more media properties, the profile owner "arranges for the visitor to be tagged with a tag readable by the media property that requested such a profile." 11:1-3; 14:6-6; Fig. 1:6000.

The specification further explains that the tagging can be done in a variety of ways, including by redirecting the visitor computer to the selected media property to allow the media property to place its tag, 14:16-25. The tag may be placed on the visitor computer, such as a cookie, 14:20.

As stated in claim 34, at the end of part (a), the specification confirms that the tag provides a way for the media property to access the visitor's profile. 15:11-16; 19:26-27.

In claim 34, part (a) refers to an "entity controlling the computer system." This is the *selected* media property entity. Claim 34, part (a) refers to receipt by the selected media property equipment, from the profile owner computer, of indicia of the profile information. The specification refers to one example where the tag readable by the media property entity allows the selected media property to recognize the visitor profile. 14:6-8, 16-25. Part (a) also refers to the media property entity storing the profile information as a result of receiving the indicia. The specification refers, for example, to the PO company sending the profile and the copy of the tag to the selected media property entity, which stores both in its central database. 15:17-22.

In claim 34, part (c) refers to a step performed "later, when the visitor device is available to receive an advertisement," namely the selected media property entity's computer system using the tag and profile information to cause ad delivery to the user. The specification discusses a later time called "time t2," when the media property entity may happen to encounter the tagged visitor "within its ad space." 15:25-26. (As noted above, "its ad space" refers to space within its website or space that it controls at least temporarily.) At that time, the media property entity can deliver a targeted ad to the

user. 15:25-28. The specification gives examples of such targeted ad delivery at 16:29-17:3 and 19:3-5.

Claim 34, part (c) also refers to the ad being dependent on the profile information accessed in the central database. The specification describes the ad as being "profile-based." 15:27-30.

In sum, the selected media property entity's "computer system" therefore receives (part (a)) from the specially programmed profile-owner computer (part (b)) profile data matching the media property entity's previous request for a profile or type of profile (*see* part (b)(i)). The received profile data is stored in a central database and a visitor device's tag serves as a link to it. (*See* part (a).) This allows the media property entity to later cause delivery of ads connected to that profile when ad space become available for that visitor's device. (*See* part (c).)

Independent apparatus claim 48 refers to a "computer system" programmed to store certain information "as a result of electric receipt from a profile owner computer" of the indicia (see part (a)), and likewise specifies that the "profile owner computer" is programmed in the same fashion. Claim 48 refers in part (c) to causing the ad delivery at the "later" time also. The above specification support for claim 34 applies to corresponding elements of claim 48.

Independent claim 61, in *Beauregard* form, refers to a "medium" that encodes computer instructions that instruct a computer system to perform a method parallel to that of claim 34. The above specification support for claim 34 applies to corresponding elements of claim 61.

The above description provides a concise description of ***all independent claims***. All features in any independent claim are believed covered in this "concise summary."

Appendix B is the "claims appendix," reproducing a copy of each claim as amended as of the date of the final rejection and as of the date of this appeal brief.

Claim grouping: All claims are argued together for purposes of simplifying this appeal. Claim 34 is representative.

Summary of rejections:

Claims 34-37, 39, 41-43, 45, 47-51, 53-56, 58, and 60-61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. Pub. 2007/0067297A1 ("Kublickis") in view of U.S. Pat. Pub. 2007/0130005A1 ("Jaschke").

Dependent claims 38, 40, 44, 46, 52, 57, and 59 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kublickis in view of Jaschke further in view of US 2005/0097204A1 ("Horowitz"). Because dependent claims are not separately argued, appellant does not discuss Horowitz in this appeal brief.

Previous rejections based on 35 U.S.C. § 101 and § 112 have been overcome or withdrawn.

Argument:

I. Construction of claim terms related to "media properties."

Appellant proposes that the Board construe "media property equipment" as "equipment, which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily" and "media property entity" as "an entity that controls media property equipment (as defined above)."

The proposed construction corresponds to what the Board already decided, in the above-referenced prior CBM proceeding, which concerned a parent patent sharing the same specification:

> In the present context, a media property is any equipment that controls an ad space viewed by a visitor (e.g., a web site, an ad network's site, a television program ("TV"), some of the ad space within TV programs or TV channels, a TV network, any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space).

Non-Institution Decision, Paper 7, at 4 (Nov. 30, 2017).

The specification, at page 5, lines 1-27, contains the following explanation and definition, supporting the proposed definition:

> Because the purpose of the tag is to enable the delivery of additional ads on other media properties visited by the visitor, and because the delivery of an ad requires only control of the ad space and not necessarily control of the entire media property visited by the visitor, a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor, including a web site, an ad network's site (where the ad network represents the ad space of different sites), a TV program, some of the ad space within TV programs or TV channels (represented by a cable company), a TV network, or any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space can be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio, etc. An ad space can be a fixed position on a page, or the ad space can be made available by a web site to an ad network (for example) only when the web site did not sell all of the site's ad inventory and therefore wishes to make some of the inventory available to the ad network.
>
> In the case of a media property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled only temporarily. For example, in the case of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill, the ad network will have temporary control of the ad space, i.e., when that ad space is given to it by the web site. Once the site redirects the ad space on the page to the ad network (so

> the ad network could fill the ad space with an ad sold by the ad network), the ad network controls the ad space and has access to the visitor viewing the ad space that was redirected to the ad network by the site, and therefore the ad network's equipment is considered a media property, as it controls an ad space viewed by a visitor.

In shorter terms, putting aside for the moment the extensive discussion in the above quotation of reasons, examples, or variations, the specification proffers this basic definition: "**a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor.**" That definition forms the core of appellant's proposed claim construction. The second paragraph of the above quotation clarifies that the control can be only temporary, so appellant's proposal contains that concept explicitly.

The specification later says, on page 8, lines 5-6: "A low-value ad space owner could be any media property owner, whether it owns a web site, a TV program, a radio show, or any other media property." On line 23 of page 8, the specification similarly refers to "a media property (if acting as a profile owner) …." Those page 8 citations indicate that the specification uses the term "media property" in some contexts to refer to an "owner" (entity), whereas the above quotation on page 5 of the specification uses the term "media property" in the context of "equipment." To avoid confusion, appellant crafted the claims to distinguish between "media property *entity*" and "media property *equipment*." Which of the two is being referenced at various points in the specification is clear from context. The Final Office Action says that "media property" and "media property entity" are "two terms [that] appear to be synonymous with each other." Although that is not exactly true, the usage (owner vs. equipment) is parallel in the specification, and appellant's proposed construction defines one by reference to the other.

The examiner seems to ignore the statements in the instant specification and prefers to refer to the provisional specification (60/805,114). At page 4, line 22 to page 5, line 21, the provisional specification contains similar content:

> It is important to note that as the purpose of the Tag is to enable the delivery of additional ads on other media properties visited by the visitor and since the delivery of an ad requires only control of the ad space and not control of the entire media property visited by the visitor, a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor. This definition of a media property will therefore include a web site, an ad network of sites where the ad network represents the ad space of different sites, a TV program, a cable company that represents some of the ad space within TV programs or TV channels, a TV network, any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space could be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio etc. An ad space could be a fixed position on a page or the ad space could be made available by a web site to an ad network for example only when the web site did not sell all of the site's ad inventory and therefore makes some of the inventory available to the ad network. Therefore, in a media property's definition of an entity that controls an ad space viewed by a visitor, a specific ad space on a page might be controlled by the entity only temporarily as in the example of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill and the ad network has temporary control of the ad space when that ad space is given to it by the site. Once the site redirects the ad space on the page to the ad network so

> the ad network could fill the ad space with an ad sold by the ad network, the ad network controls the ad space, has access to the visitor viewing the ad space that was redirected to the ad network by the site and therefore the ad network is considered a media property as it controls an ad space viewed by a visitor.

A redline comparison, showing how appellant made grammatical or stylistic changes to the above-quoted section of the provisional application to create the parallel paragraphs of the regular application, is provided as Appendix A to this Appeal Brief. In effect, the original application began with the provisional application but "cleaned up" the language to clarify the meaning, avoid ambiguities, and improve grammar and style (the inventor who wrote the provisional is not a native English speaker).

Appellant does not understand why the examiner seems fixated on the provisional application, as opposed to the instant application. *See Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 979 (Fed. Cir. 1995) (en banc) ("claims 'must be read in view of the *specification, of which they are a part.*'") (emphasis added). On the other hand, although perhaps less relevant than the regular application, appellant does not contend that the examiner erred in considering the provisional *at all*. The wording of a provisional can conceivably influence claim interpretation, where relevant, as it is intrinsic evidence, but it should not control the claim construction to the exclusion of the wording of the instant specification. *E.I du Pont de Nemours & Co. v. Unifrax I LLC*, No. 2017-2575, slip op. at 12-16 (Fed. Cir. Apr. 17, 2019) (compare with dissent at 7-10).

Most significantly, the provisional and regular applications are consonant in the material portions. As the Board can see, the provisional and instant specifications contain substantively identical definitions of "media property." Upon filing the regular application, appellant inserted the word "equipment" for clarity in view of the context, and that should not be ignored. But, *both the provisional and the regular application* define "a media property" using the phrase "defined as" and using the words, immediately afterwards, "that controls an ad space viewed by a visitor." Thus, both specifications (1)

signal the existence of an express definition and (2) use the test of ad-space control in that definition.

In an interview report following the final rejection, the examiner indicated that the rejection is premised on the notion that appellant's proposed definition, relying on control of ad space, is "too narrow" in view of the provisional application's statement (at page 5): "This definition of a media property will therefore include … any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity."

With all due respect to the examiner, this statement does not *expand* appellant's proposed definition. The sentence quoted by the examiner begins, "This definition of a media property will therefore include," which makes clear that what follows is an example within the scope of the previously stated definition, not *itself* a definition, as the examiner pretends.

To put a more sharp point on the issue, imagine a hypothetical candidate for a "media property" that (1) is allowed to deliver an ad within an advertising space, but (2) does not control the ad space. Would such an entity be within the scope of the claim term "media property entity," properly construed? No, because the second quoted sentence does not expand the definition but merely elucidates it.

More importantly, though, appellant submits that such a hypothetical case is impossible. Any "entity allowed to sell an advertisement and deliver it within an advertisement space" is in fact an entity that "controls [that] ad space," at least temporarily. In other words, the second statement (on which the examiner focuses) merely contains further explanation of what is meant by "control": Namely, if an entity is "allowed" to deliver an ad in a particular ad space, then such entity is then considered to have "control" of that ad space.

Finally, the above-quoted explanation of "media property," in *both* the regular and provisional applications, concludes with detailed discussion of an example of an ad network controlling ad space temporarily, and that portion of the discussion repeats the test for whether the "ad network … is considered a media property," by saying that it qualifies "as it controls an ad space viewed by the visitor." The use of the word "as" (as a synonym for "because") circles back to the key point that control of ad space forms a touchstone for qualification as a "media property."

The examiner's statement that the proposed definition is "too narrow" in view of the second sentence (from the provisional), therefore, is shown as incorrect. The specification contains an explicit definition that the Board should adopt, and the second sentence simply adds clarity to the meaning of that definition; it does not expand it. So far as appellant knows, the definition provided in the specification is, in addition, consonant with ordinary meaning of the term "media property" as used in the industry.

The law clearly allows an applicant to define a term in the specification, and that choice should not be ignored. *See, e.g.*, MPEP 2111.01(IV) (even under BRI rule, "when the applicant acts as their own lexicographer … 'the inventor's intention, as expressed in the specification, is regarded as dispositive.'") (citing *Phillips v. AWH Corp.,* 415 F.3d 1303, 1316 (Fed. Cir. 2005) (en banc)); *id.* at (IV)(A) ("Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim."); *see also* MPEP 2173.01 & (I), 2173.03.

The extensive discussion in the specification (as originally written in the provisional application and carried forward with grammatical and other minor improvements in the regular application) define the terms "media property" with "reasonable clarity, deliberateness, and precision" and provide adequate public notice of the meaning of the term. MPEP 2111.01(IV).

As seen below, the problem is that, in deciding the relevance of the prior art, the examiner did not credit appellant's explicit definitions related to "media property." The

examiner suggested in the interview that appellant put too much stock in (1) the main definition, present in both the regular and provisional applications, that a "media property" must "control ad space," and (2) the word "allowed" in the "including" discussion following the main definition. To the contrary, the examiner has entirely ignored the main definition's reference to "control" and failed to credit the word "allowed," which word signals that the "control" applies to the included examples too.

For those reasons, the Board should construe "media property equipment" as "equipment, which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily" and "media property entity" as "an entity that controls media property equipment (as defined above)."

II. Jaschke does not disclose the element of "automatically select[ing]" one of several "media properties."

Independent method claim 34 requires receipt of certain indicia "from a profile owner computer," *see* part (a), and further specifies that the "profile owner computer is programmed to automatically select a media property entity of a plurality of media property entities" based on certain stated criteria, *see* part (b) & (b)(i). All pending claims include the requirement that a "profile owner computer" be "programmed to automatically select a media property entity of a plurality of media property entities."

The examiner explicitly concedes that the primary reference, Kublickis, does not teach part (b)(i) but contends that it is taught by secondary reference, Jaschke. FOA, pp. 7, 8 (ellipsis at top of p. 7 showing feature missing from Kublickis and admission "he may not explicitly teach" on page 8). In particular, the examiner argues that Jaschke teaches automatically selecting between competing advertisers and that the advertisers qualify as "media property entities." *See* FOA, p. 8 (pointing to Jaschke Fig. 4 and describing it as "selection of an advertiser [media property entity]") (brackets in FOA).

Jaschke discloses a "consumer information broker" that accepts advertiser bids and chooses one of several advertisers automatically. Various advertisers bid for

delivery of their ads to a "target" or user, and one of the advertisers is selected based on a calculation of which matches. *See* Jaschke's abstract, [0016], [0019], [0031-33], [0061], [0073-74].

The examiner "maintains that Jaschke's advertisers are entities which pay the owner of the ad space when using its ad space to deliver an ad sold by the entity" and thus the advertisers qualify as "media property entities" as defined in the specification, according to the "including" sentence of the provisional application on which the examiner focuses. *See* Post-final Interview Report. The examiner writes that he "has found that an Advertiser controls an ad space when the advertiser purchases the ad space" and for that reason, "Advertisers are simply one type of 'media property entities' as described by applicant's own specification." FOA, pp. 23-24.

Appellant disagrees. Appellant does not contend that media property entities can *never* be advertisers—that would be incorrect. Rather, the point is that *Jaschke's* advertisers, among which the Jaschke system chooses, do not each "control ad space"—and thus do not meet the definition of "media property" entities—because the point of Jaschke is that the advertisers are competing (bidding) for permission to place an ad in a given ad space *that Jaschke's "broker"* controls. Thus, Jaschke's computer system does not disclose that the described broker computer is "programmed to automatically select a media property entity of a plurality of media property entities" and thus does not correspond to the claim element.

Only when Jaschke's broker makes the selection is an advertisement of *one* of the advertisers, the selected advertiser, delivered to the user, as decided by the broker's computer algorithm. Arguably at least, one might characterize the *selected* advertiser as a "media property entity" *after* the broker selects that advertiser, because, at *that time*, the selected advertiser may be given the right to control the ad space and to place the advertiser's ad in the ad space. But the same cannot be said for the advertisers whose bids are not accepted. Thus, Jaschke does not teach selection *among* media property

entities, thus, Jaschke does not teach the claim element of "automatically select[ing] a media property entity of a plurality of media property entities."

As indicated in the claim-construction section, the instant specification provides a fulsome definition of "media property" with clarity, deliberateness, and precision. It is therefore helpful to step through the full discussion of "media property" again, comparing the specification's discussion with Jaschke's advertisers. Given the law that the regular application is considered primary to claim construction, and given the fact that the regular application's discussion was edited for added clarity, first considering the wording in the edited discussion seems to make the most sense. But applying the earlier language from the provisional does not change the result, as also shown below.

First, the core definition states, "a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor …." Does Jaschke disclose selecting between plural entities that each have equipment that control the ad space? Clearly not. At the time of the selection, as explained above, Jaschke's advertisers are bidding for the same ad space, so their equipment does not meet that definition. The examiner does not express any disagreement with this conclusion: If appellant's construction of "media property" is accepted, the examiner seems to understand that Jaschke's advertisers would not qualify.

Using the provisional's language corresponding to the core definition does not change the conclusion. The provisional version says that "a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor." Jaschke's advertisers are not such entities. The change from "entity" to "equipment" when editing the language for the regular application does not make a difference as to whether Jaschke's advertisers qualify. The examiner, again, does not express any disagreement.

Second, consider the portion of the discussion giving an example said to be within the scope of the definition. The regular application defines "media property" as

"any equipment that controls an ad space viewed by a visitor, *including … any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space;* whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity." Jaschke's advertisers do not meet the highlighted "including" language either. In Jaschke, only the advertiser that wins the bidding process is "allowed to sell an advertisement and deliver it within the ad space." The losers are not allowed to deliver the ads within the ad space. Again, it is clear that Jaschke does not disclose "select[ing] a media property entity of a plurality of media property entities," each of which are "allowed to sell an advertisement and deliver it within the ad space." Again, the examiner does not express disagreement.

Using the provisional's version of the "including" part of the discussion does not change the conclusion, again. The provisional says, "This definition of a media property will therefore *include … any entity allowed to* sell an advertisement and *deliver it within an advertisement space*, whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity." This is the sentence on which the examiner focuses, but again, it is clear that Jaschke does not select among advertisers each of which are "allowed" to deliver an advertisement within the ad space.

Third, the specification continues with the following explanation: "In the case of a media property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled only temporarily. For example, in the case of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill, the ad network will have temporary control of the ad space, i.e., when that ad space is given to it by the web site. Once the site redirects the ad space on the page to the ad network (so the ad network could fill the ad space with an ad sold by the ad network), the ad

network controls the ad space and has access to the visitor viewing the ad space that was redirected to the ad network by the site, and therefore the ad network's equipment is considered a media property, as it controls an ad space viewed by a visitor."

Jaschke teaches that a web site can release an ad space to the "broker" to fill, and the broker then controls that specific ad space temporarily. The "broker" then has "temporary control of the ad space," just like the "ad network" described in the instant specification. But Jaschke does not teach selecting between or among multiple *brokers*, each of which control ad spaces. The examiner does not deny this either.

The wording of the provisional is immaterially different: "Therefore, in a media property's definition of an entity that controls an ad space viewed by a visitor, a specific ad space on a page might be controlled by the entity only temporarily as in the example of the web site that did not sell all the ad impressions available to be delivered within an ad space on a page and therefore makes the unsold ad space available to the ad network to fill and the ad network has temporary control of the ad space when that ad space is given to it by the site. Once the site redirects the ad space on the page to the ad network so the ad network could fill the ad space with an ad sold by the ad network, the ad network controls the ad space, has access to the visitor viewing the ad space that was redirected to the ad network by the site and therefore the ad network is considered a media property as it controls an ad space viewed by a visitor."

In sum, Jaschke's broker selects advertisements for a given ad space, whereas in contrast the claims of this application relate to selection of one among several "media property entities" (entities that control ad space) with the goal of enabling the selected media property entity to target the profiled visitor with an ad within an available ad space if and when encountering that visitor in the future. Jaschke therefore does not teach the specially and unconventionally programmed profile owner computer of part (b) or receiving information from such a computer.

Consequently, the combination of Jaschke and Kublickis does not teach the element of part (a) either. The rejection agrees that Kublickis does not teach part (b), so clearly Kublickis cannot teach receiving indicia from a computer programmed as in part (b), which is required for part (a). As a result of the explanation in this section, Jaschke does not teach the computer of part (b) either, so again Jaschke does not disclose receiving indicia from the computer programmed as in part (b). The FOA does not provide any explanation or argument as to how a system of Kublickis modified according to the alleged teachings of Jaschke might somehow synergistically receive indicia from a computer like that of part (b) despite neither reference having such a computer. Accordingly, the combination does not teach part (a) either.

III. The hypothesized combination does not disclose the element in part (c), facilitating delivery of an ad when the visitor *later* appears on a website.

In context, Kublickis discloses a "custom browser" (which may be installed in as a tool bar in a conventional browser). [0206, 0290] When the visitor uses the browser to visit a website, the "third-party content provider" controlling the website automatically requests profile data from the custom browser by embedding the request in the body of the visited web page's HTML code. [0406-07, 0416-22] The system of Kublickis checks for user permission allowing delivery of the type of profile data and, assuming it is granted, provides the data to the website, either by direct transfer (to the web address specified by the website in the web page HTML code), *see* [0419, 0424], or by using the custom browser software on the user computer to write the data directly to a cookie associated with the website, which is stored on the user computer and reported by the browser to the visited website, *see* [0210, 0283, 0410, 0436].

The obviousness rejection analogizes the "third party content provider" (website) of Kublikis to the "media property" performing parts (a) and (c) of the independent claims. FOA, p. 6 (top) & p. 8 (lines 1-3). The rejection analogizes the company operating

Kublickis' "custom browser" as the "profile owner" of part (b) of the independent claim. FOA, p. 8 (lines 4-8).

The rejection asserts that it would have been obvious for one of ordinary skill in the art to have applied the known technique of Jaschke to Kublickis' custom browser. FOA, p. 10 (top). The theory of the rejection is that such an artisan would have modified Kublickis's browser by using Jaschke's technique of automatically selecting among competing advertisers based on the information already available to the Kublickis browser. *Id.*

Part (c) of independent claim 34 specifies that the computer system that receives the indicia, *see* part (a), "us[es] the tag of part (a) that is associated with the visitor device"—and that "serves as a link to the [visitor] profile information," *see* part (a)—"to access the profile information," *see* part (c)(i), and "us[es] the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device," *see* part (c)(ii). Importantly, the claim specifies that the above-described acts of part (c) are done "later, when the visitor device is available to receive an advertisement," *see* part (c). Parallel language appears in the other independent claims also.

Assuming *arguendo* that such a combination is well-motivated (which it is not, as explained in the next section), and assuming further that the examiner's reading of Kublickis is correct about that reference's browser being able to deliver an ad based on profile information derived from a tag, the combination nevertheless would not meet part (c) as claimed. In such a proposed combination, the system would choose and deliver an ad while a visitor is on a given website at a given time, rather than facilitating *later* delivery of an ad when the visitor appears on a website after the selection is made.

In connection with part (c), Kublickis suggests that a given website may encounter the same user multiple times. [0422, 0433] If that happens, previous user *permissions* may be saved as data associated with the particular website, but the website

makes a separate "request" for profile data each time, which may be duplicative of an earlier request. *Id.* Kublickis does not store *profile requests*; it stores *permissions* granted by the visitor: Each time the visitor encounters the website, the request is repeated or a new request made. *See* [0416, 0418, 0420] (referring to "request 1120" embedded in website code triggering "profile extraction"). There are no stored requests, even for a given website. Indeed, Kublickis teaches that profile data is dumped as soon as the user navigates to a different website between two visits to a common website. [0436 ("When the consumer visits a different website, the customer browser erases the cookie" that has been used to store data gathered when visiting different pages of a given website)].

The rejection refers to the above-described disclosure in Kublickis of saving permissions from a user's previous visit to the same website. FOA, p. 8 (lines 4-8). As explained above, Kublickis works by transferring profile data (if authorized) each time the user visits a particular website—whether directly or through the cookie. Hence Kublickis doesn't meet the "later" limitation of part (c), because there is no disclosure of choosing the ad using profile data stored in the central database that was transferred during an *earlier* visit by the user to a profile supplier website, which profile data was received from a profile owner as a result of the media property being selected because such information matches a previously stored request of the media property for certain types of visitors.

Jaschke, too, discloses having the winning advertiser present the ad to the website visitor during the *current* visit of the visitor to the website containing the ad space to be filled. [0028-29], [0031], [0064], [0074-75], [0088].

In effect, therefore, the Kublickis/Jaschke combination hypothesized in the rejection would use the Kublickis custom browser, and therefore provide data to a visited website on demand, *at the time of a visit by the user to a given website*, and use Jaschke's technique to evaluate advertiser bids and to deliver an ad of a selected advertiser *while the visitor is on the website in question*.

In contrast, appellant's disclosed technique generally involves providing desired profile data to a media property entity *at the time profile data is collected*, which media property entity is selected based on stored requests from multiple media property entities, with the *hope* that the selected media property entity will encounter the tagged browsers *later* and then have the opportunity to target an ad to the browser based on the *previously* received profile information.

IV. The hypothesized combination is not well-motivated.

The rejection asserts that it would have been obvious for one of ordinary skill in the art to have applied the known technique of Jaschke to Kublickis' custom browser, because—allegedly—Kublickis' browser already stores profile information and requests for profile data points and cookies, so using Jaschke's technique to automatically select between competing advertisers (which the Office Action considers "media property entities") based on the information already available to the browser would simply constitute use of a known technique to improve the known Kublickis browser (given both references are in analogous art in the same field of endeavor). FOA, p. 10 (top).

First, the premise is incorrect: Kublickis contains no indication that the referenced "third-party content provider" stores profile information in a central database associated with that content provider's computer. Indeed, Kublickis suggests to the contrary by speaking about the content provider repeating the same request, as explained in the previous section. Kublickis offers no motivation or rationale for using a media property database, because—as noted above—Kublickis' "content provider" receives information via the special browser during the visitor's visit to the website and uses the data to serve an ad *now*; there is no logical reason to store the data for later use.

Also, it does not make logical sense that an ordinary artisan would have modified Kublickis to utilize Jaschke's technique. Kublickis works only with respect to a given website in current contact with a user's customized browser, so Kublickis has no

need to *select* any website or media property among others (even assuming *arguendo* that Jaschke disclosed such).

The Office Action (p. 8, line 9) agrees that Kublickis "may not explicitly teach the nuance of" limitation (b)(i), which specifies that the profile owner computer has selected a media property entity from among many based on stored profile requests, and uses Jaschke in combination. The differences are hardly mere nuances or details. Rather, the claimed invention generates significant advantages by enabling a selected media property entity, which has expressed interest in a profile or type of profile, to receive profile data, specifically from the specially programmed profile-owner computer, which profile data is stored in a central database and linked to a visitor device's tag, and to allow the media property entity later, when the visitor device becomes available to receive an advertisement, to use the tag to access the profile data and use the profile data to cause delivery of an ad to the visitor's device.

As explained in appellant's specification, *see, e.g.*, pages 7-10, previous systems created difficulties, solved by the current invention, including the problem of media property entities monetizing general-content ad space when receiving categories of profiles that they could not use. Previous techniques would require specific negotiations with a number of different referring websites, exchange of technical information to make any tagging possible, and constant updating as a media property instituted new ad campaigns or finished running a campaign. Such a cumbersome contracting and technical-updating process prevented referring websites from being positioned to cause media property tags to be added timely.

Also as the specification explains, worse, the prior art did not seem to allow such referring websites to deliver specifically a *subset* of users that the media property entity wished to target, and as a result the media property entity would end up delivering the ad to some "unwanted" visitors as a result of broader audience than desired being tagged.

Accordingly, obtaining a targeted audience was difficult technically to achieve, balancing the need for enough visitor volume against the desire to avoid excess visitors; known prior art techniques did not provide a way, technically or practically, for a "media property entity" to obtain a desired audience of both a sufficient size and a targeted type.

The unconventional system described by the pending claims assists in solving those problems. It allows "media property entities" to specify desired audiences to a "profile owner" that has access to users on account of their visits to a "profile supplier," and each media property entity can cooperate with the "profile owner" to identify a subset making up its desired audience by arranging for storage of a requested profile linked to a visitor device tag. Such techniques allow media property entities access to the desired audience, without too many, too broadly targeted visitors, avoid the need for custom negotiations with and technical assistance to multiple profile suppliers, can start ad campaigns timely, and can be scalable.

The claims are directed to a selected media property computer system accessing a stored profile, using a tag linked to the profile, and using the profile to cause delivery of an ad to a visitor *whose profile information was received from a profile owner that has selected the media property from among others based on requests for profiles or types of profiles of particular kinds*. This is not disclosed in either Kublickis or Jaschke, or in the combination described in the Final Office Action of those two references.

Appellant respectfully requests reversal of the obviousness rejection, and, as that is the only remaining rejection, prompt allowance.

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: June 13, 2019

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

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

Appendix A – Comparison showing how a part of the provisional application was edited to produce the original regular application

~~It is important to note that as~~Because the purpose of the ~~T~~tag is to enable the delivery of additional ads on other media properties visited by the visitor, and ~~since~~because the delivery of an ad requires only control of the ad space and not necessarily control of the entire media property visited by the visitor, a media property ~~for this application could~~(in the present context) can also be defined as any ~~entity~~equipment that controls an ad space viewed by a visitor. ~~This definition of a media property will therefore include~~, including a web site, an ad ~~network of sites~~ network's site (where the ad network represents the ad space of different sites~~,~~), a TV program, ~~a cable company that represents~~ some of the ad space within TV programs or TV channels~~,~~ (represented by a cable company), a TV network, or any ad space for which an entity is allowed to sell an advertisement and deliver it within ~~an advertisement~~the ad space; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space ~~could~~can be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio, etc. An ad space ~~could~~can be a fixed position on a page, or the ad space ~~could~~can be made available by a web site to an ad network (for example) only when the web site did not sell all of the site's ad inventory and therefore ~~makes~~wishes to make some of the inventory available to the ad network. ~~Therefore, in~~ In the case of a media ~~property's definition of an entity that controls~~property controlling an ad space viewed by a visitor, a specific ad space on a page might be controlled ~~by the entity~~ only temporarily ~~as in the~~. For example, in the case of the web

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

Appendix B – Pending Claims on Appeal

1.-33. (Canceled)

34. A method of causing delivery of electronic advertisements based on provided profiles comprising:

(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer

system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

35. The method of claim 34 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

36. The method of claim 35 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

37. The method of claim 36 wherein the tag identifies the mobile phone.

38. The method of claim 36 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

39. The method of claim 35 wherein the second device is a computer and further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer.

40. The method of claim 39 wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by

the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement.

41. The method of claim 34 further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer.

42. The method of claim 41 wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

43. The method of claim 34 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

44. The method of claim 43 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

45. The method of claim 34 wherein the tag comprises personally identifiable information identifying the visitor.

46. The method of claim 34 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

Appendix B – Pending Claims on Appeal

47. The method of claim 34 wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

48. A computer system comprising one or more computers, wherein the one or more computers are programmed and connected:

(a) to automatically store, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer

system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) to use the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) to use the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

49. The computer system of claim 48 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

50. The computer system of claim 49 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

51. The computer system of claim 50 wherein the tag identifies the mobile phone.

52. The computer system of claim 50 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

53. The computer system of claim 49 wherein the second device is a computer and wherein the computer system is further programmed to, after parts (a) and (c), electronically report, to a profile owner controlling the profile owner computer, information about delivery of the advertisement to the second device.

Appendix B – Pending Claims on Appeal

54. The computer system of claim 48 wherein the one or more computers are further programmed to, after parts (a) and (c), electronically report, to a profile owner controlling the profile owner computer, information about delivery of the advertisement to the visitor device that is available to receive an advertisement.

55. The computer system of claim 54 wherein the one or more computers are programmed to electronically report by further automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

56. The computer system of claim 48 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

57. The computer system of claim 56 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

58. The computer system of claim 48 wherein the tag comprises personally identifiable information identifying the visitor.

59. The computer system of claim 48 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

Appendix B – Pending Claims on Appeal

60. The computer system of claim 48 wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

61. An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system comprising one or more computers, instruct the computer system to perform a method of causing delivery of electronic advertisements based on provided profiles comprising:

(a) automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is

readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

PTO/AIA/22 (03-13)
Approved for use through 11/30/2020. 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) 14-PP-CON4
Application Number 15/893,354	Filed 02/09/2018
For Providing collected profiles to media properties having specified interests	
Art Unit 3622	Examiner Sittner, Michael J.

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	Micro Entity Fee	
☑	One month (37 CFR 1.17(a)(1))	$200	$100	$50	$ 200.00
☐	Two months (37 CFR 1.17(a)(2))	$600	$300	$150	$
☐	Three months (37 CFR 1.17(a)(3))	$1,400	$700	$350	$
☐	Four months (37 CFR 1.17(a)(4))	$2,200	$1,100	$550	$
☐	Five months (37 CFR 1.17(a)(5))	$3,000	$1,500	$750	$

☐ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ 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 _____.

☑ Payment made via EFS-Web.

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.

☑ attorney or agent of record. Registration number 38918.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

/Louis J. Hoffman/	06/13/2019
Signature	Date
Louis J. Hoffman	(480) 948-3295
Typed or printed name	Telephone Number

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

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(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 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension - 1 month with $0 paid	1251	1	200	200
Miscellaneous:				
			Total in USD ($)	**200**

Electronic Acknowledgement Receipt	
EFS ID:	36297356
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	13-JUN-2019
Filing Date:	09-FEB-2018
Time Stamp:	21:04:31
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$200
RAM confirmation Number	061419INTEFSW21045800
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Appeal Brief Filed	19-06-13-DAT-PP_CON4-Appeal_Brief.pdf	264717 2e3a035b1d703a44634c7f1931b888a54f9a2868	no	34
Warnings:					
Information:					
2	Extension of Time	19-06-13-DAT-PP_CON4-RqstExtTime.pdf	129918 5c21c230935af300545f4f5923ede0836d8956f8	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30616 661d76ac31d15e556bd53292749baca47f9912fa	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	425251		

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

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

PTO/AIA/31 (03-14)
Approved for use through 11/30/2020. 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.

NOTICE OF APPEAL FROM THE EXAMINER TO THE PATENT TRIAL AND APPEAL BOARD

Docket Number (Optional): 14-PP-CON4

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, EFS-Web transmitted to the USPTO, or deposited with the United States Postal Service with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, on Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on January 18, 2019.

Signature /Donald L. Hertz/

Typed or printed name Donald L. Hertz

In re Application of: Shkedi, Roy

Application Number	Filed
15/893,354	02/09/2018

For: Providing collected profiles to media properties having specified interests

Art Unit	Examiner
3622	Sittner, Michael J.

Applicant hereby **appeals** to the Patent Trial and Appeal Board from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) $ 800.00

☐ Applicant asserts small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by 50%, and the resulting fee is: $ _____

☐ Applicant certifies micro entity status. See 37 CFR 1.29. Therefore, the fee shown above is reduced by 75%, and the resulting fee is: $ _____
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____.

☑ Payment made via EFS-Web.

☑ A petition for an extension of time under 37 CFR 1.136(a) (PTO/AIA/22 or equivalent) is enclosed.
For extensions of time in reexamination proceedings, see 37 CFR 1.550.

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

☑ attorney or agent of record
Registration number 38918

☐ attorney or agent acting under 37 CFR 1.34
Registration number _____

Signature /Louis J. Hoffman/

Typed or printed name Louis J. Hoffman

Telephone Number (480) 948-3295

Date March 18, 2019

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

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.20(b)(1) and 41.31. 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, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/AIA/22 (03-13)
Approved for use through 11/30/2020. 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) 14-PP-CON4
Application Number 15/893,354	Filed 02/09/2018
For Providing collected profiles to media properties having specified interests	
Art Unit 3622	Examiner Sittner, Michael J.

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	Micro Entity Fee	
☐ One month (37 CFR 1.17(a)(1))	$200	$100	$50	$
☑ Two months (37 CFR 1.17(a)(2))	$600	$300	$150	$ 600.00
☐ Three months (37 CFR 1.17(a)(3))	$1,400	$700	$350	$
☐ Four months (37 CFR 1.17(a)(4))	$2,200	$1,100	$550	$
☐ Five months (37 CFR 1.17(a)(5))	$3,000	$1,500	$750	$

☐ Applicant asserts small entity status. See 37 CFR 1.27.

☐ Applicant certifies micro entity status. See 37 CFR 1.29.
Form PTO/SB/15A or B or equivalent must either be enclosed or have been submitted previously.

☐ 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 _____.

☑ Payment made via EFS-Web.

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.

☑ attorney or agent of record. Registration number 38918.

☐ attorney or agent acting under 37 CFR 1.34. Registration number _____.

/Louis J. Hoffman/	03/18/2019
Signature	Date
Louis J. Hoffman	(480) 948-3295
Typed or printed name	Telephone Number

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

☐ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(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 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
NOTICE OF APPEAL	1401	1	800	800
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Extension - 2 months with $0 paid	1252	1	600	600
Miscellaneous:				
		Total in USD ($)		**1400**

Electronic Acknowledgement Receipt	
EFS ID:	35457248
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	18-MAR-2019
Filing Date:	09-FEB-2018
Time Stamp:	17:56:42
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$1400
RAM confirmation Number	031919INTEFSW17575900
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	19-03-18-DAT-PP_CON4-Ntc_of_Appeal.pdf	206579 44b15ccd4c05025b4b187400dfa3ecf7c5a349b7	no	1
Warnings:					
Information:					
2	Extension of Time	19-03-18-DAT-PP_CON4-RqstExtTime.pdf	131379 941a6b14834aff0dcefaf78b156e0fec6782a653	no	1
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	32390 d6765d5caa4f2ea037d17130288e566959b22efe	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	370348		

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 02/19/2019

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
02/19/2019	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

Applicant-Initiated Interview Summary	**Application No.** 15/893,354	**Applicant(s)** Shkedi, Roy	
	Examiner MICHAEL J SITTNER	**Art Unit** 3622	**AIA Status** No

All participants (applicant, applicants representative, PTO personnel):

(1) MICHAEL J. SITTNER. (3) _____.

(2) Louis Hoffman (Reg. No.: 38,918). (4) _____.

Date of Interview: 13 February 2019.

Type: ☑ Telephonic ☐ Video Conference
☐ Personal [copy given to: ☐ applicant ☐ applicant's representative]

Exhibit shown or demonstration conducted: ☐ Yes ☐ No.
If Yes, brief description: _____.

Issues Discussed ☐101 ☐112 ☐102 ☑103 ☐Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: Claims 34, 48, 61.

Identification of prior art discussed: ublickiset al. (US 2007/0067297 A 1) and Jaschke et al. (U.S. 2007/0130005 A1).

Substance of Interview
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

See Continuation Sheet.

Applicant recordation instructions: 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

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

☐ Attachment

/MICHAEL J SITTNER/ Examiner, Art Unit 3622	

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 examiners 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 applicants 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 applicants 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 examiners 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 examiners initials.

No agreements were reached.

Although requested, no agenda was provided prior to the interview.

Counsel orally provided agenda during call with the Examiner.

Counsel asked to discuss interpretation of "media property entity". Counsel asserts that "media property entity" must control an ad space and Jaschke's advertisers do not control an ad space at the point in the method recited in claim element "b(i)"... i.e. "(b) wherein the profile owner computer is programmed: (i) to automatically select a media property entity of a plurality of media property entities..."

Examiner pointed out that the definition supplied by counsel regarding "media property entity" is too narrow in view of the Applicant's own specification as already pointed out in the Final Office Action (pg. 4) where Examiner pointed out that Provisional Specification (60/805,114) at pg. 5 provides the following definition: " ...This definition of a media property will therefore include ...any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space could be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio etc. "

Examiner maintains that Jaschke's advertisers are entities which pay the owner of the ad space when using its ad space to deliver an ad sold by the entity.

Counsel asked why the Examiner is relying upon the Provisional Specification? The Examiner noted that the Provisional Specification is a part of the original disclosure.

Counsel also noted that litigation with Yahoo over a parent patent has been settled. Counsel said there is no particular pertinence to this application at hand but wished to disclose that there is no current litigation because he thought he may have mentioned the litigation before.

Examiner recommended clarifying in the recited claims what applicant means by "media property entity" perhaps by not using this terminology but instead by directly reciting a particular embodiment of "media property entity" that is being claimed in the context of this particular invention - e.g. perhaps use the term "website(s)" instead of "media property entity(ies)". For example, a website with avails (i.e. website controlling available advertising slots within its webpages) which the website owner wishes to fill with advertisements which may uniquely target each visitor to said website may be the "media property entity" which the applicant wishes to claim. Or, perhaps applicant wishes to claim an "ad broker" (e.g. an entity which has already contracted to fill avails on websites and therefore controls an ad space which will be viewed by a user), etc...

Examiner respectfully requests an agenda be sent 24hrs prior to any subsequent agreed upon interview dates.

No agreements were reached regarding specific claim language which would overcome the current rejections.

No agreements were reached regarding allowable subject matter.

UNITED STATES PATENT AND TRADEMARK OFFICE

USPTO Automated Interview Request (AIR)

Feb 1 2019

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

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

Name(s):
Louis J. Hoffman

S-signature:
/LouisHoffman/

Registration Number:
38918

U.S. Application Number:
15893354

Confirmation Number:
5057

E-mail Address:
louis@valuablepatents.com

Phone Number:
+1 4809483295

Proposed Time of Interview:
2-14-2019 12:00 PM ET

Alternative Proposed Time(s) of Interview:
2-15-2019 12:00 PM ET

Alternative Proposed Time(s) of Interview:
2-20-2019 4:00 PM ET

Prefered Interview Type:
Telephonic

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

Topic for Discussion:

uspto UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 10/18/2018

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
10/18/2018	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

PTOL-90A (Rev. 04/07)

Office Action Summary	**Application No.** 15/893,354	**Applicant(s)** Shkedi, Roy	
	Examiner MICHAEL J SITTNER	**Art Unit** 3622	**AIA Status** No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS 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 9/14/2018.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

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

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

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

Disposition of Claims*

5) ☑ Claim(s) 34-61 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☑ Claim(s) 34-61 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date _____.

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

4) ☐ Other: _____.

DETAILED ACTION

Status of Claims

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

2. This action is in reply to the Remarks and amendments filed 9/14/2018.

3. Claims 1-33 were canceled by preliminary amendment.

4. Claims 60 is currently amended.

5. Claims 34-61 have been examined and are currently pending.

Continuation

6. This application is a continuation of application Serial No. 14/080,999 ("Parent Application"), filed November 15, 2013, which is a continuation of application Serial No. 13/631,244, filed September 28, 2012, now U.S. Patent 8,589,210, which is a continuation of application Serial No. 11/765,433, filed June 19, 2007, now U.S. Patent 8,280,758, which claims the benefit of provisional application Serial No. 60/805,114, filed June 19, 2006 See MPEP §201.07. In accordance with MPEP §609.02 A.2 and MPEP §2001.06(b) (last paragraph), the Examiner has reviewed and considered the prior art cited in the Parent Application and intervening applications. Also in accordance with MPEP §2001.06(b) (last paragraph), all documents cited or considered 'of record' in the Parent Application are now considered cited or 'of record' in this application. Additionally, Applicant(s) are reminded that a listing of the information cited or 'of record' in the Parent Application need not be resubmitted in this application unless Applicants desire the information to be printed on a patent issuing from this application. See MPEP §609.02 A.2. Finally, Applicants are reminded that the prosecution history of the Parent Application is relevant in this application. See e.g., Microsoft Corp. v. Multi-Tech Sys., Inc., 357 F.3d 1340, 1350, 69 USPQ2d 1815, 1823 (Fed. Cir. 2004) (holding that statements made in prosecution of one patent are relevant to the scope of all sibling patents).

Interpretation of Claim Language

7. Per MPEP § 2106.II.C, unless a term is given an "explicit" and "clear" definition in the specification the examiner is obligated to give a claim term its broadest reasonable interpretation,

in light of the specification as it would be interpreted by one of ordinary skilled in the art (MPEP § 2111). This means that the words of a claim must be given their "plain meaning" unless the plain meaning is inconsistent with the specification (MPEP § 2111.01.I and 2111.01.III). An explicit and clear definition must establish the metes and bounds of the terms. A clear definition must unambiguously establish what is and what is not included. An example of a term does not constitute a "clear definition" beyond the scope of the example. An applicant may define specific terms used to describe the invention, but must do so "with reasonable clarity, deliberateness, and precision" and, if done, must "'set out his uncommon definition in some manner within the patent disclosure' so as to give one of ordinary skill in the art notice of the change" in meaning (see MPEP § 2111.01.IV and 2173.05(a)).

8. **A tag** is not given an "explicit" and "clear" definition in the specification. Therefore applicant's term "tag" is given the broadest reasonable interpretation, in light of the specification. Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], "*A tag generally is any unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…"*. According to spec [6:10-11], *"the tag could be whatever the software wants it to be, including a cookie of any domain"*. According to at least [6:11-15], *"A tag does not have to be placed on the user's device. A tag can also be used in a central database of a BT (Behavioral targeting) company or a central database of any second media property visited by the visitor, where the tag could be a unique identifier either of the device or of the user. In the case where the tag identifies the device, the tag might denote an IP address, a phone number, a device's manufacturer serial number, etc. A cookie placed on the device can also uniquely identify the device and the cookie therefore can be used as a tag in a central database*"; see also Spec [19:20-30].

9. **Profile owner** is not given an "explicit" and "clear" definition in the specification. Therefore the term "PO" or "Profile Owner" is given the broadest reasonable interpretation, in light of the specification. Spec [pg. 8:13-15] states, "…*profile owners (i.e., who either own the profiles or have the right to resell the profiles on behalf of another profile owner)…"*; and [pg. 11:15-20], *"the*

Profile Owner company owns profiles directly or acts as a databank representing other profile owners. Such other profile owners provide the databank with their profiles in return for (i) royalties paid to them whenever the profiles are used, or (ii) a payment. Any profile supplier (defined above) can also be a PO profile owner company." and [pg. 12:23-26] A *Publisher* may be a *Profile Owner* and also be the *Profile Supplier*.

10. **Profile supplier** is not given an "explicit" and "clear" definition in the specification. Therefore the term "PS" or "Profile Supplier" is given the broadest reasonable interpretation, in light of the specification. Profile supplier, as noted above at Spec [pg. 11:15-20] may be the profile owner and is interpreted as any entity that gathers and/or uses and/or transmits profile information. Note that at Spec [pg. 3:3-4] any entity (e.g. a publisher that is a BT company) may also be its own profile supplier. And [pg. 12:23-26] A *Publisher* may also be a *Profile Owner* and also be the *Profile Supplier*.

11. **Media Property** and **Media Property entity** do appear to be given an "explicit" and "clear" definition in the specification and from a reading of this definition the two terms appear to be synonymous with each other. Provisional Specification (60/805,114) at pg. 5 provides the following definition: *"…a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor. This definition of a media property will therefore include a web site, an ad network of sites where the ad network represents the ad space of different sites, a TV program, a cable company that represents some of the ad space within TV programs or TV channels, a TV network, any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space could be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio etc."*

Claim Rejections - 35 USC § 103 (pre-AIA)

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

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

13. The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

14. Claims 34-37, 39, 41-43, 45, 47-51, 53-56, 58, 60-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kublickis** et al. (US 2007/0067297 A1; hereinafter, "Kublickis") in view of **Jaschke** et al. (U.S. 2007/0130005 A1; hereinafter, "Jaschke")

Claims 34, 48, 61: (Previously presented)

Pertaining to the limitations of claims 34, 48, and 61, exemplified in the method steps of claim 34, Kublickis teaches the following:

> ***A method of causing delivery of electronic advertisements based on provided profiles comprising:***
>
> ***(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system***
>
> (Kublickis, see at least Figs. 5C, 10B, [0132], teaching: consumers provide selective access to data within their profiles to each website [entity controlling the computer

system] which they visit, including search engines, for the purposes of enabling each such website to deliver more relevant and personalized content; per [0155]-[0157] and [0205] "consumers selectively grant automated access of specific personal data [indicia of the profile information] to any third-party content provider 130A or 130B they visit which uses a method of the invention to request it."; see at least [0454]-[0474] regarding methods of requesting such information by websites and third-party content providers; the profile data which is accessed is stored, for the purpose of targeting content, by the requesting website/third-party content provider visited by the consumer and this is as a result of receipt of selectively granted specific personal data received from marketplace servers storing consumer profile data in consumer databases 215 (e.g. see [0155]-[0157]); See also at least [0186], [0195]-[0197], and [0210]-[0211] [0283], [0325], [0397]-[0398], and [0488]), ***wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor*** (Kublickis, see at least [0423]-[0436] teaching: "… the third-party content provider 130A or 130B could request [arrange for] the custom browser [of the consumer] to construct [store] a cookie [a tag[1]] on its behalf which contains the requested data points [profile information]. As the consumer navigates across successive web pages in the third-party content provider's website, similar requests embedded in each of the pages could direct the custom browser to append the cookie [tag] with additional consumer profile data relevant to the context of the web pages visited…"; examiner notes applicant fails to recite or stipulate any specific embodiment for what constitutes a "tag" and therefore this is completely open to interpretation)***;***

(b) wherein the profile owner computer is programmed:

---

[1] Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], "*A tag generally is any unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…*". According to spec [6:10-11], "*the tag could be whatever the software wants it to be, including a cookie of any domain*". According to at least [6:11-15], "*A tag does not have to be placed on the user's device. A tag can also be used in a central database of a BT (Behavioral targeting) company or a central database of any second media property visited by the visitor, where the tag could be a unique identifier either of the device or of the user. In the case where the tag identifies the device, the tag might denote an IP address, a phone number, a device's manufacturer serial number, etc. A cookie placed on the device can also uniquely identify the device and the cookie therefore can be used as a tag in a central database*"; see also Spec [19:20-30].

[...]

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer system and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system

(Kublickis, see at least Fig. 4 and [0209]-[0220] teaching "toolset 400" which enables advertisers 110, ad agencies 115, etc to: Filter the marketplace's general consumer membership into well-defined audiences using precisely articulated data points [requested profiles] (e.g. demographic, psychographic, purchasing history data points, etc…)… as well as to conduct precision-targeted ad campaigns to audiences as defined above…"; Per at least also see at least [0436] the "…With each new web page visited within the content provider's website, a fuller 'picture' [profile] of the visiting consumer would be captured within the cookie [tag] which the billed third-party content provider alone can access [store] and exploit to customize webpage content and any embedded advertising, and to target offers and merchandise, which becomes progressively more relevant to the consumer member…"; the cookie [tag] is readable by the third-party content provider 130A or 130B who requested the custom browser [of the consumer] to construct a cookie [tag] which is sent to the third-party content provider with appended profile information of the consumer)

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor

(Kublickis, see at least [0436] the "cookie" [tag], which is accessible [readable] by the

"third-party content provider", is used to exploit or customize webpage content and embed advertising and to target offers and merchandise progressively more relevant to the consumer member.)

Although Kublickis teaches the above limitations and teaches (e.g. [0430]) his custom browser stores, for each third-party [advertiser/media property], requested profile information of the user which the user has agreed to share during a previous visit to that third-party and (e.g. [0433]) teaches the custom browser stores new requested data points of profile information as well as (e.g. [0436]) cookies appended with the profile data points which the user allows a third-party to collect, he may not explicitly teach the nuance of the below limitation. However, regarding this feature, Jaschke teaches the following:

(b) wherein the profile owner computer is programmed: (i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system (Jaschke, see at least Fig. 4 – selection of an advertiser [media property entity] based on comparison of a target profile about a visitor with a plurality of stored Advertiser Descriptions which are requests from different advertisers, each request being for types/kinds of desired/targeted profiles.

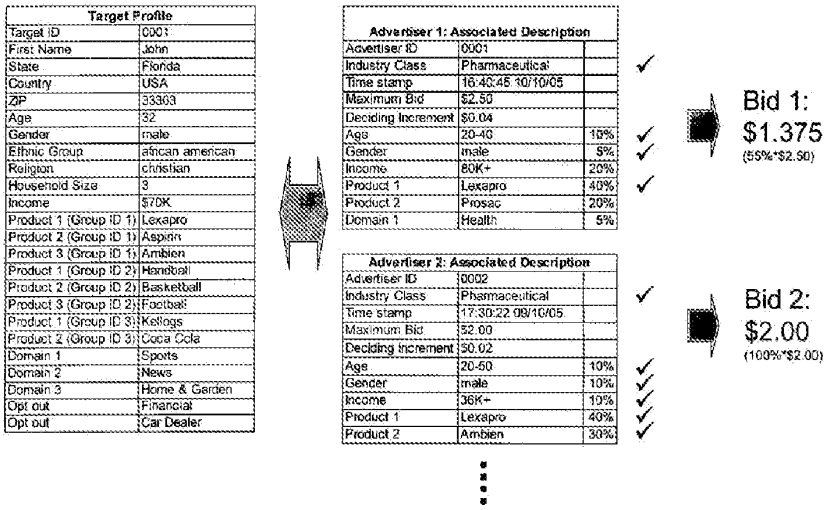


FIG 4

Also, Jaschke see at least [0030]-[0031] and [0064]-[0073], teaching: The consumer information broker determines which advertiser [media property] will be permitted to utilize the advertisement opportunity by using various mathematical calculations; the consumer information broker selects an advertiser [media property entity] to whom the control of advertising opportunity will be transferred. This occurs after receiving notification of targeted profile of a visiting user representing an advertising opportunity. After receiving such notification, the consumer information broker requests the target profile [profile info of visitor] from one or more target profile processor(s) [profile suppliers] and correlates [compares] the target profile to the associated descriptions [stored requests from different entities] received from advertisers of each advertiser [media property entity] participating in the bidding process; the bidding is dynamically calculated based on a correlation between the associated description defined by the advertiser and the target profile)

Therefore, the Examiner understands that *automatically selecting an advertiser [media property entity of a plurality of media property entities] based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of descriptions [stored requests] from the advertisers [plurality of media property entities], one of which may be an entity controlling the computer system, each description [stored request]*

being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system is merely applying a known technique of Jaschke to a known base device and method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis to realize that Kublickis' custom browser, which already stores for each third-party various requested profile information of the user which the user has agreed to share with each particular third-party and which stores additional request for profile data points as the user navigates websites, and also stores cookies appended with the profile data points which the user allows a third-party to collect, may also be used via the technique as taught by Jaschke to automatically select between competing advertisers [media property entity] based on this information already available to the browser (i.e. (A) profile information about a visitor, and (B) plurality of stored requests from different advertisers [entities]) because both Kublickis and Jaschke are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products (i.e. Kublickis' browser tool) in the same way (or which is ready for improvement) is obvious.

Claims 35, 49: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, and (e.g. see at least [0273]) Kublickis teaches that more than one consumer may be associated with a single node [i.e. consumer device with particular IP address] and each consumer may be individually targeted as each member has a unique member serial number 505, etc… Kublickis may not explicitly teach the nuances of the below limitations directed towards deriving profile information from user activity on one device and targeted advertising to a second device of the user. However, pertaining to these features, Jaschke teaches the following:

…wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, (Jaschke, see at least Fig. 1, the user may use various devices to

interact with the system - i.e. visitor activity. These interactions are captured as profile information. See at least [0052], [0064]-[0065] and [0074]-[0075], teaching a profiler 100 collects target user profiles by tracking user usage behavior on various devices and per [0064] the profiled information may be via "cookies" or memory based identifiers (e.g. SIM cards, smart cards, computer memory, etc.), calling number identifiers, fixed IP addresses, cable or satellite TV identifiers, etc…) *and wherein the visitor device that is available to receive an advertisement is a second device of the visitor* (Jaschke, per at least [0074], teaching targeted advertisements may be delivered and customized to the technical capabilities of the particular customer premise equipment; i.e. current device on which there is an opportunity to target an advertisement. The device from which profile information was collected may be a different device than particular customer premise equipment which is targeted for advertising.)

Therefore, the Examiner understands that deriving profile information from user activity via one device and targeted advertising to a second device of the user is merely applying a known technique of Jaschke to a known base device/method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the ad targeting done by Kublickis which uniquely targets a specific user based on unique member serial number, etc., could be leveraged to apply the technique of Jaschke for the purpose of targeting a user, who is visiting a website via use of a second device, based on profile information collected about that user, known by his unique member number, from the user's previous interaction with a website via a first device because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 36, 50: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor (Jaschke, see at least Fig. 1 and [0063], the first device may be computer PC 172 and the second device may be mobile telephone 170.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the ad targeting done by Kublickis could be to a mobile device of a user based on profile information collected from a user's interaction with a computer device as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 37, 51: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the tag identifies the mobile phone (Jaschke, see at least [0029]-[030], [0064], and [0076]: cookies and memory based identifiers (e.g. Subscriber Identity Module) are used to identify devices and subsequently profiles of users of such devices for the purpose of targeting those users; e.g. the (IMSI) number and its related key, are used to identify and authenticate subscribers on mobile telephony devices; these may be used to identify profile of a user and target advertising.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the cookie identifiers [tag] of Kublickis, which Kublickis teaches have profile

information appended thereto, could append and identify a mobile device identifier of a user, which Jaschke in turn teaches may be used to subsequently target advertising, because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 39, 53: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the second device is a computer (Jaschke, see at least Fig. 1 and [0063], the second device may be computer PC 172) *and further comprising: after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer* (Jaschke, see at least [0059]-[0060], teaching: The consumer information broker 130 may send or make accessible a report to advertisers as well as convey the selected marketing materials to the target 190, charge the advertiser's account and credit the accounts of the target 190, the advertisement platform provider 120 and/or the profiler 100; Examiner notes: as applicant fails to stipulate what “information” is reported “about”/concerning delivery of ads, this is open to interpretation and at least a “credit” [information] which is provided to the profiler [a profile owner] which supplied the profile used in the transaction is information about such ad delivery.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that information regarding the targeted advertising of Kublickis could be electronically reported and could include information regarding delivery of the advertisement to the targeted device, as taught by Jaschke, because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready

for improvement) is obvious.

Claims 41, 54: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

… further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer. (Jaschke, see at least [0060], teaching: The consumer information broker 130 [one type of profile owner] may send or make accessible a report to advertisers as well as convey the selected marketing materials to the target 190, charge the advertiser's account and credit the accounts of the target 190, the advertisement platform provider 120 [yet another type of profile owner] and/or the profiler 100 [another type of profile owner]; Examiner notes: as applicant fails to stipulate what "information" is reported "about"/concerning delivery of ads, this is open to interpretation and at least a "credit" [information] which is provided by and to a type of profile owner concerning the profile information used in the transaction of the advertisement is information about delivery of the advertisement. Also, the information broker who is a profile owner inherently has the information and therefore this has been made available [reported] in some manner.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that information regarding the targeted advertising of Kublickis could be electronically reported and could include information regarding delivery of the advertisement to the targeted device [i.e. visitor device], as taught by Jaschke, because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 42, 55: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

… wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement (Jaschke, see at least [0099] providing [identifying] profiles, used in association with delivering ads, to profilers, information brokers, and advertisers.)

Therefore, the Examiner understands automatically providing [identifying] profiles, used in association with delivering ads, to profilers, information brokers, and advertisers is merely a known technique of Jaschke which may be applied to a known base device/method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis, who already collects profile information, in order to realize that Kublickis could implement the technique as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 43, 56: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

… wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device (Jaschke, see at least [0063]-[0073] and [0077] the advertiser [media property entity] is selected using profile information; the profile information may have been

derived from visitor's activity using a device such as a mobile phone.)

Therefore, the Examiner understands automatically selecting an advertiser using user profile information is merely a known technique of Jaschke which may be applied to a known base device/method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis, who already collects profile information, in order to realize that Kublickis could implement the technique as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 45, 58: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, and Kublickis (e.g. at least at [0436]) teaches his cookie [tag] contains user profile data corresponding to third-party content provider requested data points, Kublickis may not explicitly teach the nuance of the below limitation directed towards the profile information appended to his cookie [tag] comprising personally identifiable information. However, pertaining to the below limitations, Jaschke teaches the following:

… wherein the tag comprises personally identifiable information identifying the visitor

(Jashcke, see at least [0029]-[0030], [0064], and [0076]: cookies may contain "identifiers" which may be any means of "uniquely identifying a user"; applicant fails to stipulate what is encompassed by "personally identifiable information" and therefore this is open to interpretation)

Therefore, the Examiner understands that a tag, such as a cookie, may comprises identifiers which "uniquely identify a user" [*personally identifiable information identifying the visitor*] and this is merely a known technique of Jaschke which may be applied to a known base device/method of Kublickis, who already teaches appending user profile information to cookies [tags], to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the techniques of Jaschke to the base device/method

of Kublickis in order to realize that the cookie of Kublickis could comprises identifiers which "uniquely identify a user" [*personally identifiable information identifying the visitor*] as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 47, 60: (Previously presented/ currently amended)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the below limitation. However, pertaining to this feature, Jaschke teaches the following:

… wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor. (Jashcke, see at least [0063]-[0064] and Fig. 1 Public Internet 142, TV 176 which may receive electronic ads, Profile Processor 131, Advertiser 110, Platform Provider 120, Consumer Information Broker 130 all operate through the Public Internet 142 to reach Satellite Network 158 and Cable Network 156 to send ads to TV 176).

Therefore, the Examiner understands that equipment of a profile supplier may operate via the Internet and the equipment of a selected entity may utilize profile data to cause delivery of an electronic advertisements to a television of a targeted user/visitor and these are merely known techniques of Jaschke applied to a known base device/method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the ad targeting done by Kublickis could be to a TV device of a user based on profile information collected from a user as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

15. Claims 38, 40, 44, 46, 52, 57, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kublickis et al. (US 2007/0067297 A1; hereinafter, "Kublickis") in view of Jaschke et al. (U.S. 2007/0130005 A1; hereinafter, "Jaschke") further in view of Horowitz (U.S. 2005/0097204 A1; hereinafter, "Horowitz").

Claims 38, 52: (Previously presented)

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the profile owner computer is programmed to automatically select an a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor (Jaschke, see at least [0030]-[0031], teaching: "The consumer information broker determines which advertiser will be permitted to utilize the advertisement opportunity by using a mathematical calculation…"; the consumer information broker selects an advertiser [entity to control ad space] to whom control of advertising opportunity will be transferred; see also at least [0065]-[0069]),

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the cookie identifiers [tag] of Kublickis could identify a mobile device of a user as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious

Although Kublickis/Jaschke teaches the above limitations, neither may not explicitly teach the nuance of the below limitation directed towards collection of such profile information is as a result of a URL redirect. However, pertaining to this technique for collection, Horowitz does teach the following:

…which profile information was received by the profile owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor. (Horowitz, see at least Fig. 4 - #412, and [0045]]-[0048] and [0061] teaching URL redirection; for example, "…the system can use a cookie-based tracking system and can include all features included in the tracking system, including (1) a cookie that can be dropped on a user's browser before redirecting to the user's destination; and (2) a pixel image on the destination site's acquisition page that can register a conversion for the system… the system also can be configured to utilize a back channel, and the like, for the advertiser to share information and to maintain security of purchasing and other information for the advertiser…")

Therefore, the Examiner understands that URL redirection and sharing user information such as profile information as a result of URL redirection is merely applying a known technique (techniques of Horowitz) to a known device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize that the profile information which Kublickis collects and/or which Jaschke collects and compiles by target profile processor 131 and brokered by consumer information broker 130, could have been the result a URL redirection from a website that is served by the electronic apparatus of the market place servers which store consumer profiles [profile supplier], because Kublickis, Jaschke, and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claim 40: (Previously presented)

Although Kublickis/Jaschke teaches the above limitations, neither Kublickis nor Jaschke may explicitly teach a technique of URL redirection although each of their systems utilizes a cookie for

the purpose of delivering targeted advertising. However, pertaining to this technique, Horowitz does teach the following:

The method of claim 39, wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement (Horowitz, see at least Fig. 4 - #412, and [0045]]-[0048] and [0061] teaching URL redirection; for example, "…the system can use a cookie-based tracking system and can include all features included in the tracking system, including (1) a cookie that can be dropped on a user's browser before redirecting to the user's destination [*cause delivery of the advertisement*]; and (2) a pixel image on the destination site's acquisition page that can register a conversion for the system… the system also can be configured to utilize a back channel, and the like, for the advertiser to share information and to maintain security of purchasing and other information for the advertiser…")

Therefore, the Examiner understands that URL redirection and sharing and/or reporting information as a result of URL redirection is merely applying a known technique (techniques of Horowitz) to a known base device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize that the profile information which Jaschke teaches is collected and compiled by target profile processor 131 and brokered by consumer information broker 130, could have been reported as the result a URL redirection from the computer system, when Jaschke's computer system utilizes the cookie to cause delivery of the advertisement, because Kublickis, Jaschke, and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 44, 57: (Previously presented)

Although the combination Kublickis/Jaschke teaches the above limitations, neither Kublickis nor Jaschke may not explicitly teach a technique of URL redirection to a website where user profile information is gathered. However, pertaining to this technique, Horowitz does teach the following:

… wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device (Horowitz, see at least Fig. 4 - #412, and [0045]-[0048] and [0061] teaching URL redirection; for example, "…the system can use a cookie-based tracking system and can include all features included in the tracking system, including (1) a cookie that can be dropped on a user's browser before redirecting to the user's destination [*cause delivery of the advertisement*]; and (2) a pixel image on the destination site's acquisition page that can register a conversion for the system… the system also can be configured to utilize a back channel, and the like, for the advertiser to share information and to maintain security of purchasing and other information for the advertiser…")

Therefore, the Examiner understands that URL redirection and sharing and/or reporting information as a result of URL redirection is merely applying a known technique (techniques of Horowitz) to a known base device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize that the profile information which Jaschke teaches is collected and compiled by target profile processor 131 and brokered by consumer information broker 130, could have been reported or gathered as the result a URL redirection from the computer system, when Jaschke's computer system utilizes the cookie to cause delivery of the advertisement, because Kublickis, Jaschke, and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 46, 59: (Previously presented)

Although the combination Kublickis/Jaschke teaches the above limitations, neither Kublickis nor Jaschke may explicitly teach a technique of URL redirection to a website which subsequently enables the advertiser to store the cookie [tag] which may be contained in the redirect URL. However, pertaining to this technique, Horowitz does teach the following:

… wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device (Horowitz, see at least [0045]-[0048] specifically teaching: "…For example, in step 412, the End User 110 can be tracked by employing a cookie [tag] having information [profile information] that varies depending on the type of tracking scheme being employed or an ID [profile information] can be passed in the redirect [automatic redirection to a URL] and the Advertiser site 106 can remember [store] the ID and return it to the exemplary performance-based online advertising system 100 either in a tracking pixel request or in a direct request from the Advertisement server 126…")

Therefore, the Examiner understands that URL redirection which may enable the advertiser to store the profile information linked to the cookie [tag] is merely applying known techniques of Horowitz to a known base device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize the well-known technique of a URL redirection, as taught by Horowitz, to cause delivery of the advertisement by redirecting the user to the advertiser's URL along with a cookie and information [profile information] in the URL redirect, would be useful to the base device/method of Kublickis/Jaschke which already tracks delivery of targeted advertisement because Kublickis, Jaschke and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a

known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Response to Arguments

16. Applicant amended claims 60 on 9/14/2018. Applicant's arguments also filed 9/14/2018, have been fully considered but are respectfully not fully persuasive as outlined below.

17. Regarding the 35 USC 112, 2nd rejection of claim 60, the Examiner acknowledges the applicant's amendment corrects the previously identified issue and therefore the Examiner respectfully withdraws the rejection.

18. Regarding the 35 USC 103 prior art rejection of the claims, regarding claim 1, the Applicant argues (Remarks, pg. 11) *"…The rejection is incorrect primarily because Jaschke's advertisers are not "media property entities" construed according to the Office Action, so part (b)(i) is missing from the combined references. Also, the combined references would choose and deliver an ad while a visitor is on a given website at a given time, rather than facilitating later delivery of an ad when the visitor appears on a website after the selection is made."* And follows up this argument (Remarks, pg. 14) with a narrow characterization of what his term "media property entity" encompasses – i.e. implying that "media property entity" should be construed as "… *websites" not "advertisers".* Finally, the Applicant plainly argues (Remarks, pg. 14): *"The obviousness rejection considers the advertiser selected by Jaschke's broker a "media property entity" as claimed. See Office Action, p. 9 (pointing to Jaschke's "selection of an advertiser [media property entity]"). But those advertisers (in the context of Jaschke) do not control ad space, and thus are not the "media property entities" as claimed."*

Respectfully, the Examiner disagrees for two reasons. The first reason is that the first part of Applicant's argument sets up a red-herring type argument and the second reason is because the second part of the argument narrowly characterizes his term "media property entity" and then attempts to narrowly characterize the references and does not actually argue against the citations or grounds of rejection presented by the Office.

To the first part of applicant's argument, the Office Action has not construed "media property entities" to exclude "Advertisers". Indeed, Advertisers are simply one type of "media

property entities" as described by applicant's own specification. Note that Applicant's term "Media Property" and "Media Property entity" appear to be given an "explicit" and "clear" definition in the specification and from a reading of this definition the two terms appear to be synonymous with each other. Provisional Specification (60/805,114) at pg. 5 provides the following definition: "…a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor." Therefore, the Examiner has found that an Advertiser controls an ad space when the advertiser purchases the ad space.

Indeed, the Examiner has noted to counsel this same interpretation pertaining to parent application (14/080,999), of which this application is a continuation and counsel agreed that "…a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor…". Therefore, an advertiser may indeed be considered a media property entity because they have purchased ad space. Furthermore, in context of Applicant's own specification, a website and content provider may also be an advertiser (e.g. Provisional Specification (60/805,114) at pgs. 16-17) note the example of "weather.com ad server" making a decision about placing its own ad in front of a user visiting the weather.com website, when the user has a weather.com cookie indicating the user is interested in 'travel', where the ad is in the weather.com ad space.

Furthermore, nothing excludes an advertiser [media property entity] from also being an entity which controls a computer system as discussed in applicant's specification – e.g. a broker, or a website/content provider, etc… – these names which describe a role which an entity may play are not mutually exclusive and say nothing about an entity's ability to perform one or more other roles (e.g. content provider may also be advertiser may also be a broker – e.g. Google creates content, hosts content which may be its own content, may advertise its own content on its own website which it hosts, and performs ad-space auctions, etc…).

Therefore, the Examiner finds that the distinctions which the applicant is attempting to draw are not technical in nature and do not distinguish physical components of his claimed system one from the other nor distinguish steps of his claimed method – i.e. it is immaterial to the system and the method which role an entity is described as playing/assuming.

In summary, the arguments do not distinguish any technical aspect of the claimed invention from the references cited and furthermore they simply misconstrue the references by overly narrowly characterizing the references away from an overly narrow characterization of his term "media property entity" and this line of arguing is simply not convincing.

For at least these reasons, the applicant's arguments and remarks are not convincing and the rejections are maintained.

Conclusion

19. **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).

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed Michael J. Sittner whose telephone number is 571-270-3984. The examiner can normally be reached 7:30 AM – 5:00PM (Mon. – Thur.), and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan C Uber can be reached at (571) 270-3923.

21. 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.

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

/Michael J Sittner/

Examiner, Art Unit 3622

/ARTHUR DURAN/
Primary Examiner, Art Unit 3622

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

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

CLAIMS

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

CLAIM		DATE								
Final	Original	06/11/2018	10/14/2018							
	34	✓	✓							
	35	✓	✓							
	36	✓	✓							
	37	✓	✓							
	38	✓	✓							
	39	✓	✓							
	40	✓	✓							
	41	✓	✓							
	42	✓	✓							
	43	✓	✓							
	44	✓	✓							
	45	✓	✓							
	46	✓	✓							
	47	✓	✓							
	48	✓	✓							
	49	✓	✓							
	50	✓	✓							
	51	✓	✓							
	52	✓	✓							
	53	✓	✓							
	54	✓	✓							
	55	✓	✓							
	56	✓	✓							
	57	✓	✓							
	58	✓	✓							
	59	✓	✓							
	60	✓	✓							
	61	✓	✓							

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 15/893,354	Filing Date 02/09/2018	☐ To be Mailed

ENTITY: ☑ LARGE ☐ SMALL ☐ MICRO

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA		RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A		N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A		N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*		x $100 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*		x $460 =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	

APPLICATION AS AMENDED - PART II

		(Column 1)		(Column 2)	(Column 3)			
AMENDMENT	09/14/2018	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 28	Minus	** 28	= 0		x $100 =	0
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0		x $460 =	0
	☐ Application Size Fee (37 CFR 1.16(s))							
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							
							TOTAL ADD'L FEE	0

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

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

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

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

Electronic Acknowledgement Receipt

EFS ID:	33732324
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	14-SEP-2018
Filing Date:	09-FEB-2018
Time Stamp:	20:20:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	18-09-14-DAT-PP_CON4-RTOA1.pdf	177753 ed86393f8ed1e04ce25f4075701e591cba0a1a08	no	18

Warnings:

Information:	
Total Files Size (in bytes):	177753

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	3622
Serial No.	:	15/893,354	Examiner	:	Sittner, Michael J.
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title	:	Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web – September 14, 2018

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action dated June 15, 2018, assignee requests entry of the following amendments and reconsideration in view of the following remarks.

Amendments to the claims begin on page 3.

Remarks begin on page 10.

Amendments

IN THE CLAIMS:

Please amend the claims as follows:

1.-33. (Canceled)

34. (Previously presented) A method of causing delivery of electronic advertisements based on provided profiles comprising:

(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the

selected media property entity is the entity controlling the computer system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

35. (Previously presented) The method of claim 34 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

36. (Previously presented) The method of claim 35 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

37. (Previously presented) The method of claim 36 wherein the tag identifies the mobile phone.

38. (Previously presented) The method of claim 36 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

39. (Previously presented) The method of claim 35 wherein the second device is a computer and further comprising, after parts (a) and (c), with the computer system

electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer.

40. (Previously presented) The method of claim 39 wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement.

41. (Previously presented) The method of claim 34 further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer.

42. (Previously presented) The method of claim 41 wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

43. (Previously presented) The method of claim 34 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

44. (Previously presented) The method of claim 43 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

45. (Previously presented) The method of claim 34 wherein the tag comprises personally identifiable information identifying the visitor.

46. (Previously presented) The method of claim 34 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

47. (Previously presented) The method of claim 34 wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

48. (Previously presented) A computer system comprising one or more computers, wherein the one or more computers are programmed and connected:

(a) to automatically store, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property

entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) to use the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) to use the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

49. (Previously presented) The computer system of claim 48 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

50. (Previously presented) The computer system of claim 49 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

51. (Previously presented) The computer system of claim 50 wherein the tag identifies the mobile phone.

52. (Previously presented) The computer system of claim 50 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

53. (Previously presented) The computer system of claim 49 wherein the second device is a computer and wherein the computer system is further programmed to, after parts (a) and (c), electronically report, to a profile owner controlling the profile owner computer, information about delivery of the advertisement to the second device.

54. (Previously presented) The computer system of claim 48 wherein the one or more computers are further programmed to, after parts (a) and (c), electronically report, to a profile owner controlling the profile owner computer, information about delivery of the advertisement to the visitor device that is available to receive an advertisement.

55. (Previously presented) The computer system of claim 54 wherein the one or more computers are programmed to electronically report by further automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

56. (Previously presented) The computer system of claim 48 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

57. (Previously presented) The computer system of claim 56 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

58. (Previously presented) The computer system of claim 48 wherein the tag comprises personally identifiable information identifying the visitor.

59. (Previously presented) The computer system of claim 48 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

60. (Currently amended) The computer system of claim 48 wherein the ~~equipment~~ apparatus of the profile supplier operates in the Internet and the ~~apparatus~~ equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

61. (Previously presented) An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system comprising one or more computers, instruct the computer system to perform a method of causing delivery of electronic advertisements based on provided profiles comprising:

(a) automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

Remarks

Claims 34-61 are pending. Claims 34, 48, and 61, are independent claims. This is a "Track One" expedited application.

1. The indefiniteness rejection has been overcome and miscellaneous comments and rejections have been withdrawn

The Office Action (¶14) rejects dependent claim 60 for indefiniteness for lack of consistency with the claim on which it depends. Assignee has corrected the claim and thanks the examiner for noticing the error.

All indefiniteness rejections made in the parent application have been withdrawn, as they are not repeated in the current Office Action, apparently in view of the changes to the claims. No Section 101 (*Alice*) rejection has been repeated.

Applicant has "fully addressed certain issues" that were questioned in the parent application but not made the subject of any prior rejection (namely what arranging storing of the tag encompasses, what entity is being selected, and what actions trigger specific steps). Statements made in the parent application that certain claimed elements are conditional or do not limit the claim scope have not been repeated.

Assignee and the undersigned appreciate the significant progress. Only one rejection remains, alleged obviousness, which assignee discusses in the next section.

2. The obviousness rejection should be reconsidered and withdrawn

The Office Action (¶17 *ff.*) rejects all claims as allegedly obvious over the combination of Kublickis (U.S. Pat. Pub. 2007/0067297) in view of Jaschke (U.S. Pat. Pub. 2007/0130005). As to the independent claims, the Office Action contends that Kublickis teaches claim 34, parts (a), (b)(ii), and (c) but concedes that it does not teach part (b)(i); however, the Office Action contends that Jaschke teaches part (b)(i). The rejection asserts that it would have been obvious for one of ordinary skill in the art to have applied the known technique of Jaschke to Kublickis' custom browser, because – allegedly – Kublickis' browser already stores profile information and requests for

profile data points and cookies, so using Jaschke's technique to automatically select between competing advertisers (which the Office Action considers "media property entities") based on the information already available to the browser would simply constitute use of a known technique to improve the known Kublickis browser (given both references are in analogous art in the same field of endeavor).

The rejection is incorrect primarily because Jaschke's advertisers are not "media property entities" construed according to the Office Action, so part (b)(i) is missing from the combined references. Also, the combined references would choose and deliver an ad while a visitor is on a given website at a given time, rather than facilitating later delivery of an ad when the visitor appears on a website after the selection is made.

In context, Kublickis discloses a "custom browser" (which may be installed in as a tool bar in a conventional browser). [0206, 0290] When the visitor uses the browser to visit a website, the "third-party content provider" controlling the website automatically requests profile data from the custom browser by embedding the request in the body of the visited web page's HTML code. [0406-07, 0416-22] The system of Kublickis checks for user permission allowing delivery of the type of profile data and, assuming it is granted, provides the data to the website, either by direct transfer (to the web address specified by the website in the web page HTML code), *see* [0419, 0424], or by using the custom browser software on the user computer to write the data directly to a cookie associated with the website, which is stored on the user computer and reported by the browser to the visited website, *see* [0210, 0283, 0410, 0436].

A given website may encounter the same user multiple times. [0422, 0433] In that instance, previous user *permissions* may be saved as data associated with the particular website, but the website makes a separate "request" for profile data each time, which may be duplicative of an earlier request. *Id.*

The obviousness rejection analogizes the "third party content provider" (website) of Kublikis to the "media property" (entity controlling the computer system)

performing parts (a) and (c) of the independent claims. The rejection analogizes the company operating Kublickis' "custom browser" as the "profile owner" of part (b) of the independent claim.

In general, Kublickis differs from the current specification-disclosed technique (among other reasons) because Kublickis discloses providing data to a visited website on demand, at the time of a visit by the user to a given website, whereas in contrast applicant's disclosed technique generally involves providing desired profile data to a media property *at the time profile data is collected*, which media property is selected based on stored requests from multiple media properties, with the *hope* that the selected one will encounter the tagged browsers *later* and then have the opportunity to target an ad to the browser based on the *previously* received profile information.

Jaschke discloses a "consumer information broker" that accepts advertiser bids and chooses one of several *advertisers* automatically; various advertisers bid for delivery of their ads to a "target" or user, and an advertiser is selected based on a calculation of which matches.

In effect, the Kublickis/Jaschke combination hypothesized in the rejection would use the Kublickis custom browser, and therefore provide data to a visited website on demand, at the time of a visit by the user to a given website, and use Jaschke's technique to evaluate advertiser bids and to deliver an ad of a selected advertiser while the visitor is on the website in question.

The invention claimed in claim 34 refers to a selected media property – namely the "entity controlling the computer system" of part (a) (*see* part (b)(ii)) – storing a profile linked to a tag (part (a)) and causing delivery of an ad (part (c)) to a visitor. That visitor is specifically a visitor whose profile information was received from a profile owner computer. That profile owner computer is one that has selected the media property from among a plurality of media properties based on requests for profiles or types of profiles of particular kinds received from each. (*See* part (b).)

The selected media property entity's "computer system" therefore receives (part (a)) from the specially programmed profile-owner computer (part (b)) profile data matching the media property's previously request for a profile or type of profile (*see* part (b)(i)). The received profile data is stored in a central database and a visitor device's tag serves as a link to it. (*See* part (a).) This allows the media property to later cause delivery of ads connected to that profile when ad space become available for that visitor's device. (*See* part (c).)

That specific arrangement differs from the cited prior art, which did not select media properties for a given visitor device based on stored requests from different media properties, and which did not have the selected media property store the profile data for later use when the visitor device happened to become available to serve an ad.

Neither Kublickis nor Jaschke teach a "profile owner computer" programmed as specified in part (b) to select a "media property entity" out of a plurality based on stored requests and arrange for storage of a requested profile readable by the selected media property's equipment. Nor do either teach making such a selection based on stored requests from each entity.

The Office Action agrees that Kublickis "may not explicitly teach the nuance of" limitation (b)(i), which specifies that the profile owner computer has selected a media property entity from among many based on stored profile requests. The differences are hardly mere "nuances":

(1) Kublickis works only with respect to a given website in current contact with a user's customized browser, so Kublickis has no need to select any website or media property among others.

(2) Kublickis does not store the profile requests; it stores permissions granted by the visitor. Each time the visitor encounters the website, the request is repeated or a new request made. There are no stored requests, even for the one website. Even if a request is stored for purpose of noting the previously granted permission, Kublickis

does not teach using any stored request to select a media property from among many based on stored requests for each.

The rejection incorrectly argues that the missing feature (part (b)(i)) is disclosed by Jaschke and specifically relies on the premise that Jaschke's selection of advertisers qualifies as selecting "media property entities." Jaschke, like Kublickis, works with respect to filling a current ad space and likewise has no need for any selection of websites or any other media property.

The obviousness rejection considers the advertiser selected by Jaschke's broker a "media property entity" as claimed. *See* Office Action, p. 9 (pointing to Jaschke's "selection of an advertiser [media property entity]"). But those advertisers (in the context of Jaschke) *do not control ad space*, and thus are not the "media property entities" as claimed.

The Office Action, ¶12, defines "media property entities." There, the Office Action refers to the provisional application, which the Office Action says, "provides the following definition: '… a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor." A similar definition appears in the instant specification at page 5, lines 4-5: "a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor …." *See also* Spec., page 5, lines 17-18 (referring to temporary control) & page 8, lines 5-6 and 23 (referring to "media property owners").

Jaschke's referenced advertisers do not each "control ad space" – and thus do not meet the Office Action's definition of "media property" entities – because the point of Jaschke is that the advertisers are competing (bidding) for permission to place their ads in a *given* ad space *that Jaschke's "broker"* controls. Only when Jaschke's broker makes the selection is the advertisement of *one* of the advertisers, the selected advertiser, delivered to the user, as triggered by the broker.

Jaschke's broker selects advertisements for a given ad space, whereas in contrast the claims of this application relate to selection of one among several "media properties" (entities that control ad space) with the goal of enabling the selected media property to target the profiled visitor with an ad within an available ad space if and when encountering that visitor in the future. In sum, neither Kublickis nor Jaschke teach the specially and unconventionally programmed profile owner computer of part (b).

As a result of the above, neither reference discloses performing arranging storage of profile information "as a result of electronic receipt from a profile owner computer of indicia" of *matching* profile data, as specified in part (a). There is no "profile owner computer" as defined in part (b) in the Kublickis/Jaschke combination, so the combination does not meet part (a) either.

Further as to part (a), the Office Action relies on Kublickis, but Kublickis contains no indication that the referenced "third-party content provider" stores profile information in a central database associated with that content provider's computer. Indeed, Kublickis suggests to the contrary by speaking about the content provider repeating the same request (and indeed the data is dumped as soon as the user navigates to a different website between the two visits). Kublickis offers no motivation or rationale for using a media property database, because – as noted above – Kublickis' "content provider" receives information via the special browser during the visitor's visit to the website and uses the data to serve an ad *now*; there is no logical reason to store the data for later use.

As to part (c), the rejection refers to the above-described disclosure in Kublickis of saving permissions from a user's previous visit to the same website. Again, though, Kublickis works by transferring profile data (if authorized) each time the user visits a particular website – whether directly or through the cookie; hence Kublickis doesn't meet the "later" limitation of part (c), because there is no disclosure of choosing the ad using profile data stored in the central database that was transferred during an *earlier*

visit by the user to the website, which profile data was received from a profile owner as a result of the media property being selected because such information matches a previously stored request of the media property.

The above differences are not mere nuances or details. Rather, the claimed invention has significant advantages by enabling a selected media property entity, which has expressed interest in a profile or type of profile, to receive profile data, specifically from the specially programmed profile-owner computer, which profile data is stored in a central database and linked to a visitor device's tag, and to allow the media property later, when the visitor device becomes available to receive an advertisement, to use the tag to access the profile data and use the profile data to cause delivery of an ad to the visitor's device.

As explained in applicant's specification, *see, e.g.*, pages 7-10, previous systems created difficulties, solved by the current invention, including the problem of media properties monetizing general-content ad space when receiving categories of profiles that they could not use. Previous techniques would require specific negotiations with a number of different referring websites, exchange of technical information to make any tagging possible, and constant updating as a media property instituted new ad campaigns or finished running a campaign. Such a cumbersome contracting and technical-updating process prevented referring websites from being positioned to cause media property tags to be added timely.

Also as the specification explains, worse, the prior art did not seem to allow such referring websites to deliver specifically a *subset* of users that the media property wished to target, and as a result the media property would end up delivering the ad to some "unwanted" visitors as a result of broader audience than desired being tagged.

Accordingly, obtaining a targeted audience was difficult technically to achieve, balancing the need for enough visitor volume against the desire to avoid excess visitors; known prior art techniques did not provide a way, technically and practically, for a

"media property" to obtain a desired audience of both a sufficient size and a targeted type. The unconventional system described by the pending claims assists in solving those problems. It allows "media properties" to specify a desired audience to a "profile owner" that has access to users on account of their visit to "profile supplier," and the media properties can cooperate with the "profile owner" to identify a subset making up their desired audience by arranging for storage of a requested profile linked to a visitor device tag. Such techniques allow media properties access to the desired audience, without too many too broadly targeted visitors, avoid the need for custom negotiations with and technical assistance to multiple profile suppliers, can start ad campaigns timely, and can be scalable.

The claims are directed to a selected media property computer system accessing a stored profile, using a tag linked to the profile, and using the profile to cause delivery of an ad to a visitor *whose profile information was received from a profile owner that has selected the media property from among others based on requests for profiles or types of profiles of particular kinds*. This is not disclosed in either Kublickis or Jaschke, or in the combination described in the Office Action of those two references. Assignee respectfully requests reconsideration and withdrawal of the obviousness rejection, and, as that is the only remaining rejection, prompt allowance.

Please feel free to telephone the undersigned if it would in any way advance prosecution of this application.

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: September 14, 2018

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4

CONFIRMATION NO. 5057

26362
LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

PUBLICATION NOTICE

OC000000100756529

Title: Providing collected profiles to media properties having specified interests

Publication No.US-2018-0189833-A1
Publication Date:07/05/2018

NOTICE OF PUBLICATION OF APPLICATION

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

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Public Records Division. The Public Records Division can be reached by telephone at (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, by mail addressed to the United States Patent and Trademark Office, Public Records Division, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently https://portal.uspto.gov/pair/PublicPair. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 06/15/2018

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, ARIZONA 85260
UNITED STATES OF AMERICA

EXAMINER	
SITTNER, MICHAEL J	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
06/15/2018	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

Office Action Summary	**Application No.** 15/893,354	**Applicant(s)** Shkedi, Roy	
	Examiner MICHAEL J SITTNER	**Art Unit** 3622	**AIA Status** No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS 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 2/9/2018.

☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

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

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

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

Disposition of Claims*

5) ☑ Claim(s) 34-61 is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6) ☐ Claim(s) _____ is/are allowed.

7) ☑ Claim(s) 34-61 is/are rejected.

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

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

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

Certified copies:

a)☐ All b)☐ Some** c)☐ None of the:

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

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

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

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

Attachment(s)

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

2) ☑ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b) Paper No(s)/Mail Date 5/10/2018.

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

4) ☐ Other: _____.

DETAILED ACTION

Status of Claims

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

2. This action is in reply to the Application filed 2/9/2018 preliminary amendments also filed 2/9/2018.

3. Claims 1-33 have been canceled by preliminary amendment.

4. Claims 34-61 are new.

5. Claims 34-61 have been examined and are currently pending.

Continuation

6. This application is a continuation of application Serial No. 14/080,999 ("Parent Application"), filed November 15, 2013, which is a continuation of application Serial No. 13/631,244, filed September 28, 2012, now U.S. Patent 8,589,210, which is a continuation of application Serial No. 11/765,433, filed June 19, 2007, now U.S. Patent 8,280,758, which claims the benefit of provisional application Serial No. 60/805,114, filed June 19, 2006 See MPEP §201.07. In accordance with MPEP §609.02 A.2 and MPEP §2001.06(b) (last paragraph), the Examiner has reviewed and considered the prior art cited in the Parent Application and intervening applications. Also in accordance with MPEP §2001.06(b) (last paragraph), all documents cited or considered 'of record' in the Parent Application are now considered cited or 'of record' in this application. Additionally, Applicant(s) are reminded that a listing of the information cited or 'of record' in the Parent Application need not be resubmitted in this application unless Applicants desire the information to be printed on a patent issuing from this application. See MPEP §609.02 A.2. Finally, Applicants are reminded that the prosecution history of the Parent Application is relevant in this application. See e.g., Microsoft Corp. v. Multi-Tech Sys., Inc., 357 F.3d 1340, 1350, 69 USPQ2d 1815, 1823 (Fed. Cir. 2004) (holding that statements made in prosecution of one patent are relevant to the scope of all sibling patents).

Information Disclosure Statement (IDS)

7. Acknowledgement is hereby made of receipt of Information Disclosure Statements filed by applicant on 5/10/2018.

Interpretation of Claim Language

8. Per MPEP § 2106.II.C, unless a term is given an "explicit" and "clear" definition in the specification the examiner is obligated to give a claim term its broadest reasonable interpretation, in light of the specification as it would be interpreted by one of ordinary skilled in the art (MPEP § 2111). This means that the words of a claim must be given their "plain meaning" unless the plain meaning is inconsistent with the specification (MPEP § 2111.01.I and 2111.01.III). An explicit and clear definition must establish the metes and bounds of the terms. A clear definition must unambiguously establish what is and what is not included. An example of a term does not constitute a "clear definition" beyond the scope of the example. An applicant may define specific terms used to describe the invention, but must do so "with reasonable clarity, deliberateness, and precision" and, if done, must "'set out his uncommon definition in some manner within the patent disclosure' so as to give one of ordinary skill in the art notice of the change" in meaning (see MPEP § 2111.01.IV and 2173.05(a)).

9. **A tag** is not given an "explicit" and "clear" definition in the specification. Therefore applicant's term "tag" is given the broadest reasonable interpretation, in light of the specification. Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], "*A tag generally is any unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…"*. According to spec [6:10-11], *"the tag could be whatever the software wants it to be, including a cookie of any domain"*. According to at least [6:11-15], *"A tag does not have to be placed on the user's device. A tag can also be used in a central database of a BT (Behavioral targeting) company or a central database of any second media property visited by the visitor, where the tag could be a unique identifier either of the device or of the user. In the case where the tag identifies the device, the tag might denote an IP address, a phone number, a device's manufacturer serial number, etc. A cookie placed on the device can also*

uniquely identify the device and the cookie therefore can be used as a tag in a central database"; see also Spec [19:20-30].

10. **Profile owner** is not given an "explicit" and "clear" definition in the specification. Therefore the term "PO" or "Profile Owner" is given the broadest reasonable interpretation, in light of the specification. Spec [pg. 8:13-15] states, "*…profile owners (i.e., who either own the profiles or have the right to resell the profiles on behalf of another profile owner)…"*; and [pg. 11:15-20], *"the Profile Owner company owns profiles directly or acts as a databank representing other profile owners. Such other profile owners provide the databank with their profiles in return for (i) royalties paid to them whenever the profiles are used, or (ii) a payment. Any profile supplier (defined above) can also be a PO profile owner company."* and [pg. 12:23-26] A *Publisher* may be a *Profile Owner* and also be the *Profile Supplier*.

11. **Profile supplier** is not given an "explicit" and "clear" definition in the specification. Therefore the term "PS" or "Profile Supplier" is given the broadest reasonable interpretation, in light of the specification. Profile supplier, as noted above at Spec [pg. 11:15-20] may be the profile owner and is interpreted as any entity that gathers and/or uses and/or transmits profile information. Note that at Spec [pg. 3:3-4] any entity (e.g. a publisher that is a BT company) may also be its own profile supplier. And [pg. 12:23-26] A *Publisher* may also be a *Profile Owner* and also be the *Profile Supplier*.

12. **Media Property** and **Media Property entity** do appear to be given an "explicit" and "clear" definition in the specification and from a reading of this definition the two terms appear to be synonymous with each other. Provisional Specification (60/805,114) at pg. 5 provides the following definition: *"…a media property for this application could also be defined as any entity that controls an ad space viewed by a visitor. This definition of a media property will therefore include a web site, an ad network of sites where the ad network represents the ad space of different sites, a TV program, a cable company that represents some of the ad space within TV programs or TV channels, a TV network, any entity allowed to sell an advertisement and deliver it within an advertisement space whether the ad space is owned by that entity or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad*

space could be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio etc."

Claim Rejections - 35 USC § 112

13. The following is a quotation of 35 U.S.C. 112(b):

> (B) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

> 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.

14. Claim 60 is rejected under 35 U.S.C. 112(b) or (for pre-AIA) 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor, a joint inventor, or (for pre-AIA) the applicant regards as the invention.

Dependent claim 60 recites, *"…**the equipment of the profile supplier … the apparatus of the selected entity**…".* However, these features lack an antecedent basis. The claims draftsman has conflated the terms used in the parent claim which describe the "profile supplier" and "selected entity". The parent claim (claim 48) describes these as: "apparatus of a profile supplier" not "equipment of profile supplier" and likewise describes the "equipment controlled by the selected media property entity" not "apparatus of the selected entity…." Because the limitations lack an antecedent basis, the claim is considered indefinite. For the purpose of compact prosecution, the features in question are interpreted to read per the independent claim as follows: "apparatus of a profile supplier" and "equipment controlled by the selected media property entity".

Claim Rejections - 35 USC § 103 (pre-AIA)

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

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject

matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16. The factual inquiries set forth in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

17. Claims 34-37, 39, 41-43, 45, 47-51, 53-56, 58, 60-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kublickis** et al. (US 2007/0067297 A1; hereinafter, "Kublickis") in view of **Jaschke** et al. (U.S. 2007/0130005 A1; hereinafter, "Jaschke")

Claims 34, 48, 61:

Pertaining to the limitations of claims 34, 48, and 61, exemplified in the method steps of claim 34, Kublickis teaches the following:

A method of causing delivery of electronic advertisements based on provided profiles comprising:

(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system

(Kublickis, see at least Figs. 5C, 10B, [0132], teaching: consumers provide selective access to data within their profiles to each website [entity controlling the computer system] which they visit, including search engines, for the purposes of enabling each such website to deliver more relevant and personalized content; per [0155]-[0157] and [0205] “consumers selectively grant automated access of specific personal data [indicia of the profile information] to any third-party content provider 130A or 130B they visit

which uses a method of the invention to request it."; see at least [0454]-[0474] regarding methods of requesting such information by websites and third-party content providers; the profile data which is accessed is stored, for the purpose of targeting content, by the requesting website/third-party content provider visited by the consumer and this is as a result of receipt of selectively granted specific personal data received from marketplace servers storing consumer profile data in consumer databases 215 (e.g. see [0155]-[0157]); See also at least [0186], [0195]-[0197], and [0210]-[0211] [0283], [0325], [0397]-[0398], and [0488]), ***wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor*** (Kublickis, see at least [0423]-[0436] teaching: "… the third-party content provider 130A or 130B could request [arrange for] the custom browser [of the consumer] to construct [store] a cookie [a tag[1]] on its behalf which contains the requested data points [profile information]. As the consumer navigates across successive web pages in the third-party content provider's website, similar requests embedded in each of the pages could direct the custom browser to append the cookie [tag] with additional consumer profile data relevant to the context of the web pages visited…"; examiner notes applicant fails to recite or stipulate any specific embodiment for what constitutes a "tag" and therefore this is completely open to interpretation)***;***

(b) wherein the profile owner computer is programmed:

[…]

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the

---

[1] Per Provisional Specification (60/805,114) at pg. 4: "cookie is only one example of a possible Tag"; Per Provisional Spec at pg. 4 and also per Specification [4:20-25], "*A tag generally is any unique identifier used to mark a person electronically visiting a media property, such as a web site, TV channel, or the like using any device…".* According to spec [6:10-11], *"the tag could be whatever the software wants it to be, including a cookie of any domain".* According to at least [6:11-15], *"A tag does not have to be placed on the user's device. A tag can also be used in a central database of a BT (Behavioral targeting) company or a central database of any second media property visited by the visitor, where the tag could be a unique identifier either of the device or of the user. In the case where the tag identifies the device, the tag might denote an IP address, a phone number, a device's manufacturer serial number, etc. A cookie placed on the device can also uniquely identify the device and the cookie therefore can be used as a tag in a central database*"; see also Spec [19:20-30].

computer system of part (a) when the selected media property entity is the entity controlling the computer system and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system

(Kublickis, see at least Fig. 4 and [0209]-[0220] teaching "toolset 400" which enables advertisers 110, ad agencies 115, etc to: Filter the marketplace's general consumer membership into well-defined audiences using precisely articulated data points [requested profiles] (e.g. demographic, psychographic, purchasing history data points, etc…)… as well as to conduct precision-targeted ad campaigns to audiences as defined above…"; Per at least also see at least [0436] the "…With each new web page visited within the content provider's website, a fuller 'picture' [profile] of the visiting consumer would be captured within the cookie [tag] which the billed third-party content provider alone can access [store] and exploit to customize webpage content and any embedded advertising, and to target offers and merchandise, which becomes progressively more relevant to the consumer member…"; the cookie [tag] is readable by the third-party content provider 130A or 130B who requested the custom browser [of the consumer] to construct a cookie [tag] which is sent to the third-party content provider with appended profile information of the consumer)

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor

(Kublickis, see at least [0436] the "cookie" [tag], which is accessible [readable] by the "third-party content provider", is used to exploit or customize webpage content and embed advertising and to target offers and merchandise progressively more relevant to the consumer member.)

Although Kublickis teaches the above limitations and teaches (e.g. [0430]) his custom browser

stores, for each third-party [advertiser/media property], requested profile information of the user which the user has agreed to share during a previous visit to that third-party and (e.g. [0433]) teaches the custom browser stores new requested data points of profile information as well as (e.g. [0436]) cookies appended with the profile data points which the user allows a third-party to collect, he may not explicitly teach the nuance of the below limitation. However, regarding this feature, Jaschke teaches the following:

(b) wherein the profile owner computer is programmed: (i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system (Jaschke, see at least Fig. 4 – selection of an advertiser [media property entity] based on comparison of a target profile about a visitor with a plurality of stored Advertiser Descriptions which are requests from different advertisers, each request being for types/kinds of desired/targeted profiles.

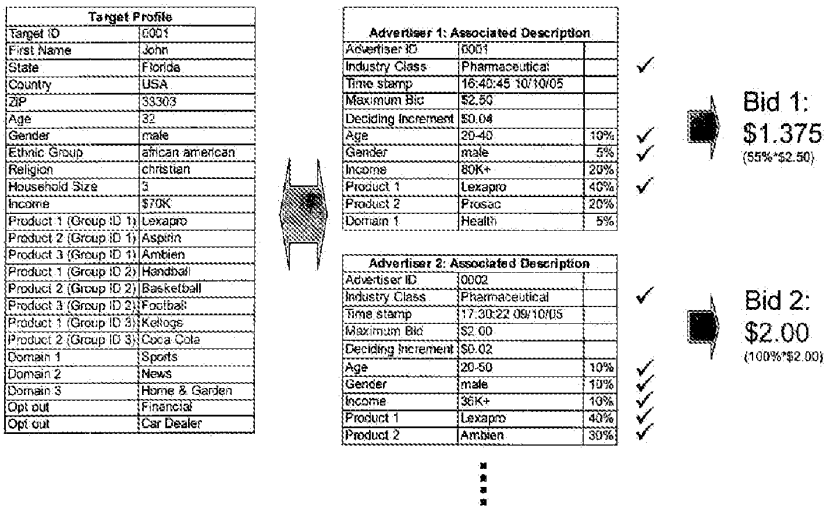


FIG 4

> Also, Jaschke see at least [0030]-[0031] and [0064]-[0073], teaching: The consumer information broker determines which advertiser [media property] will be permitted to utilize the advertisement opportunity by using various mathematical calculations; the consumer information broker selects an advertiser [media property entity] to whom the control of advertising opportunity will be transferred. This occurs after receiving notification of targeted profile of a visiting user representing an advertising opportunity. After receiving such notification, the consumer information broker requests the target profile [profile info of visitor] from one or more target profile processor(s) [profile suppliers] and correlates [compares] the target profile to the associated descriptions [stored requests from different entities] received from advertisers of each advertiser [media property entity] participating in the bidding process; the bidding is dynamically calculated based on a correlation between the associated description defined by the advertiser and the target profile)

Therefore, the Examiner understands that *automatically selecting an advertiser [media property entity of a plurality of media property entities] based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of descriptions [stored requests] from the advertisers [plurality of media property entities], one of which may be an entity controlling the computer system, each description [stored request] being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system* is merely applying a known technique of Jaschke to a known base device and method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis to realize that Kublickis' custom browser, which already stores for each third-party various requested profile information of the user which the user has agreed to share with each particular third-party and which stores additional request for profile data points as the user navigates websites, and also stores cookies appended with the profile data points which the user allows a third-party to collect, may also be used via the technique as taught by Jaschke to

automatically select between competing advertisers [media property entity] based on this information already available to the browser (i.e. (A) profile information about a visitor, and (B) plurality of stored requests from different advertisers [entities]) because both Kublickis and Jaschke are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products (i.e. Kublickis' browser tool) in the same way (or which is ready for improvement) is obvious.

Claims 35, 49:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, and (e.g. see at least [0273]) Kublickis teaches that more than one consumer may be associated with a single node [i.e. consumer device with particular IP address] and each consumer may be individually targeted as each member has a unique member serial number 505, etc… Kublickis may not explicitly teach the nuances of the below limitations directed towards deriving profile information from user activity on one device and targeted advertising to a second device of the user. However, pertaining to these features, Jaschke teaches the following:

…wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, (Jaschke, see at least Fig. 1, the user may use various devices to interact with the system - i.e. visitor activity. These interactions are captured as profile information. See at least [0052], [0064]-[0065] and [0074]-[0075], teaching a profiler 100 collects target user profiles by tracking user usage behavior on various devices and per [0064] the profiled information may be via "cookies" or memory based identifiers (e.g. SIM cards, smart cards, computer memory, etc.), calling number identifiers, fixed IP addresses, cable or satellite TV identifiers, etc…) *and wherein the visitor device that is available to receive an advertisement is a second device of the visitor* (Jaschke, per at least [0074], teaching targeted advertisements may be delivered and customized to the technical capabilities of the particular customer premise equipment; i.e. current device on which there is an opportunity to target an advertisement. The device from which profile information was collected may be a different device than particular

customer premise equipment which is targeted for advertising.)

Therefore, the Examiner understands that deriving profile information from user activity via one device and targeted advertising to a second device of the user is merely applying a known technique of Jaschke to a known base device/method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the ad targeting done by Kublickis which uniquely targets a specific user based on unique member serial number, etc., could be leveraged to apply the technique of Jaschke for the purpose of targeting a user, who is visiting a website via use of a second device, based on profile information collected about that user, known by his unique member number, from the user's previous interaction with a website via a first device because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 36, 50:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor (Jaschke, see at least Fig. 1 and [0063], the first device may be computer PC 172 and the second device may be mobile telephone 170.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the ad targeting done by Kublickis could be to a mobile device of a user based on profile information collected from a user's interaction with a computer device as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a

known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 37, 51:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the tag identifies the mobile phone (Jaschke, see at least [0029]-[030], [0064], and [0076]: cookies and memory based identifiers (e.g. Subscriber Identity Module) are used to identify devices and subsequently profiles of users of such devices for the purpose of targeting those users; e.g. the (IMSI) number and its related key, are used to identify and authenticate subscribers on mobile telephony devices; these may be used to identify profile of a user and target advertising.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the cookie identifiers [tag] of Kublickis, which Kublickis teaches have profile information appended thereto, could append and identify a mobile device identifier of a user, which Jaschke in turn teaches may be used to subsequently target advertising, because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 39, 53

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the second device is a computer (Jaschke, see at least Fig. 1 and [0063], the second device may be computer PC 172) *and further comprising: after parts (a) and (c), with the*

computer system electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer (Jaschke, see at least [0059]-[0060], teaching: The consumer information broker 130 may send or make accessible a report to advertisers as well as convey the selected marketing materials to the target 190, charge the advertiser's account and credit the accounts of the target 190, the advertisement platform provider 120 and/or the profiler 100; Examiner notes: as applicant fails to stipulate what "information" is reported "about"/concerning delivery of ads, this is open to interpretation and at least a "credit" [information] which is provided to the profiler [a profile owner] which supplied the profile used in the transaction is information about such ad delivery.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that information regarding the targeted advertising of Kublickis could be electronically reported and could include information regarding delivery of the advertisement to the targeted device, as taught by Jaschke, because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 41, 54:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

… further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer. (Jaschke, see at least [0060], teaching: The consumer information broker 130 [one type of profile owner] may send or make accessible a report to advertisers as well as convey the selected marketing materials to the target 190, charge the advertiser's account and

credit the accounts of the target 190, the advertisement platform provider 120 [yet another type of profile owner] and/or the profiler 100 [another type of profile owner]; Examiner notes: as applicant fails to stipulate what "information" is reported "about"/concerning delivery of ads, this is open to interpretation and at least a "credit" [information] which is provided by and to a type of profile owner concerning the profile information used in the transaction of the advertisement is information about delivery of the advertisement. Also, the information broker who is a profile owner inherently has the information and therefore this has been made available [reported] in some manner.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that information regarding the targeted advertising of Kublickis could be electronically reported and could include information regarding delivery of the advertisement to the targeted device [i.e. visitor device], as taught by Jaschke, because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 42, 55:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

… wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement (Jaschke, see at least [0099] providing [identifying] profiles, used in association with delivering ads, to profilers, information brokers, and advertisers.)

Therefore, the Examiner understands automatically providing [identifying] profiles, used in association with delivering ads, to profilers, information brokers, and advertisers is merely a known technique of Jaschke which may be applied to a known base device/method of Kublickis

to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis, who already collects profile information, in order to realize that Kublickis could implement the technique as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 43, 56:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

… wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device (Jaschke, see at least [0063]-[0073] and [0077] the advertiser [media property entity] is selected using profile information; the profile information may have been derived from visitor's activity using a device such as a mobile phone.)

Therefore, the Examiner understands automatically selecting an advertiser using user profile information is merely a known technique of Jaschke which may be applied to a known base device/method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis, who already collects profile information, in order to realize that Kublickis could implement the technique as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 45, 58:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, and Kublickis (e.g. at least at [0436]) teaches his cookie [tag] contains user profile data corresponding to third-party content provider requested data points, Kublickis may not explicitly teach the nuance of the below limitation directed towards the profile information appended to his cookie [tag] comprising personally identifiable information. However, pertaining to the below limitations, Jaschke teaches the following:

… wherein the tag comprises personally identifiable information identifying the visitor (Jashcke, see at least [0029]-[0030], [0064], and [0076]: cookies may contain "identifiers" which may be any means of "uniquely identifying a user"; applicant fails to stipulate what is encompassed by "personally identifiable information" and therefore this is open to interpretation)

Therefore, the Examiner understands that a tag, such as a cookie, may comprises identifiers which "uniquely identify a user" [*personally identifiable information identifying the visitor*] and this is merely a known technique of Jaschke which may be applied to a known base device/method of Kublickis, who already teaches appending user profile information to cookies [tags], to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the techniques of Jaschke to the base device/method of Kublickis in order to realize that the cookie of Kublickis could comprises identifiers which "uniquely identify a user" [*personally identifiable information identifying the visitor*] as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 47, 60:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the below limitation. However, pertaining to this feature, Jaschke teaches the following:

… wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor. (Jashcke, see at least [0063]-[0064] and Fig. 1 Public Internet 142, TV 176 which may receive electronic ads, Profile Processor 131, Advertiser 110, Platform Provider 120, Consumer Information Broker 130 all operate through the Public Internet 142 to reach Satellite Network 158 and Cable Network 156 to send ads to TV 176).

Therefore, the Examiner understands that equipment of a profile supplier may operate via the Internet and the equipment of a selected entity may utilize profile data to cause delivery of an electronic advertisements to a television of a targeted user/visitor and these are merely known techniques of Jaschke applied to a known base device/method of Kublickis to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the ad targeting done by Kublickis could be to a TV device of a user based on profile information collected from a user as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

18. Claims 38, 40, 44, 46, 52, 57, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kublickis et al. (US 2007/0067297 A1; hereinafter, "Kublickis") in view of Jaschke et al. (U.S. 2007/0130005 A1; hereinafter, "Jaschke") further in view of Horowitz (U.S. 2005/0097204 A1; hereinafter, "Horowitz").

Claims 38, 52:

Although the combination Kublickis/Jaschke teaches the limitations upon which these claims depends, Kublickis may not explicitly teach the nuance of the below limitation. However, pertaining to the below limitations, Jaschke teaches the following:

…wherein the profile owner computer is programmed to automatically select an a media

property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor (Jaschke, see at least [0030]-[0031], teaching: "The consumer information broker determines which advertiser will be permitted to utilize the advertisement opportunity by using a mathematical calculation…"; the consumer information broker selects an advertiser [entity to control ad space] to whom control of advertising opportunity will be transferred; see also at least [0065]-[0069]),

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Jaschke with the base device/method of Kublickis in order to realize that the cookie identifiers [tag] of Kublickis could identify a mobile device of a user as taught by Jaschke because both Jaschke and Kublickis are analogous art in the same field of endeavor and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious

Although Kublickis/Jaschke teaches the above limitations, neither may not explicitly teach the nuance of the below limitation directed towards collection of such profile information is as a result of a URL redirect. However, pertaining to this technique for collection, Horowitz does teach the following:

…which profile information was received by the profile owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor. (Horowitz, see at least Fig. 4 - #412, and [0045]]-[0048] and [0061] teaching URL redirection; for example, "…the system can use a cookie-based tracking system and can include all features included in the tracking system, including (1) a cookie that can be dropped on a user's browser before redirecting to the user's destination; and (2) a pixel image on the destination site's acquisition page that can register a conversion for the system… the system also can be configured to utilize a back channel, and the like, for the advertiser to share information and to maintain security of purchasing and other information for the advertiser…")

Therefore, the Examiner understands that URL redirection and sharing user information such as profile information as a result of URL redirection is merely applying a known technique (techniques of Horowitz) to a known device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize that the profile information which Kublickis collects and/or which Jaschke collects and compiles by target profile processor 131 and brokered by consumer information broker 130, could have been the result a URL redirection from a website that is served by the electronic apparatus of the market place servers which store consumer profiles [profile supplier], because Kublickis, Jaschke, and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claim 40:

Although Kublickis/Jaschke teaches the above limitations, neither Kublickis nor Jaschke may explicitly teach a technique of URL redirection although each of their systems utilizes a cookie for the purpose of delivering targeted advertising. However, pertaining to this technique, Horowitz does teach the following:

The method of claim 39, wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement (Horowitz, see at least Fig. 4 - #412, and [0045]]-[0048] and [0061] teaching URL redirection; for example, "…the system can use a cookie-based tracking system and can include all features included in the tracking system, including (1) a cookie that can be dropped on a user's browser before redirecting to the user's destination [*cause delivery of the advertisement*]; and (2) a pixel image on the destination site's acquisition page that can register a conversion for the system… the system also can be configured to utilize a back channel, and the

like, for the advertiser to share information and to maintain security of purchasing and other information for the advertiser…")

Therefore, the Examiner understands that URL redirection and sharing and/or reporting information as a result of URL redirection is merely applying a known technique (techniques of Horowitz) to a known base device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize that the profile information which Jaschke teaches is collected and compiled by target profile processor 131 and brokered by consumer information broker 130, could have been reported as the result a URL redirection from the computer system, when Jaschke's computer system utilizes the cookie to cause delivery of the advertisement, because Kublickis, Jaschke, and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 44, 57:

Although the combination Kublickis/Jaschke teaches the above limitations, neither Kublickis nor Jaschke may not explicitly teach a technique of URL redirection to a website where user profile information is gathered. However, pertaining to this technique, Horowitz does teach the following:

… wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device (Horowitz, see at least Fig. 4 - #412, and [0045]-[0048] and [0061] teaching URL redirection; for example, "…the system can use a cookie-based tracking system and can include all features included in the tracking system, including (1) a cookie that can be dropped on a user's browser before redirecting to the user's destination [*cause delivery of the advertisement*]; and (2) a pixel image on the destination site's acquisition page that can register a conversion for the system… the system also can be configured to utilize a back channel, and the like, for the advertiser to share information and to maintain security of

purchasing and other information for the advertiser…")

Therefore, the Examiner understands that URL redirection and sharing and/or reporting information as a result of URL redirection is merely applying a known technique (techniques of Horowitz) to a known base device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize that the profile information which Jaschke teaches is collected and compiled by target profile processor 131 and brokered by consumer information broker 130, could have been reported or gathered as the result a URL redirection from the computer system, when Jaschke's computer system utilizes the cookie to cause delivery of the advertisement, because Kublickis, Jaschke, and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Claims 46, 59:

Although the combination Kublickis/Jaschke teaches the above limitations, neither Kublickis nor Jaschke may explicitly teach a technique of URL redirection to a website which subsequently enables the advertiser to store the cookie [tag] which may be contained in the redirect URL. However, pertaining to this technique, Horowitz does teach the following:

… wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device (Horowitz, see at least [0045]-[0048] specifically teaching: "…For example, in step 412, the End User 110 can be tracked by employing a cookie [tag] having information [profile information] that varies depending on the type of tracking scheme being

employed or an ID [profile information] can be passed in the redirect [automatic redirection to a URL] and the Advertiser site 106 can remember [store] the ID and return it to the exemplary performance-based online advertising system 100 either in a tracking pixel request or in a direct request from the Advertisement server 126…")

Therefore, the Examiner understands that URL redirection which may enable the advertiser to store the profile information linked to the cookie [tag] is merely applying known techniques of Horowitz to a known base device/method of Kublickis/Jaschke to yield predictable results. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the techniques of Horowitz with the device/method of Kublickis/Jaschke to realize the well-known technique of a URL redirection, as taught by Horowitz, to cause delivery of the advertisement by redirecting the user to the advertiser's URL along with a cookie and information [profile information] in the URL redirect, would be useful to the base device/method of Kublickis/Jaschke which already tracks delivery of targeted advertisement because Kublickis, Jaschke and Horowitz are analogous art in the same field of endeavor (at least G06Q30/02) and because according to MPEP 2143(I) (C) and/or (D), the use of known technique to improve a known device, methods, or products in the same way (or which is ready for improvement) is obvious.

Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed Michael J. Sittner whose telephone number is 571-270-3984. The examiner can normally be reached 7:30 AM – 5:00PM (Mon. – Thur.), and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan C Uber can be reached at (571) 270-3923.

20. 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.

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

/Michael J Sittner/

Examiner, Art Unit 3622

Notice of References Cited	Application/Control No. 15/893,354	Applicant(s)/Patent Under Reexamination Shkedi, Roy	
	Examiner MICHAEL J SITTNER	Art Unit 3622	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
	A					
	B					
*	C	US-20070067297-A1	03-2007	Kublickis; Peter Joseph	G06Q30/02	1/1
*	D	2005/0097204 A1	05-2005	Horowitz, Russell C.	G06Q30/02	705/14.69
*	E	2007/0130005 A1	06-2007	Jaschke; Michael	G06Q30/02	705/14.66
	F					
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	**Art Unit**
	MICHAEL J SITTNER	3622

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

CLAIMS										
☐ Claims renumbered in the same order as presented by applicant						☐ CPA		☐ T.D.		☐ R.1.47
CLAIM		**DATE**								
Final	Original	06/11/2018								
	34	✓								
	35	✓								
	36	✓								
	37	✓								
	38	✓								
	39	✓								
	40	✓								
	41	✓								
	42	✓								
	43	✓								
	44	✓								
	45	✓								
	46	✓								
	47	✓								
	48	✓								
	49	✓								
	50	✓								
	51	✓								
	52	✓								
	53	✓								
	54	✓								
	55	✓								
	56	✓								
	57	✓								
	58	✓								
	59	✓								
	60	✓								
	61	✓								

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	15/893,354	Shkedi, Roy
	Examiner	Art Unit
	MICHAEL J SITTNER	3622

CPC - Searched*		
Symbol	**Date**	**Examiner**
G06Q30/02 all with text	06/11/2018	MJS
G06F7/04 all with text	06/11/2018	MJS
H04L 9/32 all with text	06/11/2018	MJS

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**
705	14 all with text	06/11/2018	MJS

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	**Date**	**Examiner**
See East Search History	06/11/2018	MJS
Assignee Search	06/11/2018	MJS
Inventor Search	06/11/2018	MJS
Review of Parent Applications and related Art	06/11/2018	MJS
PLUS Search	06/11/2018	MJS

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	4	(("6839680") or ("6446261")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/25 11:31
S2	36	@ad<"20060619" and (collect$6 with profil$6 with (buy$6 or purchas$6) with (sell or selling or sales or vend or vend$6))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/25 11:43
S3	2	("20110314092").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/30 16:10
S4	0	@ad<"20060619" and (tracking adj pixel) and (1x1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:10
S5	137	@ad<"20060619" and (tracking adj pixel)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S6	0	@ad<"20060619" and (tracking adj pixel) and (S3 adj x adj S3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S7	0	@ad<"20060619" and (S3 adj x adj S3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S8	7504	@ad<"20060619" and ("1 x 1")	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:11
S9	0	@ad<"20060619" and (tracking adj pixel) and (URL adj redirect)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:31
S10	2	@ad<"20060619" and (tracking adj pixel) and (URL near4 redirect)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 16:31

S11	425010	@ad<"20060619" and ((profile adj owner) with report$6 or compensation)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 19:44
S12	13	@ad<"20060619" and ((profile adj owner) with (report$6 or compensation))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 19:45
S13	13	@ad<"20060619" and ((profile adj owner) with (report$6 or compensation))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 20:59
S14	12396	@ad<"20060619" and ((profile) with (report$6 or compensation)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 20:59
S15	4096	@ad<"20060619" and ((profile) near3 (report$6 or compensation)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:00
S17	258	@ad<"20060619" and ((profile) near3 (report$6 or compensation) with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:01
S18	0	@ad<"20060619" and (profile with report$6 with compensation with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:01
S19	165	@ad<"20060619" and (profile with compensation with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02
S20	486	@ad<"20060619" and (profile with report with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02
S21	65	@ad<"20060619" and (profile near3 compensation with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02
S22	148	@ad<"20060619" and (profile near3 report with (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:02
S23	71	@ad<"20060619" and (report$6 near3 profile near3 (type or category)) not S13	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 21:03

S24	106	@ad<"20060619" and (cookie near3 profile near3 information)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/30 22:25
S25	0	@ad<"20060619" and (cookie near3 profile near3 locat$6 near3 database)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2016/08/31 12:38
S26	23	@ad<"20060619" and (cookie profile locat$6 database)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	ON	2016/08/31 12:38
S27	0	@ad<"20060619" and (cookie profile locat$6 database)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	ON	2016/08/31 12:38
S28	2	("20070130005").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/08/31 13:25
S29	8	(("20070067297") or ("20070130005") or ("20030083938")).PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2018/06/11 16:12
S30	3	(US-20070130005-$ or US-20070067297-$ or US-20030083938-$).did.	US-PGPUB	OR	ON	2018/06/11 16:13

EAST Search History (Interference)

< This search history is empty>

6/11/2018 4:17:50 PM
C:\Users\msittner1\Documents\EAST\Workspaces\15893354 - continuation of 14080999 - Shkedi - collection and selling of profile information.wsp

Bibliographic Data

Application No: 15/893,354

Foreign Priority claimed: ○ Yes ◉ No

35 USC 119 (a-d) conditions met: ☐ Yes ☐ No ☐ Met After Allowance

Verified and Acknowledged: /MICHAEL J SITTNER/ (Examiner's Signature) | MJS (Initials)

Title: Providing collected profiles to media properties having specified interests

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
02/09/2018	705	3622	14 PP CON4
RULE			

APPLICANTS

Datonics, LLC, Long Island City, NY,

INVENTORS

Roy Shkedi Forest Hills, NY, UNITED STATES

CONTINUING DATA

This application is a CON of 14080999 11/15/2013

14080999 is a CON of 13631244 09/28/2012 PAT 8589210

13631244 is a CON of 11765433 06/19/2007 PAT 8280758

11765433 has PRO of 60805144 06/19/2006

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

03/14/2018

STATE OR COUNTRY

UNITED STATES

ADDRESS

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260
UNITED STATES

FILING FEE RECEIVED

$5,720

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

Page 1 of 1

Serial No.:	15/893,354
Inventor:	Shkedi, Roy
Filed:	02/09/2018
Art Unit:	3622
Examiner:	Sittner, Michael J.
Conf. No.:	5057

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant of Cited Document

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Inventor	Translation Yes / No

OTHER ART

Examiner Initials	Cite No.	AUTHOR, Title, Date, Pertinent Pages, Etc.
/M.J.S/		Yahoo's Invalidity Contentions (pages related to parent patent in this family); AlmondNet, Inc. et al. v. Yahoo! Inc., Civil Action No. 16-cv-1557-ILG-SMG, U.S. District Court for the Eastern District of New York; June 30, 2017
~~/M.J.S/~~		Exhibits D-1 through D-16 (as revised) of Yahoo's Invalidity Contentions cited above; June 30, 2017 and August 22, 2017

Examiner: /MICHAEL J SITTNER/ Date Considered: 06/11/2018

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

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

Page 1 of 1

Serial No.:	15/893,354
Inventor:	Shkedi, Roy
Filed:	02/09/2018
Art Unit:	3622
Examiner:	Sittner, Michael J.
Conf. No.:	5057

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant of Cited Document

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Inventor	Translation Yes / No

OTHER ART

Examiner Initials	Cite No.	AUTHOR, Title, Date, Pertinent Pages, Etc.
_____		Yahoo's Invalidity Contentions (pages related to parent patent in this family); AlmondNet, Inc. et al. v. Yahoo! Inc., Civil Action No. 16-cv-1557-ILG-SMG, U.S. District Court for the Eastern District of New York; June 30, 2017
_____		Exhibits D-1 through D-16 (as revised) of Yahoo's Invalidity Contentions cited above; June 30, 2017 and August 22, 2017

Examiner: _____ Date Considered: _____

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

Electronic Acknowledgement Receipt

EFS ID:	32589399
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	10-MAY-2018
Filing Date:	09-FEB-2018
Time Stamp:	14:12:31
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	18-05-10-DAT-PP_CON4-Supp_IDS_cover.pdf	93792 6ffb5dfccec019e505cf938489d6edbf0053a0ed	no	3

Warnings:

Information:					
2	Information Disclosure Statement (IDS) Form (SB08)	18-05-10-DAT-PP_CON4-FORM_1449.pdf	80379 1a4b9a5badee9a4b92a2d16159456545cca168d8	no	1
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
3	Non Patent Literature	170630-YahooInvContentions-PP.pdf	283560 d83c32b52234de17b19e83562109eda5ce505eb7	no	16
Warnings:					
Information:					
4	Non Patent Literature	Exhibits_D1-D16.pdf	7343653 1c96fa273926265db3860535fdf066b7216e83c8	no	178
Warnings:					
Information:					
			Total Files Size (in bytes):	7801384	

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	3622
Serial No.	:	15/893,354	Examiner	:	Sittner, Michael J.
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title	:	Providing collected profiles to media properties having specified interests			

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

Filed via EFS – May 10, 2018

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant discloses "invalidity claim charts" for a parent patent, which charts were provided in the previously disclosed litigation in the Eastern District of New York (the charts were, by agreement and order, prepared using E.D. Tex. rules). Applicant earlier disclosed each of the primary references relied on by the litigation defendant, and applicant believes that the examiner has considered them.

The litigation defendant supplied a cover document and sixteen "charts," identified as items D-1 through D-16, although not said to be in any particular order. The litigation defendant had the opportunity to identify five of the "charts" to get applicant's views in response, and it identified charts D-1 ("Blumenau"), D-2 ("Goldhaber"), D-4 ("Robinson"), D-6 ("Hoyt"), and D-8 ("Beyda") for that purpose. In a later document, the same defendant listed 12 of the 16 primary references as "elected" art (to fit within a court-ordered maximum number of art references). The four references omitted from that "elected" list, were CA 2246746 ("Blumenau")(chart D-1, as to which it had obtained applicant's views), U.S. Patent 5,901,287 ("Bull")(chart D-3), U.S. Pub. No. 2005/0165643 ("Wilson")(chart D-7), and U.S. Patent 7,580,855 ("Fernandes")(chart D-10). That may provide insight into the litigation defendant's views as to which charts are closest to the claims of the parent patent: Charts D-2, D-4,

D-6, and D-8 refer to references highlighted and not omitted later. However, litigation defendant has not singled out those particular charts except through the selections identified above, so applicant cannot confirm its views except by inference. Again, applicant has cited each of the references to which those charts are directed (Goldhaber, Robinson, Hoyt, and Beyda) previously in the parent application (and again in the form PTO-1449 filed with this continuation).

In addition, applicant provides the following observations:

- Defendant's chart D-15 contains a list of four NPL references at the top of page 1. Applicant previously cited the first reference (archive of I/Pro's 1998 website). Litigation defendant did not provide applicant with copies of the other three references referenced, and chart D-15 does not refer to or quote from any of those three references. Applicant is unsure exactly what these references are (the citation form is not very clear, but they appear to be books or magazine collections) or why litigation defendant listed them. These three references have not been included in any IDS.
- In addition to the prior art listed in the charts and cover document, the litigation defendant asserted that the claims of the parent patents are invalid under Section 101 on an *Alice* theory, cross-referencing its arguments in the previously cited CBM2017-00059 petition. This assertion has been rejected by the PTO's Board of Appeals, which issued orders in that CBM deciding not to institute the proceeding. Applicant referred the examiner to the CBM proceeding in the cover letter to its July 26, 2017, IDS in parent application Serial No. 14/080,999. Petitioner (the litigation defendant) sought reconsideration, and the Board denied reconsideration by an order dated November 30, 2017.
- Also the litigation defendant asserted in the cover document that the claims (or some of them) of the parent patents were invalid under Section 112(1), alleging

lack of enablement and written description, on account of certain terms listed in that document.

In developing and amending the claims of this application, applicant has sought to make sure that they are free from arguments made in the referenced litigation, and applicant does not believe that the charts or arguments provided by the litigation defendant have merit. However, the examiner should review them and reach his own conclusions. Applicant thanks the examiner for his time in reviewing the material.

If the examiner has any questions concerning the attached materials, distinctions from the prior art in the present claims, or applicant's views responsive to litigation defendant's positions stated in the attached materials, please feel free to contact the undersigned attorney of record.

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: May 10, 2018

/Louis J. Hoffman/

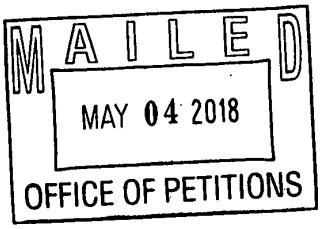
Louis J. Hoffman
Reg. No. 38,918

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale AZ 85260



Doc Code: TRACK1.GRANT

Decision Granting Request for Prioritized Examination (Track I or After RCE)	Application No.: 15/893,354

The petition, filed April 27, 2018, requesting reconsideration of the decision, mailed April 9, 2018, which initially dismissed the Request for Prioritized Examination, Track 1, is **GRANTED**. In view of the specific circumstances surrounding this application and, in particular, the filing of the Track 1 Request requirements including irregularities with EFS-Web involving payment of the Processing Fee, the Office hereby waives, *sua sponte*, the Processing Fee date requirement of the Prioritized Examination, Track 1, program to the extent necessary to render the processing fee as timely paid and sufficient to fulfill such requirement.

1. THE REQUEST FILED February 9, 2018 IS **GRANTED.**

The above-identified application has met the requirements for prioritized examination

A. ☒ for an original nonprovisional application (Track I).
B. ☐ for an application undergoing continued examination (RCE).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

A. filing a **petition for extension of time** to extend the time period for filing a reply;
B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;
C. filing a **request for continued examination**;
D. filing a notice of appeal;
E. filing a request for suspension of action;
F. mailing of a notice of allowance;
G. mailing of a final Office action;
H. completion of examination as defined in 37 CFR 41.102; or
I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to Brian W. Brown at 571-272-5338.

/Brian W. Brown/
[*Signature*]

Petitions Examiner, Office of Petitions
(Title)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	3622
Serial No.	:	15/893,354	Examiner	:	Uber, Nathan C.
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title		Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on April 27, 2018

REQUEST FOR RECONSIDERATION

Dear Sir:

Applicant requests reconsideration of the April 9, 2018, Decision dismissing applicant's Request for Prioritized Examination (Track I).

Applicant's Track 1 Request was dismissed because the processing fee under 37 C.F.R. § 1.17(i) was not paid at the time of application filing. During the application filing process, applicant encountered technical difficulties using the EFS-Web fee payment system, which appear to have caused the processing fee to not be paid. Applicant intended to pay all fees required for Track 1 at the time of filing the application; omission of the processing fee was unintentional.

Applicant submits concurrently the processing fee set forth in 37 C.F.R. § 1.17(i).

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

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: April 27, 2018

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

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

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
PROCESSING FEE, EXCEPT PROV. APPLS.	1830	1	140	140
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**140**

Electronic Acknowledgement Receipt	
EFS ID:	32475251
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	27-APR-2018
Filing Date:	09-FEB-2018
Time Stamp:	18:39:31
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$140
RAM confirmation Number	043018INTEFSW18402500
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	18-04-27-Datonics-PP_CON4-Rqst_Reconsid_Track1Rqst.pdf	37822 4ce16111ce3af6ddaf3d7fd7e2bc41c925e4e0bc	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30655 ffd85d4bc8e31b935dd5c5c8708a2dc2c06abd4c	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	68477		

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4	5057

26362 7590 04/09/2018

LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

EXAMINER	
UBER, NATHAN C	

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
04/09/2018	ELECTRONIC

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

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

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

Louis@valuablepatents.com
donald@valuablepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Doc Code:
TRACK1.DENY

Decision Dismissing Request for Prioritized Examination (Track I)	Application No.: 15/893,354

1. THE REQUEST FILED February 9, 2018 IS **DISMISSED** BECAUSE:

A. ☐ The application is not a utility application under 35 U.S.C. 111(a) filed by EFS-Web or a plant application under 35 U.S.C. 111(a) filed by paper:
   i. ☐ The application is a utility application that was not filed by EFS-Web.
   ii. ☐ The application is neither a utility application nor a plant application, but rather is a _____, which is excluded from the Track I program.

B. ☐ The request was not filed with the application or on the same date the application was filed.

C. ☒ One or more of the following fees were not filed with the application or on the same date the application was filed:
   i. ☐ Basic filing fee, as set forth in 37 CFR 1.16(a), or for a plant application, 37 CFR 1.16(c).
   ii. ☐ Search fee, as set forth in 37 CFR 1.16(k), or for a plant application, 37 CFR 1.16(m).
   iii. ☐ Examination fee, as set forth in 37 CFR 1.16(o), or for a plant application, 37 CFR 1.16(q).
   iv. ☐ Publication fee, as set forth in 37 CFR 1.18(d).
   v. ☒ Track I processing fee, as set forth in 37 CFR 1.17(i).
   vi. ☐ Track I prioritized examination fee, as set forth in 37 CFR 1.17(c).

D. ☐ The executed inventor's oath or declaration, **or** an application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) was not filed with the application or on the same date the application was filed.

E. ☐ The application contains or has been amended to contain:
   i. ☐ More than four independent claims.
   ii. ☐ More than thirty total claims.
   iii. ☐ One or more multiple dependent claims.

F. ☐ The Track I program has exceeded its limit of 10,000 requests for the current fiscal year.

☐ Other:

2. CONCLUSION

☐ **ALL of the above defect(s) consist only of one or more of items E (i-iii). Applicant is hereby accorded a non-extendable ONE MONTH time period from the mailing date of this Decision to (1) correct the subject defect(s) and (2) file a petition under 37 CFR 1.181 requesting reconsideration of prioritized examination. If no such petition is timely filed, the application will not undergo prioritized examination.**

-OR-

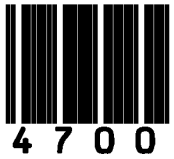
☒ **The application will not undergo prioritized examination, because the request was not accompanied by all of the required items. Appropriate action by the Examiner will be handled in the normal course of business.**

Telephone inquiries with regard to this decision should be directed to Kimberly Inabinet at 571-272-4618.

/*Kimberly Inabinet*/ Paralegal Specialist, Office of Petitions

U.S. Patent and Trademark Office
PTO-2299 (Rev. 01-2014)

Office of Petitions: Routing Sheet



Application No. 15893354

This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.

- [ ] **GRANTED**
- [x] **DISMISSED**
- [ ] **DENIED**

Office of Petitions: Decision Count Sheet

Mailing Month: 4

Application No.: 15893354

15893354

For US serial numbers: enter number only, no slashes or commas. Ex: 10123456
For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official: Kimberly Inabinet

Count (1) - Palm Credit 15893354

Decision: DISMISSED

FINANCE WORK NEEDED
☐ Select Check Box for YES

DISMISSED

Decision Type: 643 - Track One request

643

Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED
☐ Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED
☐ Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box ☐

Printed on: 4/5/2018

Office of Petitions Internal Document - Ver. 5.0

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
15/893,354	02/09/2018	3622	2520	14 PP CON4	28	2

CONFIRMATION NO. 5057

UPDATED FILING RECEIPT

26362
LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

OC000000098327472

Date Mailed: 03/28/2018

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Roy Shkedi, Forest Hills, NY;

Applicant(s)

Datonics, LLC, Long Island City, NY;

Assignment For Published Patent Application

Datonics, LLC

Power of Attorney: The patent practitioners associated with Customer Number 26362

Domestic Priority data as claimed by applicant

This application is a CON of 14/080,999 11/15/2013 ABN
which is a CON of 13/631,244 09/28/2012 PAT 8589210
which is a CON of 11/765,433 06/19/2007 PAT 8280758
which claims benefit of 60/805,144 06/19/2006

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 03/14/2018

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 15/893,354**

Projected Publication Date: 07/05/2018

Non-Publication Request: No

Early Publication Request: No

Title

Providing collected profiles to media properties having specified interests

Preliminary Class

705

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

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 (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 15/893,354

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	300
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	660
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	760
TOTAL CLAIMS (37 CFR 1.16(i))	28 minus 20 =	* 8			OR	x 100 =	800
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 =	*				x 460 =	0.00
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	2520

APPLICATION AS AMENDED - PART II

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

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

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

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

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	2447
Serial No.	:	15/893,354	Examiner	:	____
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title		Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on March 22, 2018

RESPONSE TO FORMALITIES NOTICE

Dear Sir:

In response to the March 15, 2018, Notice of Missing Parts, applicant submits concurrently, fees in the amount of $800 for eight (8) total claims over 20.

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

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: March 22, 2018

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

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

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	1202	8	100	800
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**800**

Electronic Acknowledgement Receipt

EFS ID:	32134469
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	22-MAR-2018
Filing Date:	09-FEB-2018
Time Stamp:	18:58:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	18-03-22-Datonics-PP_CON4-Resp_Ntc_Missing_Parts.pdf	36322 a31b64643a357981278af231c33d3701be041d37	no	1

Warnings:

Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30610 612c302cef58b4f34bc844ede069203306bcfc70	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	66932	

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.

<u>New Applications Under 35 U.S.C. 111</u>
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.
<u>National Stage of an International Application under 35 U.S.C. 371</u>
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.
<u>New International Application Filed with the USPTO as a Receiving Office</u>
If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	2447
Serial No.	:	15/893,354	Examiner	:	____
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title		Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on March 22, 2018

RESPONSE TO FORMALITIES NOTICE

Dear Sir:

In response to the March 15, 2018, Notice of Missing Parts, applicant submits concurrently, fees in the amount of $800 for eight (8) total claims over 20.

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

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: March 22, 2018

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

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

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	1202	8	100	800
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**800**

Electronic Acknowledgement Receipt	
EFS ID:	32135179
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	22-MAR-2018
Filing Date:	09-FEB-2018
Time Stamp:	20:47:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$800
RAM confirmation Number	032318INTEFSW20481800
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	18-03-22-Datonics-PP_CON4-Resp_Ntc_Missing_Parts.pdf	36322 a31b64643a357981278af231c33d3701be041d37	no	1
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30612 1e4c37a705f115bd2c392e7cf60bc9dc8b15e7ca	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	66934		

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.

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/DONALD HERTZ
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	1202	8	100	800
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**800**

Electronic Acknowledgement Receipt

EFS ID:	32134684
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/DONALD HERTZ
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	22-MAR-2018
Filing Date:	09-FEB-2018
Time Stamp:	19:22:03
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	30632 c41f8ca13340481ceeebac53e3a86f651eb81050	no	2

Warnings:

Information:	
Total Files Size (in bytes):	30632

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.

Electronic Patent Application Fee Transmittal

Application Number:	15893354
Filing Date:	09-Feb-2018
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14 PP CON4

Filed as Large Entity

Filing Fees for Utility under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	1202	8	100	800
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**800**

Electronic Acknowledgement Receipt

EFS ID:	32134526
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14 PP CON4
Receipt Date:	22-MAR-2018
Filing Date:	09-FEB-2018
Time Stamp:	19:03:33
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Fee Worksheet (SB06)	fee-info.pdf	30612 46707249f1276d068375172559 43b66f52806b70	no	2

Warnings:

Information:	
Total Files Size (in bytes):	30612

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
15/893,354	02/09/2018	Roy Shkedi	14 PP CON4

CONFIRMATION NO. 5057

26362
LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

FORMALITIES LETTER

OC000000098049934

Date Mailed: 03/15/2018

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing.

Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Additional claim fees of $ **800** as an undiscounted 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:

The fee(s) required within **TWO MONTHS** from the date of this Notice to avoid abandonment is/are itemized below. No entity status discount is in effect. If applicant is qualified for small entity status, a written assertion of small entity status must be submitted to establish small entity status. (See 37 CFR 1.27). If applicant is qualified for micro entity status, an acceptable Certification of Micro Entity Status must be submitted to establish micro entity status. (See 37 CFR 1.29 and forms PTO/SB/15A and 15B.)

- $ **800** for **8** total claims over 20.
- $(**0**) previous unapplied payment amount.
- $ **800** TOTAL FEE BALANCE DUE.

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice". https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at http://www.uspto.gov/ebc.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

Questions about the contents of this notice and the requirements it sets forth should be directed to the Office of Data Management, Application Assistance Unit, at **(571) 272-4000** or **(571) 272-4200** or **1-888-786-0101**.

/thaile/

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 15/893,354

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	300
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	660
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	760
TOTAL CLAIMS (37 CFR 1.16(i))	28 minus 20 =	* 8			OR	x 100 =	800
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 =	*				x 460 =	0.00
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0.00
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0.00
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	2520

APPLICATION AS AMENDED - PART II

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
15/893,354	02/09/2018	2447	1720	14 PP CON4	28	2

CONFIRMATION NO. 5057

26362
LOUIS J. HOFFMAN, P.C.
7689 East Paradise Lane
Suite 2
Scottsdale, AZ 85260

FILING RECEIPT

OC000000098049933

Date Mailed: 03/15/2018

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Roy Shkedi, Forest Hills, NY;

Applicant(s)

Datonics, LLC, Long Island City, NY;

Assignment For Published Patent Application

Datonics, LLC

Power of Attorney: The patent practitioners associated with Customer Number 26362

Domestic Priority data as claimed by applicant

This application is a CON of 14/080,999 11/15/2013 ABN
which is a CON of 13/631,244 09/28/2012 PAT 8589210
which is a CON of 11/765,433 06/19/2007 PAT 8280758
which claims benefit of 60/805,144 06/19/2006

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 03/14/2018

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 15/893,354**

Projected Publication Date: 06/21/2018

Non-Publication Request: No

Early Publication Request: No

Title

Providing collected profiles to media properties having specified interests

Preliminary Class

709

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

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 (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

Doc Code: TRACK1.REQ
Document Description: TrackOne Request

PTO/AIA/424 (04-14)

CERTIFICATION AND REQUEST FOR PRIORITIZED EXAMINATION UNDER 37 CFR 1.102(e) (Page 1 of 1)

First Named Inventor:	Shkedi, Roy	Nonprovisional Application Number (if known):	
Title of Invention:	Providing collected profiles to media properties having specified interests		

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.

1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently $0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.

2. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.

3. The applicable box is checked below:

I. ☑ Original Application (Track One) - Prioritized Examination under § 1.102(e)(1)

i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web.

---OR---

(b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.

ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, **or** the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.

II. ☐ Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)

i. A request for continued examination has been filed with, or prior to, this form.
ii. If the application is a utility application, this certification and request is being filed via EFS-Web.
iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Signature /Louis J. Hoffman/	Date 02/09/2018
Name (Print/Typed) Louis J. Hoffman	Practitioner Registration Number 38918

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

☐ *Total of _____ forms are submitted.

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Filer:	Louis J. Hoffman/Donald Hertz
Attorney Docket Number:	14-PP-CON4

Filed as Large Entity

Filing Fees for Track I Prioritized Examination - Nonprovisional Application under 35 USC 111(a)

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
UTILITY APPLICATION FILING	1011	1	300	300
UTILITY SEARCH FEE	1111	1	660	660
UTILITY EXAMINATION FEE	1311	1	760	760
REQUEST FOR PRIORITIZED EXAMINATION	1817	1	4000	4000
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**5720**

Electronic Acknowledgement Receipt	
EFS ID:	31755726
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14-PP-CON4
Receipt Date:	09-FEB-2018
Filing Date:	
Time Stamp:	18:02:26
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$5720
RAM confirmation Number	021218INTEFSW18033600
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal of New Application	18-02-09-DAT-PP_CON4-app_trans.pdf	236499 bec7ee9d0d974ce7e0a745bc5100de79d658bb1b	no	1
Warnings:					
Information:					
2		ProvidingProfiles-Spec-FINAL.pdf	117922 cffa2df0701885ee36b8dd4961e8ca1e391da6c7	yes	29
	Multipart Description/PDF files in .zip description				
	Document Description		**Start**	**End**	
	Specification		1	22	
	Claims		23	28	
	Abstract		29	29	
Warnings:					
Information:					
3	Drawings-only black and white line drawings	ProvidingProfiles-drawings-FINAL.pdf	524588 415d8ef013f10777a8e3df43dd59feaab08a68f8	no	2
Warnings:					
Information:					
4	Oath or Declaration filed	13-11-13-Datonics-PP-CON3-Declaration_signed.pdf	156290 816f76bbe0b569b32483b222b45a731ae856c55a	no	1
Warnings:					
Information:					
5	Application Data Sheet	17-02-09-DAT-PP_CON4-ADS.pdf	1823581 831549e35663c4a12eb7fd2ef17c58ea23535de5	no	8

Warnings:					
Information:					
6	TrackOne Request	17-02-09-DAT-PP_CON4-Track_one_rqst.pdf	114159 59da49e630bcab3cb3833501ab16128dd1a94906	no	1
Warnings:					
Information:					
7	Fee Worksheet (SB06)	fee-info.pdf	36940 75bf9955943c29f27f0a4da7f78b7702aa0122cf	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	3009979		

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/AIA/15 (10-17)
Approved for use through 11/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	14-PP-CON4
First Named Inventor	Shkedi, Roy
Title	Providing collected profiles to media properties having specified interests
Priority Mail Express® Label No.	Filed via EFS-Web

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ **Fee Transmittal Form** (PTO/SB/17 or equivalent)
2. ☐ **Applicant asserts small entity status.** See 37 CFR 1.27
3. ☐ **Applicant certifies micro entity status.** See 37 CFR 1.29. Applicant must attach form PTO/SB/15A or B or equivalent.
4. ☑ **Specification** [*Total Pages* 29] Both the claims and abstract must start on a new page. *(See MPEP § 608.01(a) for information on the preferred arrangement)*
5. ☑ **Drawing(s)** (35 U.S.C. 113) [*Total Sheets* 2]
6. **Inventor's Oath or Declaration** [*Total Pages* 1] *(including substitute statements under 37 CFR 1.64 and assignments serving as an oath or declaration under 37 CFR 1.63(e))*
   a. ☐ Newly executed (original or copy)
   b. ☑ A copy from a prior application (37 CFR 1.63(d))
7. ☑ **Application Data Sheet** ** See note below.* See 37 CFR 1.76 (PTO/AIA/14 or equivalent)
8. **CD-ROM or CD-R** in duplicate, large table, or Computer Program (*Appendix*)
   ☐ Landscape Table on CD
9. **Nucleotide and/or Amino Acid Sequence Submission** (*if applicable, items a. – c. are required*)
   a. ☐ Computer Readable Form (CRF)
   b. ☐ Specification Sequence Listing on:
      i. ☐ CD-ROM or CD-R (2 copies); or
      ii. ☐ Paper
   c. ☐ Statements verifying identity of above copies

ADDRESS TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**

ACCOMPANYING APPLICATION PAPERS

10. ☑ **Assignment Papers** (cover sheet & document(s)) Name of Assignee Datonics, LLC
11. ☐ **37 CFR 3.73(c) Statement** (*when there is an assignee*) ☑ **Power of Attorney**
12. ☐ **English Translation Document** (*if applicable*)
13. ☑ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)
    ☐ Copies of citations attached
14. ☑ **Preliminary Amendment**
15. ☐ **Return Receipt Postcard** (*MPEP § 503*) (*Should be specifically itemized*)
16. ☐ **Certified Copy of Priority Document(s)** (*if foreign priority is claimed*)
17. ☐ **Nonpublication Request** Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.
18. ☑ **Other:** Form PTO/AIA/424 - Certification and Request for Prioritized Examination Under 37 CFR 1.102(e)(1))

*Note: (1) Benefit claims under 37 CFR 1.78 and foreign priority claims under 1.55 **must** be included in an Application Data Sheet (ADS).
(2) For applications filed under 35 U.S.C. 111, the application must contain an ADS specifying the applicant if the applicant is an assignee, person to whom the inventor is under an obligation to assign, or person who otherwise shows sufficient proprietary interest in the matter. See 37 CFR 1.46(b).

19. CORRESPONDENCE ADDRESS

☑ The address associated with Customer Number: 26362 **OR** ☐ Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	

Signature	/Louis J. Hoffman/	Date	02/09/2018
Name (Print/Type)	Louis J. Hoffman	Registration No. (Attorney/Agent)	38,918

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PROVIDING COLLECTED PROFILES TO MEDIA PROPERTIES HAVING SPECIFIED INTERESTS

CROSS REFERENCE TO RELATED APPLICATIONS

This application claims the benefit of provisional application Serial No. 60/805,114, filed June 19, 2006, which is incorporated herein by reference.

FIELD OF THE INVENTION

The present invention generally relates to profile-based behavioral targeting advertisement placement services. More specifically, the present invention relates to improving monetization of electronic advertisement placement.

BACKGROUND OF THE INVENTION

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

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

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

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

AlmondNet, Tacoda, RevenueScience, and other companies (herein "BT companies"; "BT" stands for behavioral targeting) specialize in targeting ads based on observed behavior of sites' visitors. To record a visitor's observed behavior, a BT company places a cookie (or cookies) on the computers of visitors to specific sections of a publisher's website or on the computers of visitors of the publisher who conducted a specific action such as search, click content, click an ad, make a phone call, request information, acquire a product, etc.

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

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

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

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

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

The central server may also tag the visitor or arrange for the visitor to be tagged by operators of other media properties. A BT company can place a cookie on a site's section when a visitor's computer visits that section, if a code of the company was

integrated into the page of that section by the site that owns the page. The code (e.g., HTML or Java) redirects to the BT company's server all visitors to the page. Also, in the case that the BT company is the publisher itself, the publisher will simply "cookie" (by itself) all visitors that either read a specific content, search, click, ask for information, make a phone call, etc.

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

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

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

Because the purpose of the tag is to enable the delivery of additional ads on other media properties visited by the visitor, and because the delivery of an ad requires only control of the ad space and not necessarily control of the entire media property visited by the visitor, a media property (in the present context) can also be defined as any equipment that controls an ad space viewed by a visitor, including a web site, an ad network's site (where the ad network represents the ad space of different sites), a TV program, some of the ad space within TV programs or TV channels (represented by a cable company), a TV network, or any ad space for which an entity is allowed to sell an advertisement and deliver it within the ad space; whether the ad space is owned by that entity, or whether the entity pays the owner of the ad space when using its ad space to deliver an ad sold by the entity. Ad space can be on a web site, in a TV program, in a text message, in a radio show, in any broadcasted material, in any streaming video or audio, etc. An ad space can be a fixed position on a page, or the ad space can be made available by a web site to an ad network (for example) only when the web site did not sell all of the site's ad inventory and therefore wishes to make some of the inventory available to the ad network.

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

The tag can be placed on the device used by the user to access the first media property where the user's profile was collected (in case of observed behavior, that behavior can be reading a specific content, searching, clicking an ad or content, making

a phone call, asking for product information, acquiring a product, or taking any other kind of action). A tag placed on the device (1) could be read only by a server operating under the same domain as the server that placed the tag on the device to begin with as in the case of a cookie for example, (2) could be placed on the device when the user visited the first media property, and then the tag can be read by any second media property visited by the visitor, or (3) could be encrypted and, while accessed by any second media property visited by the visitor, the tag could be deciphered only by second media property computers that received the deciphering code from the first media property. In case of a tag placed by software installed on a user's computer, the tag could be whatever the software wants it to be, including a cookie of any domain.

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

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

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

Some 50% to 80% of the ad space on the Internet is considered difficult to monetize, as it is located next to content that tends to be more generalized, such as general news, web based e-mails, instant messages, music or files downloading sites, and software. Advertisers are not willing to pay a high price for delivering an ad to visitors of such sites, as they do not know how many of those sites' visitors are potential clients for their products and services. By contrast, advertisers prefer the placement of ads on dedicated content sites, such as a travel site. For example, an airline is willing to pay a high price per ad on a travel site, as it knows that the ad will be delivered to people who are currently searching for flying tickets. The same is true for TV, where a significant proportion of the ad space is within TV programs where the audience is heterogeneous. It is also true for radio shows and other kind of media.

Using profiles for the delivery of targeted ads within the above-described low-value ad space can turn the low-value ad space into high-value ad space by delivering ads to users that are based on previously collected profiles of the users, rather than ads that are related to the content on the page they are viewing. For example, a "car insurance" related ad, delivered to a person who yesterday searched for "car insurance" within the ad space of a general news page the person is currently reading, will be much more relevant to the person than an ad related to the general news he or she is reading.

The BT companies are described above as collecting profiles and later delivering ads to the profiled visitors when found on other sites. The ads delivered by the BT company to the profiled visitors are either sold by the BT company, which pays royalties to the profile suppliers that provided it with profiles whenever ads presented to their audience generate revenues, or paid for by a publisher that is interested in delivering ads to its own audience outside its site and is paying the BT company to find its audience on other sites. As described, the publisher might be the BT company itself.

In addition, where the collected profiles are mainly used to deliver targeted ads within low-value ad space that is acquired from low-value ad space owners, and the ads are delivered by the BT company, there is also the opportunity to make the collected profiles available to low-value ad space owners, because, instead of selling

their low-value ad space to the profile owners, such ad space owners would prefer to monetize their low-value ad space better by themselves, by using the collected profiles to sell targeted ads, delivered to the profiled visitors when found within such low-value ad space.

A low-value ad space owner could be any media property owner, whether it owns a web site, a TV program, a radio show, or any other media property. Also, "low-value" ad space is a relative term. Because ad space prices are usually a function of the content next to the ad space, if a profile-based ad garners a higher price for the ad space owner than an ad based on the adjacent content, then the ad space value is considered "low value" (i.e., in relative terms, relative to the price the ad space will garner if used for delivery of a profile-based ad).

As described, for example, in commonly owned U.S. Patent 6,925,440, (A) profile owners (i.e., who either own the profiles or have the right to resell the profiles on behalf of another profile owner) can provide a databank with access to visitors and their profiles, and (B) either (i) the databank enhances its existing profile on a visitor with a profile owner's profile information about the visitor or (ii) a profile owner enhances the profile it has on a visitor with the databank's profile information about the visitor, where the profile information is given in return for royalties paid for every later usage of the profile information for the delivery of targeted ads to the visitor based on the profile (for example).

Although the invention of the '440 Patent provides a media property with additional information about its visitors, several possible challenges arise:

1. If a media property (if acting as a profile owner) wants to enhance the profiles available to it about its visitors and thus contacts a databank and provides it with access to the profiles, the media property might be wasting resources: First, the databank might have no profiles about the media property's visitors. For example, if the databank has no profile about a visitor, the media property would have provided the databank access to the visitor merely to learn that fact. Second, the profiles that the databank does have might be of no use to the media property because its sales force does not sell ads in the category in which the profiles belong. For example, if the

databank has a profile about the visitor and it is a health-related profile, but the media property's sales force does not sell ads in the health category, the profile available from the databank about that visitor is of no use to the media property.

2. The media property (if acting as a databank) may be given access by a profile owner to many visitors to that profile owner's site for whose profiles the media property has no need, because the media property has no way of monetizing profiles of those kinds. For example, if a media property's sales force specializes in selling ads in the travel and financial services categories, there is no use in providing them with health, auto, and shopping-related profiles. In cases where a large profile owner makes profiles available to a media property, unless the media property has a very large sales force that specializes in selling ads in many different advertising categories, there is a significant probability that the media property will have no use for most of the profiles received.

3. A media property that receives profiles under the system of the '440 Patent described here is committing itself to pay for every usage of a received profile. Because many of the ads (or, depending on the way the profile is transferred, all of the ads) are delivered by the media property after receipt of the profile, it is a challenge for the media property to track usage of the profiles. First, it is not clear which of the visitors (for whom the media owner received profiles) actually visited the media property later on their own accord as opposed to visiting via a redirect, for example from a databank or a profile owner to the media property without the visitor asking for such visit or being aware of it. In the case of a redirect from a databank's server or a profile owner's server, a visitor's browser would simply fetch a 1x1 transparent pixel from the media property's server following the redirect. Second, because it is not clear how many of the profiled visitors will appear later within the ad space of the media property, some tracking of the usage of the profiles by the media property must be established. The problem becomes even more complex when the media property receives the profiles from a databank, because the databank itself aggregates profiles from other profile owners and makes those profiles available to media properties, and it is not clear which of the delivered profiled visitors will visit the media property on their

own accord (whether for the first time or not). In that circumstance, it is not clear how the databank will know which profile suppliers to compensate for usage of their profiles. The problem is especially complex when the databank has several profile suppliers providing it with profiles in the same category (for example, the databank may have 20 different travel sites, all allowing the databank to tag their visitors as "travel" visitors) and the databank gives to a media property all of the profiles from those profile suppliers within that category.

Although BT companies can collect profiles and deliver ads to the profiled visitors within low-value ad space that they buy from media properties, there remains the need, therefore, to provide collected profiles to media properties that will better monetize their low-value ad space by selling ads based on the profiles and delivering the ads within their ad space to the profiled visitors when those visitors visit the media properties and making a payment for the profiles to the profile owners who provided the profiles.

What is needed generally is a more efficient method of profile-based behavioral targeting advertisement placement services, particularly for improving monetization of electronic advertisement placement.

SUMMARY OF THE INVENTION

Generally, various aspects of the disclosed embodiments relate to systems and methods for providing collected profiles to media properties, for improved monetization of electronic advertisement placement. The methods have particular importance to media properties that have interests in specific profiles or profiles of a specified category or kind.

The disclosure more specifically relates to an automatic system operated by a profile owner company ("PO company") for identifying media properties interested in having a collected profile made available to them. The automatic system makes the identification by recognizing a collected profile as one that a media property has previously requested or one that is within a category that a media property has

previously requested. Thereafter, the PO company arranges for the visitor to be tagged with a tag readable by the media property that requested such a profile.

Using information received from the media property, the PO company then records usage of the profile by the media property. When the PO company also acts as a databank, the PO company determines which profile supplier will be credited for the media property's usage of the profile (i.e., the one that provided the databank with the profile that was used) and records the credit.

In one implementation, when a media property uses a profile, the media property transfers the visitor, along with the profile it is using, to the PO company's system, to let the PO company know which kind of profile was used. The media property might transfer the profile along with the visitor only when the media property receives from the PO company more than one kind of profile, because it is unnecessary if the media property receives only one kind of profile.

Because BT companies collect profiles, any BT company (defined above) could act as a PO company and make profiles available to media properties, whether the PO company owns profiles directly or acts as a databank representing other profile owners. Such other profile owners provide the databank with their profiles in return for (i) royalties paid to them whenever the profiles are used, or (ii) a payment. Any profile supplier (defined above) can also be a PO company.

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

BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a flow diagram of an exemplary embodiment of a method for transferring collected profiles to media properties having specified interests.

Figure 2 is a schematic of an exemplary embodiment of entities and associated data flow useful with a method of transferring collected profiles to media properties having specified interests.

DESCRIPTION OF PREFERRED EXEMPLARY EMBODIMENTS

In disclosed embodiments, collected profiles are made available by accepting information about desired profiles or profile categories from a media property, identifying an electronic visitor as fitting into the profile category, and arranging for that visitor to be tagged. Preferred additional aspects of disclosed embodiments include automatically electronically recording electronic visits by tagged visitors to a media property, determining which profile supplier will be credited for the recorded electronic visit, and crediting that profile supplier.

The method includes the following basic steps:

1. A PO company's database 12 records (Fig. 1, 1000) the profiles, or the kind of profiles, a media property (e.g., Fig. 2, MP1) is looking for. The profile could be a behavioral profile, a demographic profile, or any other possible profile. For example, a media property (MP1) could ask for visitors who have searched for "car insurance" on a search engine, visitors who were interested in "travel" (MP1(A)), or visitors who were interested in "autos" (MP1(B)), etc. A media property can communicate to the PO company the profiles for which it is looking via e-mail, electronically, via mail, over the phone, or in any other way.

2. A profile supplier (e.g., Fig. 2, PS1) redirects (Fig. 1, 2000) a visitor 20 to a PO company 10 along with the visitor's profile (Pr1). In case the profile supplier is also the PO company (see visitor 25), this step either does not take place or takes place internally, for example via an internal redirect from one server (see 11) to another server 10 operating under the same domain that belongs to the publisher/PO Company. In case the PO company has software on a user's computer that enables it to monitor the user's visits to media properties without the cooperation of the media properties, this step either does not take place or takes place internally, e.g., by the software on the

user's computer communicating the collected profile to the PO company's central server.

3. The PO company's server 10 recognizes (3000) the content read by the user, the category to which the content read by the user belongs, the keyword searched for by the user, an ad clicked by the user, or any other action conducted on the page/site by the user (such as click on an item of content or an ad, purchase of a product, request for more information, etc.) during the site visit. The recognizing might be as simple as pulling a keyword for which the visitor searched from a URL used by the profile supplier to redirect the visitor 10 to the PO company, for example. Alternatively, the recognizing might be as simple as recognizing the kind of content read by the visitor by recognizing the URL used by the profile supplier to redirect the visitor to the PO company because the URL is one that the PO company identified to the profile supplier for use when redirecting visitors who read a specific kind of content. Recognizing of content may also be done through a semantic analysis of content of a page read by the visitor.

4. The PO company's server 10 optionally can categorize (4000) specific content read by the user or an action conducted by a user. In some implementations, this step will not take place. An example action might be a search for a keyword. To illustrate, suppose a person searched for an airline ticket to Florida on a travel site. When the PO company receives that information, in addition to recording the search for the flight to Florida in the visitor's profile (whether the profile is stored in the cookie or tag, the PO company's central database 13, or both of those places), the PO company's server 10 may further categorize the person under the "Travel" category and in the "Search for Flights" subcategory of "Travel." In another example, a visitor would be categorized as "searching for an airline ticket" by virtue of having searched for an airline ticket at least three different times within a week, on one media property or several media properties. In that example, if the visitor were to have searched for an airline ticket fewer than three times within a week, the PO company's server 10 will not categorize the visitor as "searching for an airline ticket," because the visitor would be

considered as less serious about the purchase according to the definition in use by the PO company.

5. The PO company's server 10 identifies (5000) the media properties (e.g., MP1 and MP2) that have asked to receive a visitor having a profile such as the one recognized in step 3 or categorized in step 4 (e.g., a profile of kind "A" in Fig. 2). Thereafter, the PO company arranges (6000) for the visitor (e.g., 20) to be tagged with a tag readable by the identified media property (e.g., MP1 or MP2), which can use the tag to recognize the visitor's profile.

6. Using information 40 received from the media property, the PO company then records (7000) usage of the profile (e.g., Pr(A)) by the media property (e.g., MP2). When the PO company also acts as a databank, the PO company determines which profile supplier (PS1, PS2, ... PSn) will be credited for the media property's (e.g., MP2's) usage of the profile and records the credit (e.g., in data store 13).

The PO company's arranging placement of the tag (see step 5 above) can be achieved in different ways:

A. The PO company can redirect (e.g., Pr(X), Pr(Y) in Fig. 2, in cases where media property MPn has expressed interest in those profiles) a visitor to the identified media property with a request to have the identified media property tag the visitor with the media property's own tag, which obviously is readable by the selected media property (such a tag could be a cookie on the visitor's storage device). The tag in this case could be placed by the identified media property following a redirect by the PO company to a specific URL given to the PO company by the media property. The media property would have given the PO company, in this example, different URLs for different kind of profiles, and the PO company would choose the URL for redirecting the visitor to the media property based on the kind of profile recognized.

B. The PO company can itself place a tag (e.g., TagC denoting profile "C" in Fig. 2) that will be readable by the identified media property.

C. The PO company can place an encoded tag that, although accessible by any media property, can be read only by a selected media property to which the PO company gave a deciphering code.

D. In cases when the PO company has software installed on a user's computer, the BT company can arrange for the software to place a tag readable by the identified media property (such a tag could be a cookie operating under the selected media property domain).

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

The identified media property can use its tag to recognize the profile of the visitor either (1) by virtue of each profile having a unique tag (e.g., TagC denoting profile "C" in Fig. 2), or (2) by virtue of the profile that was received from the PO company having been stored (a) with the tag, (b) in the tag (which can occur with a cookie), (c) in a central database (where the tag is used as the link between the visitor and profile), or (d) in all of those places.

In another possible implementation (not shown), aside from the PO company arranging placement of the tag readable by the identified media property, the PO company sends the profile and a copy of the tag separately to the identified media property, which will store the tag and the profile in its central database, and when the identified media property recognizes the tag on a visitor's computer, for example, it pulls the visitor's profile from its database.

The PO company can make a profile available to a media property using the same methods that profile suppliers use to give their profiles to PO companies.

When an identified media property (e.g., MP2 in Fig. 2) recognizes (at time t2) a tagged visitor (tagged previously, at time t1) within its ad space, the media property will serve an ad 30 to the visitor (e.g., visitor 20) based on the profile provided by the PO company 10. Usually, a profile-based ad will be delivered by the media property when it will generate a higher price for the ad space than other ads available to the media property for placement within the ad space.

The media properties (a profile supplier and an identified media property) can be of the same kind of media (e.g., two web sites on the Internet) or of different media (e.g., first media property, where the profile is collected, can be a web site on the Internet, and the second media property, to which the profile is given by the PO company, can be a TV channel on TV or a text message system on a mobile phone, etc.). In the case where the second media property operates within a different media than the first media property, the tagging of the visitor with a tag readable by the second media property (which is arranged by the PO company) might include finding the device used by the visitor to access the second media property (the identified media property) by using personal identifiable information about the visitor. As there may be no connection between the device used by the visitor to access the first media property (computer, for example) and the device used by the visitor to access the second (identified) media property (TV, for example) besides the commonality of the user (visitor), personally identifiable information about the visitor could be used to allow the second media property to learn which device the visitor uses to access the second media property and tag the visitor. The second media property could tag the device used by the visitor to access the second media property by placing a tag on the device itself or in a central database of the second media property, for example.

The process of the PO company enabling an identified media property to place a cookie on a visitor's computer for the purpose of finding the visitor later within the ad space of the identified media property is similar to the way DoubleClick's Boomerang system places cookies on visitors to an advertiser site for the purpose of finding those visitors later on other sites where Doubleclick serves ads. That process – where identified media properties place cookies on visitors' computers redirected to them by PO companies – is sometimes referred to as "cookie matching."

For example, following a redirect (not shown) from a server 10 of a PO company #1, weather.com might place a weather.com cookie on a visitor's computer 20 marking the visitor as interested in "travel" (profile category "A") and indicating that the profile originated with PO company #1. Later, if and when the weather.com ad server (MP2) recognizes that the same visitor 20 had happened to visit weather.com's site

(weather.com can recognize the visitor by reading its own weather.com cookie), the weather.com ad server (MP2) can choose to deliver a travel-related ad 30 to the visitor 20 within the weather.com ad space. The weather.com ad server's decision whether or not to deliver the travel-related ad will usually depend on the price the ad is expected to bring when compared with the price for other ads available for weather.com to display within the same weather.com ad space.

In step 6, the information received by the PO company might be received from the media property electronically 40, via e-mail, in a file on a CD sent by mail, or in any other form. That said, because the goal is to make profiles available to media properties on a large scale, it would be beneficial to demand the least complex approach from media properties. After all, the more complex the tracking system that the media properties must implement to track their usage of profiles, the more difficult it will be for them to use profiles that they do not own.

One implementation – where the media property is required to give only minimal effort to track its usage of profiles – is merely asking a media property to provide the PO company server 10, every time that the media property (MP2) serves an ad based on a profile from the PO company, with access to the visitor 20 viewing an ad 30 based on the PO company's profile (e.g., in TagC). Such access, in that implementation, could be achieved by simply having the media property integrate into every profile-based ad it delivers a 1x1 pixel that will redirect (also denoted by 40 in Fig. 2) the visitor 20, when viewing the ad 30 (at time t2), to the PO company server 10. Such a 1x1 pixel can point to a URL given to the media property by the PO company that is unique to a certain kind or category of profiles (so the PO company could recognize not only the fact that the media property used a profile but also the kind of profile used). The advantage of this implementation is that the PO company is the one that records the profile usage, and the media property does not have to do anything further to keep or transfer records.

In the same implementation, in cases where the PO company has transferred more than one kind of profiles to a media property (for example, profiles "A" indicating interest in travel and profiles "B" indicating interest in autos), the media property can

send the PO company, along with the access to the visitor viewing an ad, an indication of which profile the media property used to deliver the ad currently being viewed by the visitor. In that implementation, a travel profile will be indicated by the media property's use of a first URL to redirect the visitor to the PO company server, an auto profile will be indicated by the media property's use of a second URL to redirect the visitor to the PO company server, etc. (The different URLs for different kind of profiles would be ones given to the media property by the PO company.)

Because different kind of profiles might have different rates (a travel profile might fetch $2 CPM, auto profiles might fetch $5 CPM, etc.), it is important to know which of the profiles the media property used. Also, if the PO company is acting as a databank, it might have different ways in which it compensates profile suppliers for their collected profiles.

Based on its profile collection and compensation policy, the PO company can decide which profile suppliers to credit for the delivery of a profile-based ad by a media property. For example, the PO company might decide that, for behavioral profiles, time is important, so only the last profile supplier to report a behavioral profile of a visitor (before an ad based on that profile is served to the visitor) will be compensated but any other profile suppliers that provided the same kind of profile information about the same visitor earlier will not be compensated.

The following example illustrates the above-described embodiment. Suppose a visitor 20 searches for airline tickets on three different sites (PS1, PS2, and PSn), and all three sites delivered the visitor 20 to the PO company server 10 along with the information that the visitor searched for an airline ticket. Suppose further that the PO company has recognized that the Yahoo! site (MP2 is Yahoo! this time) is interested in receiving travel ("A") profiles and therefore has redirected (not shown) the visitor 20 to Yahoo! on three different occasions along with the information that the visitor searched for an airline ticket; that is, each time the PO company server 10 itself received access to the visitor 20 following a redirect from a profile supplier (PS1, PS2, or PSn), it immediately redirected the visitor to Yahoo!, because it recognized the visitor 20 as

interested in "travel" (in this example, according to a definition that recognizes a visitor as interested in "travel" after only one search for an airline ticket).

Later (time t2), when the visitor 20 chooses to visit yahoo.com (MP2) on his or her own accord, Yahoo! recognizes the profiled visitor 20 and delivers a travel-related ad 30 to the visitor 20; however, Yahoo! has that opportunity only after Yahoo! has received the profile about the visitor 20 from the PO company three times. If Yahoo! has integrated into the travel ad 30 delivered to the visitor 20 a 1x1 pixel redirecting the visitor 20 to the PO company, the visitor's browser, when fetching the ad from the Yahoo! ad server (MP2), also approaches the PO company server 10. The PO company server 10 learns, from the URL that the visitor's browser is using to access it, that Yahoo! (MP2) has served a travel-related ad 30 to the visitor 20.

Based on that information, the PO company records (in data store 13) a charge of two tenths of a cent to Yahoo! (in this example, $2 CPM, or $2 per 1,000, is the rate the PO company charges for travel-related ("A") ads delivered based on travel profiles provided by the PO company to a media property).

The PO company stores, as part of the visitor's profile, data indicating which profile suppliers provided profiles about the visitor and the date and time the profiles were supplied. The PO company stores the profile (1) in the tag (a cookie, for example), (2) along the tag, (3) in a central database (e.g., 13), in which case the tag is used as a link between the visitor's computer and the profile information in the database, or (4) in all of those places.

Note that the PO company's tag is different from the identified media property's tag. The PO company's tag is used to uniquely identify a visitor about which the PO company has a profile, where the profile itself includes the profile suppliers that provided the profile, the dates and times they have done so, and possibly other information, all part of the visitor's profile definition. The identified media property's tag is used by the media property to recognize the profile of the visitor.

The PO company uses its own tag to access the visitor profile and learn which profile supplier (PS1, PS2, or PSn) was the last one to supply the travel-related ("A") profile (the visitor's search for airline tickets), which Yahoo! (MP2) used to deliver the

ad. The PO company then records (also, e.g., in 13) a credit of one tenth of a cent (half of the charge to Yahoo!) to that profile supplier. In this example, a revenue share of 50%-50% between the profile supplier and the PO company is used. If the PO company had agreed with the profile supplier on a 40% revenue share, the profile supplier would have been given a credit of eight hundredths of a cent ($2/1000*40%), or if the profile supplier was promised $0.001 for every use of its profile, the PO company would have recorded a credit of $0.001 to the profile supplier.

In a second illustration, the PO company might decide that a visitor should be considered interested in "travel" only if the visitor searches for airline tickets three different times within a week, on the same site or different sites. In that case, only when the visitor is recognized as interested in "travel" according to that definition will the PO company make the visitor's "travel" profile available to media properties (MP2) interested in "travel" ("A") profiles. In this example, if a first profile supplier PS1 delivers the visitor 20 and the information (Pr1) that the visitor 20 is searching for airline tickets on Sunday, a second profile supplier PS2 delivers the visitor 20 to the PO company 10 on Monday along with the information (Pr2) that the visitor 20 is searching for airline tickets, and the first profile supplier PS1 again delivers the visitor 20 to the PO company 10 on Wednesday along with the information (not shown) that the visitor 20 is searching for airline tickets, then only at that time on Wednesday will the PO company's server 10 recognize the visitor 20 as a "travel" ("A") visitor and redirect (not shown) the visitor's computer 20 to Yahoo! (MP2).

In that second illustration, when Yahoo! (MP2) serves a travel-related ad 30 to the visitor 20 and redirects (40) the visitor 20 to the PO company 10, the PO company might credit (in 13) the first profile supplier PS1 with two thirtieths of a cent ($2/1000*50%*2/3) and the second profile supplier PS2 with one thirtieth of a cent ($2/1000*50%*1/3). In other words, in that illustration, (a) Yahoo! agreed to pay $2 for every thousand travel-related ads delivered based on profiles provided by the PO company, (b) the PO company promised to give profile suppliers half of the revenues the PO company generates from ads delivered by media properties based on the profiles it makes available to them, and (c) the visitor was recognized as interested in

"travel" thanks to two visits (out of the three visits to travel sites that defined the visitor as interested in "travel") made to the first profile supplier's site and one visit to the second profile supplier's site. Therefore, the first profile supplier is entitled to two thirds of the amount due to the profile suppliers altogether, and the one visit made by the visitor to the second profile supplier's site entitles the second profile supplier to one third of the amount due to the profile suppliers altogether.

Alternatively, the PO company – when making a profile available to a media property by arranging for placement of a tag readable by the identified media property – can add a unique ID to the profile (or to the tag in cases where the tag is used by the media property to recognize the visitor's profile) and ask the media property to report the ID back to the PO company whenever the media property uses the transferred profile. The PO company can use the unique ID to record in its database the profile suppliers that will be entitled to a credit when the media property delivers ads based on the transferred profile. The media property could report 40 to the PO company (at the end of the month, for example) the number of ads it has served, for each unique ID. Because each unique ID represents a kind of profile, the PO company will know what rate it should charge the media property for usage of the profile, and because the unique ID also tells the PO company which profile suppliers should be entitled to a credit for the usage of a profile, the PO company can also credit the deserving profile suppliers.

The media property might pay the PO company for every ad impression delivered based on the received profile or only when an action takes place that is connected to the ad (perhaps occurring on the advertiser's site immediately following a click on the ad or perhaps occurring a few days after viewing the ad or clicking the ad), such as a click on the ad, a registration on the advertiser's site, a request for information, a product acquisition, or the making of a phone call.

Different implementations might be chosen depending on the relative sizes of a profile owner (in terms of number of profiled visitors; note that the profile owner may also be a databank) and a media property (in terms of number of visitors). In cases where the media property has many visitors and is considered to have an extensive

reach ("reach" is a figure used to express the percentage of the population using a media that visits the media property; for example, Valueclick, a web-based ad network of sites reaches 80% of the US web population), a profile owner might transfer to the media property all visitors within the categories requested by the media property, because the probability of finding a profiled visitor within the media property's ad space is high (in the case of Valueclick, the probability is 80%).

In cases where the media property's reach is not very significant, but the profile owner has a relatively large number of profiles, the media property may choose to make its visitors accessible to the profile owner to check whether the profile owner can enhance the profiles of some of its visitors, in the ad categories of interest to the media property, instead of having the profile owner send all of its visitors in the categories of interest, because, as a result of the media property's low reach, only a small percentage of visitors sent to the media property by the profile owner will later choose to visit the low-reach media property.

PUBLIC NOTICE REGARDING THE SCOPE OF THE INVENTION AND CLAIMS

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

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

I claim:

1. A method for providing collected profiles comprising:

(a) responsive to receiving profile information about an electronic visitor to a profile supplier, automatically selecting a media property based on a comparison of the profile information received about the visitor with a previously received request for specific profiles or kinds of profiles of interest to the media property; and

(b) automatically arranging for electronic storage of a tag that is associated with the visitor and that is readable by the selected media property.

2. The method of claim 1 wherein part (a) comprises automatically selecting a plurality of media properties, based on a comparison of the profile information received about the visitor with each request of a set of requests, at least one of which requests was previously received from each of the media properties, each request being for specific profiles or kinds of profiles.

3. The method of claim 1 wherein performing part (a) responsive to receiving profile information about an electronic visitor to a profile supplier comprises performing part (a) responsive to receiving a redirect of a visitor along with the visitor's profile from the profile supplier.

4. The method of claim 1 wherein part (a) further comprises categorizing the profile information received about the visitor into a category of profiles.

5. The method of claim 1 further comprising recording a fee to the profile supplier in exchange for the profile information received from the profile supplier.

6. The method of claim 1 wherein the tag comprises personally identifiable information identifying the visitor.

7. The method of claim 1 wherein automatically arranging for electronic storage of the tag comprises arranging for electronic storage of the profile information in the tag.

8. The method of claim 1 wherein automatically arranging for electronic storage of the tag comprises arranging for electronic storage of the profile information in a database locatable through the tag.

9. The method of claim 1 wherein automatically arranging for electronic storage of the tag comprises redirecting the visitor to the selected media property with a request to have the selected media property tag the visitor.

10. The method of claim 1 further comprising, after parts (a) and (b), electronically receiving a report from the selected media property containing information about usage of the profile in association with a visit by the profiled visitor to the selected media property.

11. The method of claim 10 further comprising, based on the report, recording an amount owed by the selected media property for profile usage.

12. The method of claim 11 further comprising calculating fees owed to a plurality of profile suppliers based on respective contributions of said profile suppliers to the profile identified in the report as having been used.

13. The method of claim 10 wherein the report contains information about usage of the profile in association with a profile-based advertisement delivered to the profiled visitor by the selected media property.

14. The method of claim 11 wherein the report comprises a redirection of the visitor from the selected media property when the selected media property utilizes the profile to deliver the advertisement.

15. The method of claim 14 wherein the redirection occurs by incorporating a redirection instruction into the advertisement.

16. The method of claim 1 wherein the profile supplier operates in a different media than the selected media property.

17. The method of claim 16 wherein the profile supplier operates in the Internet and the selected media property operates in a television media.

18. The method of claim 1 wherein part (a) comprises automatically selecting a media property based on a comparison of the profile information received about the visitor with a plurality of requests, previously received from the media property, each request being for a specific profile or kind of profiles.

19. The method of claim 18 further comprising, after parts (a) and (b), electronically receiving a report from the selected media property containing

information about usage of the profile in association with a visit by the profiled visitor to the selected media property, and wherein the report further contains information identifying which profile or kind of profiles the selected media property used in connection with usage of the profile.

20. The method of claim 19 wherein the report comprises a redirection of the visitor from the selected media property when the selected media property utilizes the profile to deliver the advertisement, and wherein the information identifying which profile or kinds of profiles the selected media property used is contained in the URL to which the visitor is redirected.

21. The method of claim 1:

(i) wherein performing part (a) responsive to receiving profile information about an electronic visitor to a profile supplier comprises performing part (a) responsive to receiving a redirect of a visitor along with the visitor's profile from the profile supplier;

(ii) wherein part (a) further comprises categorizing the profile information received about the visitor into a category of profiles;

(iii) wherein part (a) comprises automatically selecting at least one of a plurality of media properties, based on a comparison of the profile information received about the visitor with each request of a set of requests, at least one of which requests was previously received from each of the media properties, each request being for specific profiles or kinds of profiles;

(iv) wherein automatically arranging for electronic storage of the tag comprises redirecting the visitor to the selected media property with a request to have the selected media property tag the visitor.

(v) further comprising, after parts (a) and (b), electronically receiving a report from the selected media property containing information about usage of the profile in association with a visit by the profiled visitor to the selected media property;

(vi) wherein the report contains information about usage of the profile in association with a profile-based advertisement delivered to the profiled visitor by the selected media property; and

(vii) further comprising, based on the report, recording (A) an amount owed by the selected media property for profile usage, and (B) a fee owed to the profile supplier for providing the profile information that was used by the selected media property.

22. A computer server programmed to implement a method for providing collected profiles comprising:

(a) responsive to receiving profile information about an electronic visitor to a profile supplier, automatically selecting a media property based on a comparison of the profile information received about the visitor with a previously received request for specific profiles or kinds of profiles of interest to the media property; and

(b) automatically arranging for electronic storage of a tag that is associated with the visitor and that is readable by the selected media property.

23. The computer server of claim 22 wherein the server is further programmed to implement a method for providing collected profiles:

(i) wherein performing part (a) responsive to receiving profile information about an electronic visitor to a profile supplier comprises performing part (a) responsive to receiving a redirect of a visitor along with the visitor's profile from the profile supplier;

(ii) wherein part (a) further comprises categorizing the profile information received about the visitor into a category of profiles;

(iii) wherein part (a) comprises automatically selecting at least one of a plurality of media properties, based on a comparison of the profile information received about the visitor with each request of a set of requests, at least one of which requests was previously received from each of the media properties, each request being for specific profiles or kinds of profiles;

(iv) wherein automatically arranging for electronic storage of the tag comprises redirecting the visitor to the selected media property with a request to have the selected media property tag the visitor.

(v) further comprising, after parts (a) and (b), electronically receiving a report from the selected media property containing information about usage of the profile in association with a visit by the profiled visitor to the selected media property;

(vi) wherein the report contains information about usage of the profile in association with a profile-based advertisement delivered to the profiled visitor by the selected media property; and

(vii) further comprising, based on the report, recording (A) an amount owed by the selected media property for profile usage, and (B) a fee owed to the profile supplier for providing the profile information that was used by the selected media property.

24. A method for receiving collected profiles comprising:

(a) providing to a profile owner a request for specific profiles or kinds of profiles of interest along with a request for the profile owner to automatically arrange for electronic storage of a tag that is associated with visitors to a first media property having profile information matching the requested profiles or kinds of profiles; and

(b) later, automatically checking visitors to a second media property for the tag and, when found, automatically causing the delivery of a profile-dependent advertisement to the tagged visitors.

25. The method of claim 24 further comprising, after part (a) and before part (b), automatically tagging visitors redirected by the profile owner.

26. The method of claim 24 further comprising, after parts (a) and (b), electronically reporting to the profile owner information about delivery of the advertisement to the tagged visitors.

27. The method of claim 26 wherein electronically reporting comprises automatically redirecting tagged visitors to the profile owner along with delivery of the advertisement.

28. The method of claim 27 wherein automatically redirecting comprises delivering an advertisement containing a redirection instruction.

29. The method of claim 26 wherein reporting further comprises automatically electronically identifying to the profile owner one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

30. The method of claim 29 wherein electronically reporting comprises automatically redirecting tagged visitors to the profile owner along with delivery of the advertisement and identifying comprises redirecting tagged visitors to one of a plurality of URLs depending on which of the plurality of profiles or kinds of profiles was used in association with delivery of the advertisement.

31. The method of claim 24 further comprising, after parts (a) and (b), paying a fee to the profile owner as a result of delivery of the ad to the tagged visitors.

32. The method of claim 24 wherein the act of automatically causing delivery of a profile-dependent advertisement in part (b) is performed only when a price for delivery of the profile-dependent advertisement to the tagged visitor is higher than a price for delivery to the tagged visitor of an advertisement based on content adjacent to the ad space into which the advertisement is delivered.

33. The method of claim 32 further comprising:

(i) after part (a) and before part (b), automatically tagging visitors redirected by the profile owner;

(ii) after parts (a) and (b), automatically electronically reporting to the profile owner information about delivery of the advertisement to the tagged visitors, which information includes identifying to the profile owner one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement; and

(iii) after parts (a) and (b), paying a fee to the profile owner as a result of delivery of the advertisement to the tagged visitors.

ABSTRACT

To improve monetization of electronic advertisement placement, a profile owner company operates an automatic system for identifying media properties that have interests in specific profiles or profiles of a specified category or kind. The profile owner recognizes a collected visitor profile as one that a media property has previously requested or one that is within a category that a media property has previously requested and arranges for the visitor to be tagged with a tag readable by the media property that requested such a profile. The media property can use the tag in displaying customized advertising to the visitor. Using information received from the media property, the profile owner company then records usage of the profile by the media property.

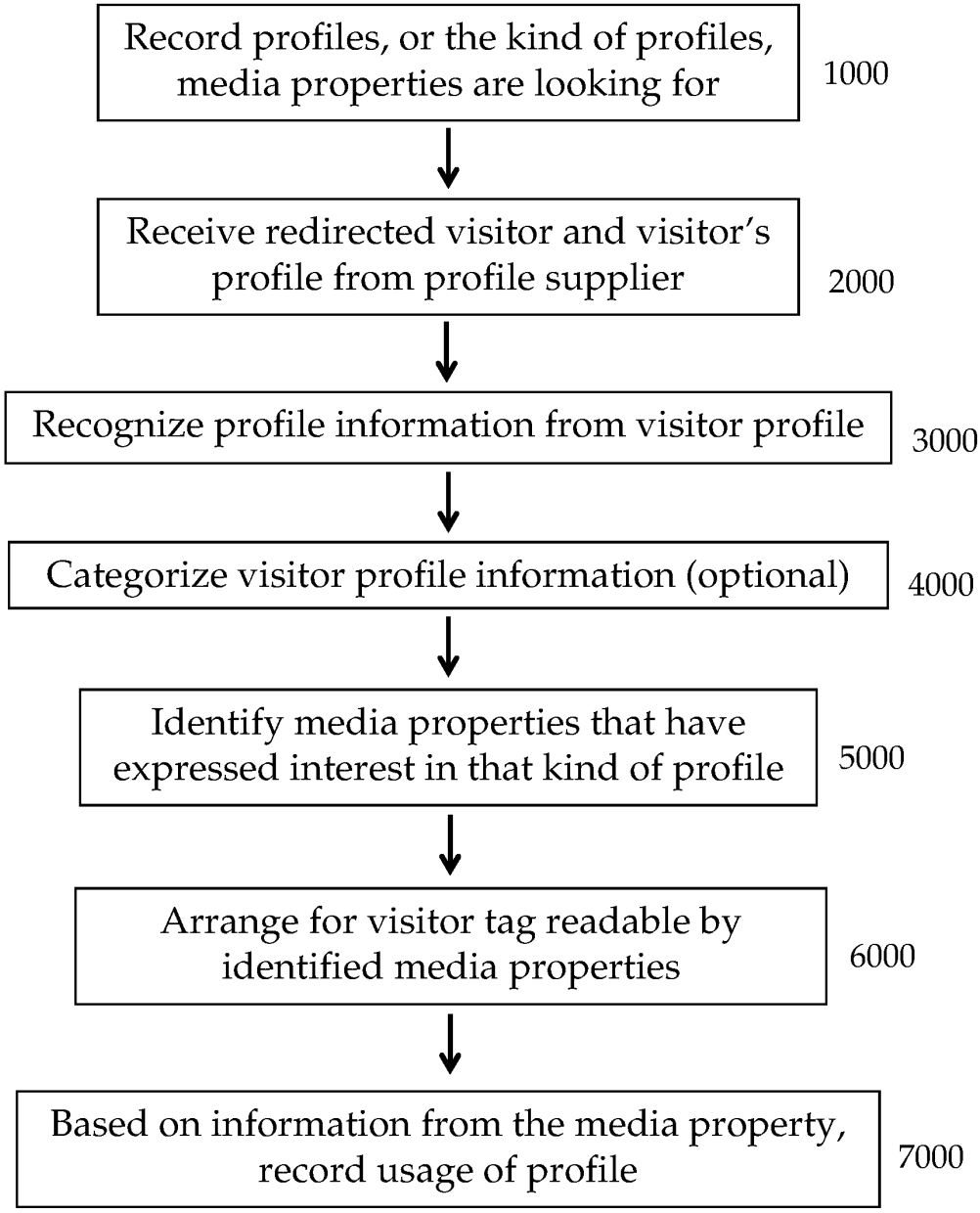

Record profiles, or the kind of profiles, media properties are looking for
1000
Receive redirected visitor and visitor's profile from profile supplier
2000
Recognize profile information from visitor profile
3000
Categorize visitor profile information (optional)
4000
Identify media properties that have expressed interest in that kind of profile
5000
Arrange for visitor tag readable by identified media properties
6000
Based on information from the media property, record usage of profile
7000

FIG. 1

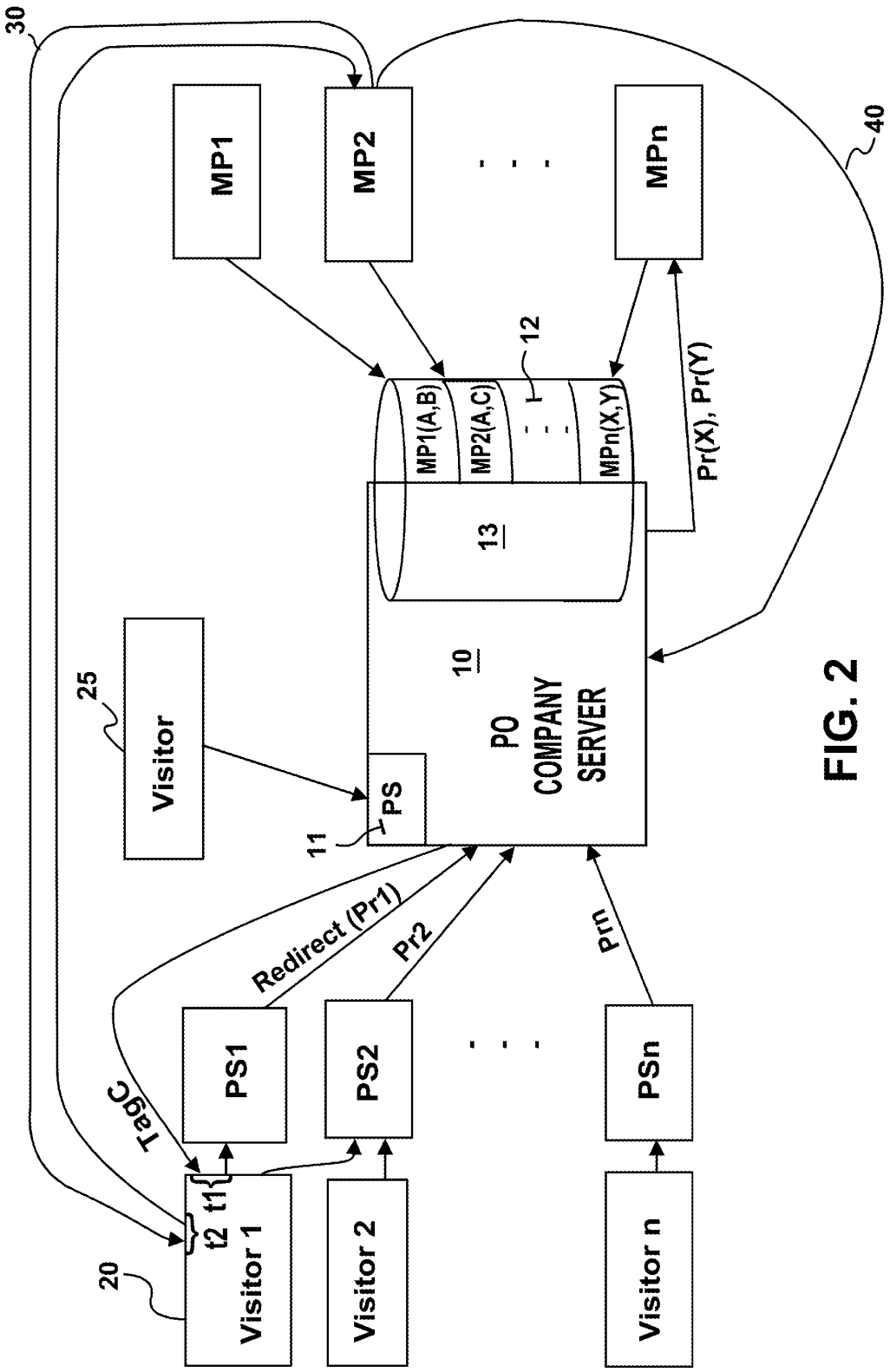

30
MP1
MP2
MPn
40
12
MP1(A,B)
MP2(A,C)
MPn(X,Y)
13
Pr(X), Pr(Y)
10
PO
COMPANY
SERVER
25
Visitor
PS
11
Redirect (Pr1)
Pr2
Prn
TagC
PS1
PS2
PSn
t2 t1
Visitor 1
Visitor 2
Visitor n
20

FIG. 2

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Title of Invention	Providing collected profiles to media properties having specified interests

As the below named inventor, I hereby declare that:

This declaration is directed to:

- [■] The attached application, or
- [ ] United States application or PCT international application number _____

filed on _____.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

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.

LEGAL NAME OF INVENTOR

Inventor: Roy Shkedi Roy Shkedi Date (Optional): 11/13/2013

Signature: _____

Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 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 1450, Alexandria, VA 22313-1450.**

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

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	14-PP-CON4
	Application Number	
Title of Invention	Providing collected profiles to media properties having specified interests	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 — Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
Mr.	Roy		Shkedi	

Residence Information (Select One) ● US Residency ○ Non US Residency ○ Active US Military Service

City	Forest Hills	State/Province	NY	Country of Residence	US

Mailing Address of Inventor:

Address 1	37-18 Northern Boulevard, Suite 404		
Address 2			
City	Long Island City	State/Province	NY
Postal Code	11101	Country	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	26362		
Email Address	louis@valuablepatents.com	Add Email	Remove Email
Email Address	donald@valuablepatents.com	Add Email	Remove Email

Application Information:

Title of the Invention	Providing collected profiles to media properties having specified interests		
Attorney Docket Number	14-PP-CON4	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	2	Suggested Figure for Publication (if any)	

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	14-PP-CON4
	Application Number	
Title of Invention	Providing collected profiles to media properties having specified interests	

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	● Customer Number	US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	26362		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Continuation of	14080999	2013-11-15

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	14-PP-CON4
	Application Number	
Title of Invention	Providing collected profiles to media properties having specified interests	

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
14080999	Continuation of	13631244	2012-09-28	8589210	2013-11-19
Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
13631244	Continuation of	11765433	2007-06-19	8280758	2012-10-02
Prior Application Status	Expired				Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
11765433	Claims benefit of provisional	60805144	2006-06-19		
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.					Add

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[i] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

			Remove
Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.			Add

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	14-PP-CON4
	Application Number	
Title of Invention	Providing collected profiles to media properties having specified interests	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	14-PP-CON4
	Application Number	
Title of Invention	Providing collected profiles to media properties having specified interests	

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1 — Remove

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

● Assignee	Legal Representative under 35 U.S.C. 117	Joint Inventor
Person to whom the inventor is obligated to assign.	Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☒

Organization Name	Datonics, LLC		
Mailing Address Information For Applicant:			
Address 1	37-18 Northern Boulevard, Suite 404		
Address 2			
City	Long Island City	**State/Province**	NY
Country	US	Postal Code	11101
Phone Number	646-867-0647	Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. Add

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	14-PP-CON4
	Application Number	
Title of Invention	Providing collected profiles to media properties having specified interests	

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

Remove

If the Assignee or Non-Applicant Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1			
Address 2			
City		**State/Province**	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button. Add

Signature:

Remove

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). **However, if this Application Data Sheet is submitted with the INITIAL filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).**

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Louis J. Hoffman/			Date (YYYY-MM-DD)	2018-02-09
First Name	Louis	Last Name	Hoffman	Registration Number	38918

Additional Signature may be generated within this form by selecting the Add button. Add

PTO/AIA/14 (11-15)
Approved for use through 04/30/2017. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	14-PP-CON4
	Application Number	
Title of Invention	Providing collected profiles to media properties having specified interests	

This collection of information is required by 37 CFR 1.76. 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 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet 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.**

Privacy Act Statement

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

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

1 The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

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 CooperationTreaty.

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.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	____
Serial No.	:	15/893,354	Examiner	:	____
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title	:	Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web – February 9, 2018

PRELIMINARY AMENDMENT

Dear Sir:

In connection with this continuation application, assignee requests entry of the following amendments and consideration of the following remarks.

Amendment to the specification is on page 2.

Amendments to the claims begin on page 3.

Remarks begin on page 11.

Amendments

IN THE CROSS REFERENCE TO RELATED APPLICATIONS SECTION:

Please amend the paragraph after the header as follows:

This application is a continuation of application Serial No. 14/080,999, filed November 15, 2013, which is a continuation of application Serial No. 13/631,244, filed September 28, 2012, now U.S. Patent 8,589,210, which is a continuation of application Serial No. 11/765,433, filed June 19, 2007, now U.S. Patent 8,280,758, which claims the benefit of provisional application Serial No. 60/805,114, filed June 19, 2006, which is incorporated herein by reference.

IN THE CLAIMS:

Please amend the claims as follows:

1.-33. (Canceled)

34. (New) A method of causing delivery of electronic advertisements based on provided profiles comprising:

(a) with a computer system automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer

system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

35. (New) The method of claim 34 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

36. (New) The method of claim 35 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

37. (New) The method of claim 36 wherein the tag identifies the mobile phone.

38. (New) The method of claim 36 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

39. (New) The method of claim 35 wherein the second device is a computer and further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the second device, which report is provided to a profile owner controlling the profile owner computer.

40. (New) The method of claim 39 wherein electronically reporting comprises automatically placing the second device in communication with computer equipment controlled by the profile owner, via URL redirection from the computer system, when the computer system utilizes the tag to cause delivery of the advertisement.

41. (New) The method of claim 34 further comprising, after parts (a) and (c), with the computer system electronically reporting information about delivery of the advertisement to the visitor device that is available to receive an advertisement, which report is provided to a profile owner company controlling the profile owner computer.

42. (New) The method of claim 41 wherein reporting further comprises automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

43. (New) The method of claim 34 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

44. (New) The method of claim 43 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

45. (New) The method of claim 34 wherein the tag comprises personally identifiable information identifying the visitor.

46. (New) The method of claim 34 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with computer equipment controlled by the selected entity to enable storage, in a central database associated with

the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

47. (New) The method of claim 34 wherein the apparatus of the profile supplier operates in the Internet and the equipment of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

48. (New) A computer system comprising one or more computers, wherein the one or more computers are programmed and connected:

(a) to automatically store, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity,

which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, with the computer system, (i) to use the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) to use the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

49. (New) The computer system of claim 48 wherein the profile information associated with the visitor is derived from the visitor's activity using a first device, and wherein the visitor device that is available to receive an advertisement is a second device of the visitor.

50. (New) The computer system of claim 49 wherein the first device is a computer of the visitor and the second device is a mobile phone of the visitor.

51. (New) The computer system of claim 50 wherein the tag identifies the mobile phone.

52. (New) The computer system of claim 50 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the computer of the visitor, which profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the computer of the visitor.

53. (New) The computer system of claim 49 wherein the second device is a computer and wherein the computer system is further programmed to, after parts (a) and (c), electronically report, to a profile owner controlling the profile owner computer, information about delivery of the advertisement to the second device.

54. (New) The computer system of claim 48 wherein the one or more computers are further programmed to, after parts (a) and (c), electronically report, to a profile owner controlling the profile owner computer, information about delivery of the advertisement to the visitor device that is available to receive an advertisement.

55. (New) The computer system of claim 54 wherein the one or more computers are programmed to electronically report by further automatically electronically identifying to the profile owner company one of a plurality of profiles or kind of profiles used in association with delivery of the advertisement.

56. (New) The computer system of claim 48 wherein the profile owner computer is programmed to automatically select a media property entity using profile information about the visitor that was derived from the visitor's activity using the visitor device.

57. (New) The computer system of claim 56 wherein the profile information was received by the profile-owner computer as a result of URL redirection from a website that is served by the electronic apparatus of the profile supplier, which website is accessed by the visitor device.

58. (New) The computer system of claim 48 wherein the tag comprises personally identifiable information identifying the visitor.

59. (New) The computer system of claim 48 wherein the profile owner computer being programmed to automatically arrange for electronic storage of the profile information linked to the tag associated with a visitor device comprises the profile owner computer being programmed to perform automatic redirection to a URL provided by the selected entity to place the visitor device in communication with

computer equipment controlled by the selected entity to enable storage, in a central database associated with the computer equipment of the selected entity, of the profile information linked to the tag that is associated with the visitor device.

60. (New) The computer system of claim 48 wherein the equipment of the profile supplier operates in the Internet and the apparatus of the selected entity utilizes the profile data to cause delivery of the electronic advertisements on a television of the visitor.

61. (New) An article comprising a tangible medium that is not a transitory propagating signal encoding computer-readable instructions that, when applied to a computer system comprising one or more computers, instruct the computer system to perform a method of causing delivery of electronic advertisements based on provided profiles comprising:

(a) automatically storing, in a central database associated with the computer system, profile information associated with a visitor, as a result of electronic receipt from a profile owner computer of indicia of the profile information, which profile information associated with the visitor matches a profile or kind of profiles requested by an entity controlling the computer system, wherein a tag associated with a visitor device serves as a link to the profile information associated with the visitor;

(b) wherein the profile owner computer is programmed:

(i) to automatically select a media property entity of a plurality of media property entities based on a comparison of (A) profile information about a visitor who electronically accessed electronic apparatus of a profile supplier with (B) a plurality of stored requests from the plurality of media property entities, one of which media property entities is the entity controlling the computer system, each stored request being for requested profiles or kinds of profiles, which plurality of stored

requests includes the profile or kind of profiles requested by the entity controlling the computer system, and

(ii) to automatically arrange for electronic storage of a requested profile linked to a tag that is associated with the visitor device and that is readable by equipment controlled by the selected media property entity, which equipment is part of the computer system of part (a) when the selected media property entity is the entity controlling the computer system, and which tag is the tag of part (a) when the selected media property entity is the entity controlling the computer system; and

(c) later, when the visitor device is available to receive an advertisement, (i) using the tag of part (a) that is associated with the visitor device to access the profile information stored in the central database, and (ii) using the profile information linked to the tag of part (a) to automatically cause delivery of an electronic advertisement to the visitor device, wherein the electronic advertisement is dependent on the profile information associated with the visitor.

Remarks

Assignee presents new claims 34-61 in this continuation application. Claims 34, 48, and 61, are independent claims.

The following remarks respond to the August 11, 2017, Office Action (made final) in parent application Serial No. 14/080,999:

1. There are no inconsistent or unclear definitions

The examiner has offered definitions of some terms and indicated concern about consistency with definitions of other terms. A list of pertinent terms follows, collecting the definitions, for ease of reference. No inconsistencies are considered present.

"*Media property equipment*" – equipment, which is part of the computer system that controls an ad space viewed by a visitor, at least temporarily. *See* Spec., p. 5, lines 4-9, 17-18.

"*Media property entity*" – an entity that controls media property equipment (as defined above). *See* Spec., p. 5, lines 6-11; p. 8, lines 5-6, 23; *see also* provisional spec. (60/805,114), p. 5.

"*Profile information*" – any information characterizing a visitor/user (demographic), or describing what a visitor/user did (behavioral). *See* Spec., p. 3, line 2. (Profile information can be stored in a tag or in a central database or both. *See* Spec., p. 6, lines 25-30.) {However, for the claims as amended, we propose to limit the coverage to profile information stored in a central database.}

"*Tag*" – any unique identifier (*e.g.*, a cookie) used to mark a person electronically visiting a media property (such as a web site, TV channel, or the like) using any device. *See* Spec., p. 4, lines 19-23. (A tag can identify either a person or a person's device; a tag may be placed on a user device or in a central database. *See* Spec., p. 6, lines 11-17. A tag may represent or be connected to the profile. *See* Spec., p. 6, lines 25, 28.) {However, for the claims as amended, we propose to limit the coverage to tags identifying a user device.}

"*Profile owner*" – an entity that either owns profiles or has the right to resell profiles on behalf of another profile owner. *See* Spec., p. 8, lines 13-14.

"*Profile supplier*" – an entity that provides profiles or a publisher that transfers profile information to a behavioral targeting (BT) company. *See* Spec., p. 3, lines 1-3; p. 7, line 23. (A profile supplier can also be a profile owner. *See* Spec., p. 11, lines 18-19.)

"*BT company*" – an entity that acts as an agent to tag computers of a publisher's visitors for the purpose of delivering targeted ads to the publisher's visitors on other sites, or a publisher working without an agent to tag computers of the publisher's own visitors for the purpose of delivering ads to those visitors on other sites where the publisher buys ad space. *See* Spec., p. 2, lines 23-29.

2. No Section 112(2) rejection is warranted

The Section 112(2) rejections in the final Office Action do not apply to the pending claims.

References to "the tag" refer consistently to tags associated with a visitor *device*.

Profile information linked to the tag is associated with the visitor that uses the device.

The claimed method of claim 34 is performed by a computer system controlled by a media property entity. *See* claim 34, parts (a) and (c). The profile owner computer referenced in part (b) is one that automatically chooses a media property entity from several such entities and arranges for the selected media property entity controlled computer system to automatically arrange for electronic storage of a profile requested by the selected media property that is linked to a readable tag. In situations where the media property entity selected is the media property controlling the computer system performing the claimed method, the tag is readable by the computer system performing parts (a) and (c), and thus the tag is the same tag as mentioned in part (a). There are not "two tags" with distinct purposes.

Although not the basis of any 112(2) rejection, the final Office Action indicates that prior "amendments to the claims have not fully addressed certain issues," listed as points (2), (3), and (4) – these are addressed as follows:

(2) *"what 'arranging storage of [said] tag' encompasses"* – part (a) refers specifically to a particular species of tagging, namely that the profile information is stored in the media property-controlled computer system's central database and the tag serves as a link to that profile information. *See* Spec., p. 15, lines 15-16 (case (2)(c)).

(3) *"who/what 'entity' is being selected by the 'profile owner'"* – part (b)(i) clarifies that the profile owner selects one of a plurality of media properties – and *"what is its/their function is in relation to storage or use of 'the tag'"* – part (c) clarifies (see #2) how the media property-controlled computer system uses the tag.

(4) *"clarification regarding what action(s) trigger specific steps if such triggering events are important to the claimed invention, etc ..."* – part (a) says that receipt of profile information matching a request triggers the specific act (see "as a result of"), and the specific act is further specified as being storage of profile information in a central database (see #2); part (c) specifies that accessing the profile using the tag associated with the device triggers use of the profile information to cause delivery of the ad.

3. All claim parts limit the claimed invention

Rejections in the parent have improperly discounting certain claim elements:

- The final Office Action "notes" that the claims do not "stipulate any specific embodiment for what constitutes 'arranging' [storage] and therefore this is completely open to interpretation." The current claims "stipulate" certain specific embodiments. The term "arranging storage" no longer appears in part (a); the term "storing" is used. The term "arrang[ing] for electronic storage" appears in part (b)(ii) because the "profile owner computer" that performs part (ii) need not itself perform the storing; instead, as part (a) says, the storing occurs by the media property

"computer system" – the "profile owner computer" *arranges* for this by the means specified in part (b)(ii).

- The rejection says, "step [(b)] is not performed because it is conditional and only occurs if the condition is met which is not true for various embodiments presented in the applicant's specification." This is not right. Step (a) explicitly says that the action in step (a) is performed "as a result of electronic receipt from a profile owner computer," and part (b) stipulates that the "profile owner computer" in question *must be* a computer programmed as defined in part (b).
- Part (b) is not "conditional" – the only "condition" in part (b) refers to the possibility that the profile owner computer may select the "computer system" of the media property that performs the method or another media property. But the profile owner computer selecting the instant media property is the only relevant case. Reference to "various embodiments presented in the applicant's *specification*" is not understood, as the *claim* limitations are what matter.

4. No obviousness rejection is warranted

In the parent, the final Office Action rejected a different claim as obvious over Kublickis (U.S. Pat. Pub. 2007/0067297) in view of Jaschke (U.S. Pat. Pub. 2007/0130005). Kublickis is very long, but the Office Action refers specifically to the discrete portion at paragraphs [0423-36]. Jaschke was used as a primary reference to rejected an even earlier version of the claim.

A. *Description of applied references*

In context, Kublickis discloses a "custom browser" (which may be installed in as a tool bar in a conventional browser). [0206, 0290] When the visitor uses the browser to visit a website, the "third-party content provider" controlling the website automatically requests profile data from the custom browser by embedding the request in the body of the visited web page's HTML code. [0406-07, 0416-22] The system of Kublickis checks for user permission allowing delivery of the type of profile data and, assuming it is

granted, provides the data to the website, either by direct transfer (to the web address specified by the website in the web page HTML code), *see* [0419, 0424], or by using the custom browser software on the user computer to write the data directly to a cookie associated with the website, which is stored on the user computer and reported by the browser to the visited website, *see* [0210, 0283, 0410, 0436]. As the final Office Action notes, a given website may encounter the same user multiple times. [0422, 0433] In that instance, previous user *permissions* may be saved as data associated with the particular website, but the website makes a separate "request" for profile data each time, which may be duplicative of an earlier request. *Id.* The obviousness rejection in the final Office Action analogizes the "third party content provider" of Kublikis to the "media property" performing parts (a) and (c) of the independent claim and analogizes the company operating the "custom browser" as the "profile owner" of part (b) of the independent claim.

In general, Kublickis differs from the current specification-disclosed technique (among other reasons) because Kublickis discloses providing data to a visited media property on demand, at the time of a visit by the user to a given website, while in contrast applicant's disclosed technique generally involves providing desired profile data to a media property *at the time profile data is collected*, which media property is selected based on stored requests from multiple media properties, with the *hope* that the selected media property will encounter the tagged browsers *later* and then have the opportunity to target an ad to the browser based on the *previously* received profile information.

As for the secondary reference, Jaschke discloses a "consumer information broker" that accepts advertiser bids and chooses one of several *advertisers* automatically; various advertisers bid for delivery of their ads to a "target" or user, and an advertiser is selected based on a calculation of which matches.

In making obviousness rejections in the parent, various Office Actions considered the advertisers selected by Jaschke's broker analogous to the "media properties" as claimed, but those advertisers (in the context of Jaschke) *do not control ad space*, and thus are not "media properties" as claimed. Jaschke's referenced advertisers do not each control ad space because the point of Jaschke is that the advertisers are competing (bidding) for permission to place their ads in a *given* ad space *that Jaschke's "broker"* controls. Only when Jaschke's broker makes the selection is the advertisement of *one* of the advertisers, the selected one, delivered to the user, as triggered by the broker. Thus, likewise, Jaschke's broker cannot match the "profile owner" referenced in part (b) of the independent claims. The difference as to Jaschke is not that Jaschke chooses among advertisers *per se* but that the advertisers in Jaschke do not control ad space at the time of the choice.

B. *Overview of novel subject matter*

The invention claimed in claim 34 refers to a selected media property – namely the "entity controlling the 'computer system'" of part (a) (*see* part (b)(ii)) – storing a profile linked to a tag (part (a)) and delivering an ad (part (c)) to a visitor. That visitor is specifically a visitor whose profile information was received from a profile owner computer. That profile owner computer is one that has selected the media property from among a plurality of media properties based on requests for profiles or types of profiles of particular kinds received from each. (*See* part (b).)

The selected media property entity's "computer system" therefore receives (part (a)) from the specially programmed profile-owner computer (part (b)) profile data matching the media property's previously request for a profile or type of profile (*see* part (b)(i)). The received profile data is stored in a central database and a visitor device's tag serves as a link to it. (*See* part (a).) This allows the media property to later cause delivery of ads connected to that profile when ad space become available for that visitor's device. (*See* part (c).)

That specific arrangement differs from the cited prior art, which did not select media properties for a given visitor device based on stored requests from different media properties, and which did not have the selected media property store the profile data for later use when the visitor device happened to become available to serve an ad.

C. *Specific claim elements not disclosed by the cited references*

With that background and overview in mind, there are a number of clear and positively claimed differences between the references and various aspects of the claim:

First, neither Kublickis nor Jaschke teach a "profile owner computer" programmed as specified in part (b) to select a media property entity out of a plurality based on stored requests and arrange for storage of a requested profile readable by the selected media property's equipment. Nor do either teach making such a selection based on stored requests from each entity.

The final Office Action agrees that Kublickis "may not explicitly teach the nuance of" limitation (b)(i), which specifies that the profile owner computer has selected a media property entity from among many based on stored profile requests, but the rejection argues that this is disclosed by Jaschke. First, the differences are hardly mere "nuances." Second, Jaschke does not disclose this either.

(1) Kublickis works only with respect to a given website in current contact with a user's customized browser, so Kublickis has no need to select any website among others. Jaschke, also, works with respect to filling a current ad space and likewise has no need for any selection of websites or any other media property.

(2) Limitation (b)(i) refers to a *selected* media property from among many. The rejection concedes that Kublickis contains no selection. Jaschke does not teach selecting media property entities either. Jaschke's broker selects advertisements for a given ad space, whereas the claims of this application relate to selection of one among several "media properties" with the goal of enabling the selected media property to target the

profiled visitor with an ad within an available ad space if and when encountering that visitor in the future.

(3) Kublickis does not store the profile requests; it stores permissions granted by the visitor. Each time the visitor encounters the website, the request is repeated or a new request made. There are no stored requests, even for the one website. Even if a request is stored for purpose of noting the previously granted permission, Kublickis does not teach using any stored request to select a media property from among many based on stored requests for each.

In sum, neither Kublickis nor Jaschke teach the specially and unconventionally programmed profile owner computer of part (b).

Second, as a result of the first point, it follows that neither reference discloses performing part (a), and thus the combination of the two references would not perform part (a) either. Part (a) calls for arranging storage of profile information "as a result of electronic receipt from a profile owner computer of indicia" of *matching* profile data. Therefore, part (a) calls for receipt not just from any profile owner computer, but from a profile owner computer programmed as in part (b), which is a computer that has selected the media property computer system performing part (a) out of a plurality of possible media properties based on the profile having matched that media property's request, which is stored in that profile owner computer.

Further as to part (a), the claim now calls for the selected media property-controlled computer system to store profile information in a central database associated with the selected media property-controlled computer system. Kublickis contains no indication that the referenced "third-party content provider" stores profile information in a central database associated with that content provider's computer, and Kublickis suggests to the contrary by speaking about the content provider repeating the same request (and indeed the data is dumped as soon as the user navigates to a different website between the two visits). Kublickis offers no motivation or rationale for using a

media property database, because – as noted above – Kublickis' "content provider" receives information via the special browser during the visitor's visit to the website and uses the data to serve an ad *now*; there is no logical reason to store the data for later use.

As to part (c), the rejection doesn't mention Jaschke but says that Kublickis discloses the cookie being used to target offers and ads and refers to the above-described disclosure in Kublickis of saving permissions from a user's previous visit to the same website. Again, though, Kublickis works by transferring profile data (if authorized) each time the user visits a particular website – whether directly or through the cookie; hence Kublickis doesn't meet the "later" limitation of part (c), because there is no disclosure of choosing the ad using profile data stored in the central database that was transferred during an earlier visit by the user to the website, which profile data was received from a profile owner as a result of the media property being selected because such information matches a previously stored request of the media property.

In short, neither Kublickis, Jaschke, nor the combination discloses each aspect of the invention as now claimed. Applicant respectfully requests non-repetition of an obviousness rejection.

5. No Section 101 rejection is warranted

The claims capture distinctions over the art and thus contain *unconventional* method steps (or parallel claim elements for the apparatus claims). The Section 101 rejection should be overcome, at a minimum because of the presence of a combination of unconventional elements explicitly recited in the claims related to computer systems that are in communication with one another.

The claimed invention has significant advantages by enabling a selected media property entity that has expressed interest in a profile or type of profile, to receive profile data, specifically from the specially programmed profile-owner computer, which profile data is stored in a central database and linked to a visitor device's tag, and to

allow the media property to later use the tag to cause delivery of ads connected to that profile when ad space become available for that visitor's device.

As noted above in the Section 112(2) section, the claim is specific and addresses the points previously questioned, which also suggests the contrary of abstraction.

Even if there were any basis to hold that claim 34, as construed, is directed to an "abstract idea," the claimed invention is clearly patent-eligible under the Office's *Alice* test, Step 2B, because the claims clearly include "additional elements" that amount to "significantly more" than the abstract idea, regardless of how one defines the allegedly "abstract" idea, and because, when "viewing the claims as a whole," the claims do not "implement" the idea (however defined) only "through the use of routine and conventional activity," nor at "a high level of generality," but rather expresses a specific technical solution that describes an "inventive concept."

As explained in applicant's specification, *see, e.g.*, pages 7-10, previous systems created difficulties, solved by the current invention, including the problem of media properties monetizing general-content ad space when receiving categories of profiles that they could not use. Previous techniques would require specific negotiations with a number of different referring websites, exchange of technical information to make any tagging possible, and constant updating as a media property instituted new ad campaigns or finished running a campaign. Such a cumbersome contracting and technical-updating process prevented referring websites from being positioned to cause media property tags to be added timely. Also as the specification explains, worse, the prior art did not seem to allow such referring websites to deliver specifically a *subset* of users that the media property wished to target, and as a result the media property would end up delivering the ad to some "unwanted" visitors as a result of broader audience than desired being tagged. Obtaining a targeted audience was difficult technically to balance the need for enough visitor volume against the desire to avoid excess visitors; as explained in a response in the parent, known prior art techniques did

not provide a way, technically and practically, for a "media property" to obtain a desired audience of both a sufficient size and a targeted type.

The unconventional elements of the pending claims allow "media properties" to specify a desired audience to a "profile owner" that has access to users on account of their visit to "profile supplier," and the media properties can cooperate with the "profile owner" to identify a subset making up their desired audience by arranging for storage of a requested profile linked to a visitor device tag. Such techniques, also as explained in a response in the parent, allow access to the desired audience, without too many too broadly targeted visitors, avoid the need for custom negotiations and technical assistance, can start timely, and can be scalable.

Assignee continues to believe that the claims – directed to having a selected media property computer system storing a profile and using a tag linked to the profile to deliver an ad to a visitor *whose profile information was received from a profile owner that has selected the media property from among others based on requests for profiles or types of profiles of particular kinds* – define a specific and concrete, and thus not an abstract, invention (or idea) and thus that the claims qualify as patent-eligible under Step 2A.

Regardless, it appears clear that the now-pending claims qualify as patent-eligible under Step 2B because, viewing any of the claims as a whole: (i) there is no manual action nor even pre-Internet analog, as claim 34 is directed to an Internet-centric problem, so the claim is not directed simply to performing known techniques on a computer or on the Internet; (ii) claim 34 directed to an unconventional and non-generic combination of elements; (iii) the idea is confined to a particular, practical application of how to handle Internet advertising; (iv) the combination is not well-understood, routine, or conventional activity; and (v) claim 34 refers to an "inventive concept." Therefore claim 34, together with its counterpart claims, is patent-eligible under the Office's policy statements and the *Bascom* and *DDR* cases, *i.e.*, *BASCOM Global Internet Services, Inc. v. AT&T Mobility LLC*, 827 F.3d 1341, 1349 (Fed. Cir. 2016) ("step two

[involves] the search for an 'inventive concept' [which] may arise in one or more of the individual claim limitations or in the ordered combination of the limitations"); *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245, 1259 (Fed. Cir. 2014) ("When the limitations of the … asserted claims are taken together as an ordered combination, the claims recite an invention that is not merely the routine or conventional use of the Internet"). As assignee explained in a response in the parent application, like in *DDR*, *Bascom*, and certain USPTO teaching examples, the interaction between the two computer systems defined in the claims facilitates the purpose of the claim (here advertisement delivery) in a specific and non-conventional way, generating useful results that have the above-described advantages.

The *Bascom* case is particularly worth studying. In *Bascom*, the Court found that "the limitations of the claims, taken individually, recite generic computer, network and Internet components, none of which is inventive by itself." 827 F.3d at 1349. Nevertheless, the Court found the claim patent-eligible because "an inventive concept can be found in the non-conventional and non-generic arrangement of known, conventional pieces" *Id.* at 1350. Indeed, "The inventive concept described and claimed" in Bascom's patent was just "the installation of a filtering tool at a specific location, remote from the end-users [*i.e.*, an ISP], with customizable filtering features specific to each end user," as opposed to "a filter on a local computer." *Id.* Like in *Bascom*, the particularly claimed method here, even if considered to employ only "generic … components, none of which is inventive by itself," defines an arrangement of components to facilitate interactions between computer systems in a non-conventional fashion, generating specific advantages from the claim-defined technique.

Applicant respectfully requests non-repetition of a Section 101 rejection.

Please feel free to telephone the undersigned if it would in any way advance prosecution of this application.

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: February 9, 2018

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

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

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

Page 1 of 16

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	1	5220655	06/15/1993	Tsutsui
_____	2	5359508	10/25/1994	Rossides
_____	3	5442633	08/15/1995	Perkins et al.
_____	4	5572643	11/05/1996	Judson
_____	5	5710884	01/20/1998	Dedrick
_____	6	5717923	02/10/1998	Dedrick
_____	7	5724424	03/03/1998	Gifford
_____	8	5724521	03/03/1998	Dedrick
_____	9	5751956	05/12/1998	Kirsch
_____	10	5752238	05/12/1998	Dedrick
_____	11	5754939	05/19/1998	Herz et al.
_____	12	5774670	06/30/1998	Montulli
_____	13	5794210	08/11/1998	Goldhaber et al.
_____	14	5819092	10/06/1998	Ferguson et al.
_____	15	5819285	10/06/1998	Damico et al.
_____	16	5835718	11/10/1998	Blewett
_____	17	5848396	12/08/1998	Gerace
_____	18	5855008	12/29/1998	Goldhaber et al.
_____	19	5870546	02/09/1999	Kirsch
_____	20	5870550	02/09/1999	Wesinger Jr. et al.
_____	21	5901287	05/04/1999	Bull et al.
_____	22	5918014	06/29/1999	Robinson
_____	23	5933811	08/03/1999	Angles et al.
_____	24	5937390	08/10/1999	Hyodo
_____	25	5937392	08/10/1999	Alberts
_____	26	5948061	09/07/1999	Merriman et al.
_____	27	5948061	09/07/1999	Merriman et al.
_____	28	5959623	09/28/1999	van Hoff et al.
_____	29	5963915	10/05/1999	Kirsch

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	30	5999912	12/07/1999	Wodarz et al.
_____	31	6014638	01/11/2000	Burge et al.
_____	32	6016504	01/18/2000	Arnold et al.
_____	33	6026368	02/15/2000	Brown et al.
_____	34	6026369	02/15/2000	Capek
_____	35	6026374	02/15/2000	Chess
_____	36	6044376	03/28/2000	Kurtzman II
_____	37	6047310	04/04/2000	Kamakura et al.
_____	38	6049835	04/11/2000	Gagnon
_____	39	6055513	04/25/2000	Katz et al.
_____	40	6073241	06/06/2000	Rosenberg et al.
_____	41	6128663	10/03/2000	Thomas
_____	42	6134532	10/17/2000	Lazarus et al.
_____	43	6141010	10/31/2000	Hoyle
_____	44	6188398	02/13/2001	Collins-Rector et al.
_____	45	6205432	03/20/2001	Gabbard et al.
_____	46	6216112	04/10/2001	Fuller et al.
_____	47	6216129	04/10/2001	Eldering
_____	48	6285987	09/04/2001	Roth
_____	49	6289318	09/11/2001	Barber
_____	50	6308202	10/23/2001	Cohn et al.
_____	51	6324519	11/27/2001	Eldering
_____	52	6327574	12/04/2001	Kramer et al.
_____	53	6366298	04/02/2002	Haitsuka et al.
_____	54	6385592	05/07/2002	Angles et al.
_____	55	6385592	05/07/2002	Angles et al.
_____	56	6401075	06/04/2002	Mason et al.
_____	57	6408278	06/18/2002	Carney et al.
_____	58	6415270	07/02/2002	Rackson et al.

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	59	6415322	07/02/2002	Jaye
_____	60	6446261	09/03/2002	Rosser
_____	61	6449657	09/10/2002	Stanbach Jr. et al.
_____	62	6484492	11/26/2002	Meholic et al.
_____	63	6487538	11/26/2002	Gupta et al.
_____	64	6615247	09/02/2003	Murphy
_____	65	6633850	10/14/2003	Gabbard et al.
_____	66	6654725	11/25/2003	Langheinrich et al.
_____	67	6804660	10/12/2004	Landau et al.
_____	68	6810527	10/26/2004	Conrad et al.
_____	69	6839680	01/04/2005	Liu et al.
_____	70	6868392	03/15/2005	Ogasawara
_____	71	6907566	06/14/2005	McElfresh et al.
_____	72	6983379	01/03/2006	Spalink et al.
_____	73	6985882	01/10/2006	Del Sesto
_____	74	7003792	02/21/2006	Yuen
_____	75	7013290	03/14/2006	Ananian
_____	76	7038637	05/02/2006	Eller et al.
_____	77	7039594	05/02/2006	Gersting
_____	78	7039599	05/02/2006	Merriman et al.
_____	79	7043531	05/09/2006	Seibel, et al.
_____	80	7051351	05/23/2006	Goldman et al.
_____	81	7058593	06/06/2006	Merritt
_____	82	7065550	06/20/2006	Raghunandan
_____	83	7085682	08/01/2006	Heller et al.
_____	84	7155508	12/26/2006	Sankuratripati et al.
_____	85	7181438	02/20/2007	Szabo
_____	86	7188076	03/06/2007	Bensemana
_____	87	7194424	03/20/2007	Greer et al.

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	88	7299195	11/20/2007	Tawakol et al.
_____	89	7343354	03/11/2008	Hennessey
_____	90	7346615	03/18/2008	Bem
_____	91	7356711	04/08/2008	Calinov et al.
_____	92	7360251	04/15/2008	Spalink et al.
_____	93	7373599	05/13/2008	McElfresh et al.
_____	94	7386599	06/10/2008	Piersol et al.
_____	95	7546249	06/09/2009	Main
_____	96	7558795	07/07/2009	Malik
_____	97	7580855	08/25/2009	Fernandes
_____	98	7580855	08/25/2009	Fernandes
_____	99	7693863	04/06/2010	Martin et al.
_____	100	7698422	04/13/2010	Vanderhook et al.
_____	101	7725944	05/25/2010	Spalink et al.
_____	102	7756744	07/13/2010	Schiff et al.
_____	103	7788358	08/31/2010	Martino
_____	104	7805332	09/28/2010	Wilson
_____	105	7899801	03/01/2011	Bronson et al.
_____	106	7930252	04/19/2011	Bender et al.
_____	107	7930253	04/19/2011	Schoenhals
_____	108	7937383	05/03/2011	Hintze et al.
_____	109	7966647	06/21/2011	Igoe et al.
_____	110	8036929	10/11/2011	Reisman
_____	111	8086491	12/27/2011	Matz et al.
_____	112	8880677	11/04/2014	Julia et al.
_____	113	9117217	08/25/2015	Wilson et al.
_____	114	20010020242	09/06/2001	Gupta et al.
_____	115	20010034646	10/25/2001	Hoyt et al.
_____	116	20010039515	11/08/2001	Mayadas

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	117	20010042002	11/15/2001	Koopersmitch
_____	118	20010044743	11/22/2001	McKinley, et al.
_____	119	20020002541	01/03/2002	Williams
_____	120	20020029267	03/07/2002	Sankuratripati
_____	121	20020046105	04/18/2002	Gardenswartz et al.
_____	122	20020046286	04/18/2002	Caldwell et al.
_____	123	20020056109	05/09/2002	Tomsen
_____	124	20020072965	06/13/2002	Merriman et al
_____	125	20020072965	06/13/2002	Merriman et al.
_____	126	20020072971	06/13/2002	DeBusk et al.
_____	127	20020082910	06/27/2002	Kontogouris
_____	128	20020082923	06/27/2002	Merriman et al.
_____	129	20020091568	07/11/2002	Kraft, et al.
_____	130	20020099603	07/25/2002	Bandura
_____	131	20020112013	08/15/2002	Walsh
_____	132	20020123928	09/05/2002	Eldering, et al.
_____	133	20020143632	10/03/2002	Walter, et al.
_____	134	20020161636	10/31/2002	Takahashi
_____	135	20020194058	12/19/2002	Eldering
_____	136	20020194589	12/19/2002	Cristofalo et al.
_____	137	20030023481	01/30/2003	Calvert et al.
_____	138	20030028871	02/06/2003	Wang et al.
_____	139	20030036944	02/20/2003	Lesandrini, et al.
_____	140	20030046156	03/06/2003	Cromer et al.
_____	141	20030046689	03/06/2003	Gaos
_____	142	20030065558	04/03/2003	Shaw, et al.
_____	143	20030083938	05/01/2003	Smith, et al.
_____	144	20030110497	06/12/2003	Yassin et al.
_____	145	20030135413	07/17/2003	Nishi et al.

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	146	20030154126	08/14/2003	Gehlot, et al.
_____	147	20030171990	09/11/2003	Rao et al.
_____	148	20030220837	11/27/2003	Asayama
_____	149	20040024632	02/05/2004	Perry
_____	150	20040059632	03/25/2004	Kang et al.
_____	151	20040068436	04/08/2004	Boubek
_____	152	20040117322	06/17/2004	Bjorksten, et al.
_____	153	20040260605	12/23/2004	McIntyre, et al.
_____	154	20050010472	01/13/2005	Quatse, et al.
_____	155	20050021397	01/27/2005	Cui et al.
_____	156	20050028188	02/03/2005	Latona et al.
_____	157	20050038698	02/17/2005	Lukose, et al.
_____	158	20050038702	02/17/2005	Merriman, et al.
_____	159	20050097204	05/05/2005	Horowitz et al.
_____	160	20050120091	06/02/2005	Casais
_____	161	20050125289	06/09/2005	Beyda et al.
_____	162	20050131762	06/16/2005	Bharat, et al.
_____	163	20050131762	06/16/2005	Bharat et al.
_____	164	20050165644	07/28/2005	Beyda, et al.
_____	165	20050216336	09/29/2005	Roberts, et al.
_____	166	20050216823	09/29/2005	Petersen
_____	167	20050222905	10/06/2005	Wills
_____	168	20050278443	12/15/2005	Winner et al.
_____	169	20060020508	01/26/2006	Gorti, et al.
_____	170	20060020510	01/26/2006	Vest
_____	171	20060026061	02/02/2006	Collins
_____	172	20060053047	03/09/2006	Garcia, et al.
_____	173	20060064351	03/23/2006	Hamor et al
_____	174	20060069614	03/30/2006	Agarwal et al.

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	175	20060070117	03/30/2006	Spalink et al.
_____	176	20060085263	04/20/2006	Greer, et al.
_____	177	20060095322	05/04/2006	Dierks
_____	178	20060106710	05/18/2006	Meek et al.
_____	179	20060116924	06/01/2006	Angles et al.
_____	180	20060122879	06/28/2006	O'Kelley
_____	181	20060161553	07/20/2006	Woo
_____	182	20070121843	05/31/2007	Atazky et al.
_____	183	20070130005	06/07/2007	Jaschke
_____	184	20070260624	11/08/2007	Chung
_____	185	20070283384	12/06/2007	Haeuser et al.
_____	186	20080052392	02/28/2008	Webster et al.
_____	187	20080133342	06/05/2008	Criou et al.
_____	188	20080183561	07/31/2008	Zohar et al.
_____	189	20090049469	02/19/2009	Small et al.
_____	190	20090106100	04/23/2009	Mashinsky
_____	191	20090129377	05/21/2009	Chamberlain et al.
_____	192	20090132559	05/21/2009	Chamberlain et al.
_____	193	20100198705	08/05/2010	Spalink et al.
_____	194	20100293057	11/18/2010	Haveliwala et al.
_____	195	20100299431	11/25/2010	Vanderhook et al.
_____	196	20110167043	07/07/2011	Hintze et al.
_____	197	20110258049	10/20/2011	Ramer et al.
_____	198	6832207	12/14/2004	Shkedi
_____	199	6925440	08/02/2005	Shkedi
_____	200	6973436	12/06/2005	Shkedi
_____	201	7072853	07/04/2006	Shkedi
_____	202	7428493	09/23/2008	Shkedi
_____	203	7454364	11/18/2008	Shkedi

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	204	7747745	06/29/2010	Shkedi
_____	205	7822637	10/26/2010	Shkedi
_____	206	7822639	10/26/2010	Shkedi
_____	207	7861260	12/28/2010	Shkedi
_____	208	7979307	07/12/2011	Shkedi
_____	209	8051444	11/01/2011	Shkedi
_____	210	8200822	06/12/2012	Shkedi
_____	211	8204783	06/19/2012	Shkedi
_____	212	8239264	08/07/2012	Shkedi
_____	213	8244582	08/14/2012	Shkedi
_____	214	8244583	08/14/2012	Shkedi
_____	215	8244586	08/14/2012	Shkedi
_____	216	8281336	10/02/2012	Shkedi
_____	217	8494904	07/23/2013	Shkedi
_____	218	8566164	10/22/2013	Shkedi
_____	219	8595069	11/26/2013	Shkedi
_____	220	8600815	12/03/13	Shkedi
_____	221	8607267	12/10/13	Shkedi
_____	222	8671139	03/11/14	Shkedi
_____	223	8677398	03/18/14	Shkedi
_____	224	8683502	03/25/14	Shkedi
_____	225	8695032	04/08/14	Shkedi
_____	226	8713600	04/29/14	Shkedi
_____	227	8775249	07/08/14	Shkedi
_____	228	8959146	02/17/15	Shkedi
_____	229	8997138	03/31/15	Shkedi
_____	230	9071886	06/30/15	Shkedi
_____	231	9078035	07/07/15	Shkedi
_____	232	9083853	07/14/15	Shkedi

Examiner: _____ Date Considered: _____

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

Serial No.: 15/893,354
Applicant: Shkedi, Roy
Filed: 02/09/2018
Art Unit: ____
Examiner: ____
Docket No.: 14-PP-CON4
Conf. No.: 5057

U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Publication Date MM/DD/YYYY	Name of Patentee or Applicant
_____	233	9131282	09/08/15	Shkedi
_____	234	9208514	12/08/15	Shkedi
_____	235	9226019	12/29/15	Shkedi
_____	236	9271024	02/23/16	Shkedi
_____	237	9351053	05/24/16	Shkedi
_____	238	9369779	06/14/16	Shkedi
_____	239	9508089	11/29/16	Shkedi
_____	240	9571865	02/14/17	Shkedi
_____	241	9591380	03/07/17	Shkedi
_____	242	9756372	09/05/17	Shkedi
_____	243	9800917	10/24/17	Shkedi
_____	244	9813778	11/07/17	Shkedi
_____	245	9830615	11/28/17	Shkedi
_____	246	8600815	12/03/13	Shkedi
_____	247	8607267	12/10/13	Shkedi
_____	248	20050086112	04/21/2005	Shkedi
_____	249	20110040607	02/17/2011	Shkedi
_____	250	20090172723	07/02/2009	Shkedi et al.
_____	251	20090049468	02/19/2009	Shkedi

Examiner: _____ Date Considered: _____

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

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Publication Date MM/DD/YYYY	Name of Patentee	Translation Yes / No
_____	252	KR20010096343	11/07/2001	MyOne Card Corp.	Yes
_____	253	WO2005/046237	05/19/2005	Gutta et al.	No
_____	254	WO2004084109A	09/30/2004	NHN Corporation	Yes
_____	255	KR2004099222A	11/26/2004	Echo Marketing Co., Ltd.	Yes
_____	256	KR20040026167	03/30/2004	IBM Corporation	Yes
_____	257	WO1997021183A1	06/12/1997	Bell Communications Research Inc.	No
_____	258	WO1999057660A1	11/11/1999	IWEB LTD.	No
_____	259	WO2001054034A1	07/26/2001	Angara E-commerce Services, Inc.	No
_____	260	WO2002050694A1	06/27/2002	Traffion Technologies Pty. Ltd.	No
_____	261	CA2246746	03/12/1998	Blumenau	No
_____	262	WO99/44159	09/02/1999	Jaye	No

Examiner: _____ Date Considered: _____

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

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	263	Kerwin; "NY Times Web Site Lets Advertisers Get Personal: Profile Info From Users Allows Ads to be Highly Targeted;" Advertising Age; July 14, 1997.
	264	Engage Technologies, Inc.; Form S-1A; filed with the SEC; pp. 36-50; July 19, 1999.
	265	"The e-Marketing Report"; Morgan Stanley Dean Witter; May, 2000; portions.
	266	New York Times Reference Dictionary definition of "computer," downloaded April 7, 2010.
	267	Baseview.com website (ClassManagerPro) from www.archive.org, archived January 16, 1997
	268	S-1/A SEC Filing, filed by FlyCast Communications Corp. on April 30, 1999
	269	24/7 RealMedia, The Science of Digital Marketing, Company Overview (2007)
	270	aaddzz.com webpages from www.archive.org, archived January 30, 1998
	271	AdForce, Inc., User Guide, A Complete Guide to AdForce, Version 2.6 (1998)
	272	Fawcett, Adrienne W., Publishers thankful but nervous about boom, Magazinedotcom, Hot spending boosts …, adage.com, November 1, 1999
	273	Ad-Star.com website archive from www.archive.org (archived on April 12, 1997 and February 1, 1997)
	274	Chang et al., "Goodies" in exchange for Consumer Information on the Internet, The Economics and Issues, Proceedings of the Thirty-First Annual Hawaii International Conference on System Sciences, 1998
	275	Arlein et al., Privacy-Preserving Global Customization, EC'00, October 17-20, 2000
	276	avenuea.com webpage, FAQ, www.avenuea.com/corpinfo/faq.html, archived October 2, 1999
	277	Advertising-A Unified Approach to Adverstising Management, Baseview Products, Inc. brochure, October 14, 1999
	278	Ribeiro-Neto et al., Extracting Semi-Structured Data Through Examples, Proceedings of the Eighth international Conference on Information and Knowledge Management (1999)
	279	Raskutti and Beitz, Acquiring Customer Preferences for Information Filtering, a Heuristic-Statistical Approach, Fifth Annual Conference on User Modeling (1996)
	280	Bilchev et al., Personalized advertising – exploiting the distributed user profile, BT Technology Journal, Vol. 21 No. 1, January 2003

Examiner: _____ Date Considered: _____

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

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	281	Boncella, Robert J., Internet Privacy – At Home and At Work," Communications of the AIS, Vol. 7, Article 14, September 2001
	282	AdKnowledge, Campaign Manager-Quick Reference Card (1996)
	283	Emert, 2 Web Ad Firms Decide to Marry, Palo Alto's Focalink, ClickOver Merging, San Francisco Chronicle, November 17, 1997
	284	Elderbrock & Borwankar, Building Successful Internet Businesses, IDG Worldwide, 1996
	285	David W. Schumann & Ester Thorson, Advertising and the World Wide Web, Lawrence Erlbaum Associates, 1999
	286	Williamson, Debra Aho, Web ads mark 2nd birthday with decisive issues ahead, adage.com, October 21, 1996
	287	Williamson, Debra Aho, Targeting distinguishes AdForce from the pack, adage.com, March 1, 1999
	288	Doubleclick.com webpages from www.archived.org, archived February 5, 1998
	289	Tittel et al., Foundations of World Wide Web Programming with HTML & CGI, IDG Books Worldwide (1995)
	290	Graham, Ian S., HTML Sourcebook, A Complete Guide to HTML, John Wiley & Sons (1995)
	291	Aaddzz Brochure, Information Access Technologies, Inc. (1997)
	292	Gilbert, SPECIAL REPORT, Agencies centralize Web ad serving, adage.com, Mar 1, 1999
	293	Palmer & Eriksen, Digital Newspapers Explore Marketing on the Internet, Communications of the ACM, Vol. 42, No. 9, September 1999
	294	Angwin, Julia, Focalink Will Monitor World of Online Ads, San Francisco Chronicle, February 7, 1996
	295	Gallagher & Parsons, A Framework for Targeting Banner Advertising on the Internet, Proceedings of the Thirtieth Hawaii International Conference on System Sciences, January 1997
	296	Cleland, Kim, Accipiter latest entrant in race to manage ads, company sets sights on helping content providers target audience, Adage.com, September 9, 1996
	297	Cleland, Kim, New Player joins fray of Web ad targeters, adage.com, February 24, 1997
	298	Bayne, Kim M., AdKnowledge rolls out Web ad evaluation tool, adage.com, July 8, 1999

Examiner: _____ Date Considered: _____

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

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	299	Kwok et al., Tracking Results from Multichannel Marketing Programs on Electronic Commerce," EC'03, June 9-12, 2003
	300	Langheinrich et al., Unintrusive Customization Techniques for Web Advertising, COMPUTER NETWORKS 31, 1259–1272, May 1999
	301	Maekawa et al., A Java-Based Information Browsing System in a Remote Display Environment, IEEE (2004)
	302	Meeker, Mary, The Internet Advertising Report, Harper Business, 1997
	303	Yeager & McGrath, Web Server Technology, The Advance Guide for World Wide Web Information Providers, Morgan Kaufmann Publishers (1996)
	304	net.Genesis & Devra Hall, Build a Website, The Programmer's Guide to Creating, Building, and Maintaining a Web Presence, Prima Publishing (1995)
	305	NetGravity Launches AdServer 3.5 with Beefed Up Targeting, clickz.com, September 10, 1998
	306	Novak & Hoffman, New Metrics for New Media, Toward the Development of Web Measurement Standards, Project 2000, elab.vanderbilt.edu, September 26, 1996
	307	RealMedia.com webpages, www.archive.org, archived on May 15, 19977 and June 7, 1997
	308	Bruner, Rick E., Interactive, NetGravity to launch new ad service bureau, adage.com, December 1, 1997
	309	Bruner, Rick E., Small networks chase per-click ad business, Aaddzz, ValueClick compete, AdvertisingAge, September 8, 1997
	310	Zeff & Aronson, Advertising on the Internet, 1st Edition, John Wiley & Sons (1997)
	311	Zeff & Aronson, Advertising on the Internet, 2nd Edition, John Wiley & Sons (1999)
	312	Samar, Single Sign-On Using Cookies for Web Applications, IEEE 8th International Workshops on Enabling Technologies, Infrastructure for Collaborative Enterprises (WET ICE'99), June 16-18, 1999
	313	Singh & Dalal, Web Home Pages as Advertisements, Communications of the ACM, August 1999
	314	The ClickZ Network, Netscape Selects Real Media's Open AdStream, January 13, 1998
	315	The ClickZ Network, Real Media Signs More Media Companies, December 30, 1998
	316	www.Spinbox.com webpages, www.archive.org, archived beginning Nov. 11, 1998
	317	Bakos, The Emerging Role of Electronic Marketplaces on the Internet, Communications of the ACM, Vol. 41, No. 8, August 1998

Examiner: _____ Date Considered: _____

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

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	318	Youiji Kohda & Susumu Endo, Ubiquitous Advertising on the WWW, Merging Advertisement on the Browser, Fifth International World Wide Web Conference (May 1996)
	319	Baseview.com webpages from www.archive.org, archived January 16, 1997
	320	AdForce, Inc., Quick Reference Guide, Version 3.0 (1999)
	321	AdManagerPro, Ad Entry Manual, User's Manual V.1.05, 1997
	322	AdManagerPro, Ad Entry Manual, User's Manual V.2.0, 1997
	323	AdManagerPro, Administration and Receivables Manual, Administrator's Manual Version 1.0.5, November 1997
	324	AdManagerPro, Administration and Receivables Manual, Administrator's Manual Version 2.0, June 1998
	325	Commercialization of the World Wide Web, The Role of Cookies, vanderbilt.edu web pages, archive.org, February 1, 1997
	326	Crabtree et al., Adaptive Personal Agents, Personal Technologies (1998)
	327	Dalton, Gregory, OPS, Answer to Cookies?, InformationWeek, October 13, 1997
	328	Dunn et al., Privacy and Profiling on the Web, Submitted to W3C on June 2, 1997
	329	firefly.com web pages, archive.org, archived 1998-2000
	330	Gilbert, Jennifer, CMGI's Web dealmaking hits big-time, Advertising Age, October 4, 1999
	331	Hersley et al., Implementation of OPS Over HTTP, Submitted to W3C on June 2, 1997
	332	Hersley et al., Proposal for an Open Profiling Standard, Submitted to W3C on June 2, 1997
	333	Hersley et al., Standard Practices of OPS Systems, Submitted to W3C on June 2, 1997
	334	junkbusters.com web pages, archive.org, archived April 1997 through November 2000
	335	Karpinski, Richard, ICE application to revolutionize e-commerce, Business Marketing, March 1998
	336	matchlogic.com web pages, archive.org, April 13, 2000
	337	Roscheisen, R. Martin, A Network-Centric Design for Relationship-Based Rights Management (Dissertation), December 1997
	338	Kristol, D. & Montulli, L.; HTTP State Management Mechanism, Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc2109; February 1997

Examiner: _____ Date Considered: _____

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

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	339	Berners-Lee, Tim; Information Management: A Proposal; CERN; available at http://www.w3.org/History/1989/proposal.html; May 1990
	340	Berners-Lee, Tim; Uniform Resource Locators (URL), A Syntax for the Expression of Access Information of Objects on the Network; Internet Engineering Task Force; available at http://www.w3.org/Addressing/URL/url-spec.txt; March 21, 1994
	341	Berners-Lee, Tim; The Original HTTP as defined in 1991, W3C; available at http://www.w3.org/Protocols/HTTP/AsImplemented.html (1991)
	342	Berners-Lee, Tim, et al.; Hypertext Transfer Protocol – HTTP/1.0; Network Working Group Request for Comments: 1945; Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc1945; May 1996
	343	Leiner, Barry M. et al.; Brief History of the Internet; Internet Society; October 15, 2012
	344	Berners-Lee, T. & Connolly, D.; Hypertext Markup Language – 2.0; Network Working Group Request for Comments: 1866; Internet Engineering Task Force; available at https://tools.ietf.org/html/rfc1866; November 1995
	345	Tungate, Mark; Adland-A Global History of Advertising, 2d Ed. (2013)
	346	Johnson, Bradley; Interactive; Planet Oasis Gives Web Sites Promotion Clout; Advertising Age; available at http://adage.com/article/news/interactive-planet-oasis-web-sites-promotion-clout/78467; July 8, 1996
	347	Jones, Duncan; The History of Pay Per Click (PPC) Marketing; Online Marketing Bog (www.duncanjonesnz.com) available at https://www.duncanjonesnz.com/history-of-ppc-marketing; September 23, 2014
	348	Moukheiber, Z.; DoubleClick is watching you; Forbes Magazine; November 4, 1996
	349	Fielding, R. et al.; Hypertext Transfer Protocol – HTTP/1.1; Network Working Group, RFC 2068; January 1997
	350	Glenn, A. And Millman, D.; Access Management of Web-based Services; D-Lib Magazine; September 1998
	351	New Engage ECHO Remarketing Solution Aimed at Decreasing Customer Acquisition Costs, Improving Customer Retention; BusinessWire; September 25, 2000
	352	Google Launches Self-Service Advertising Program; http://googlepress.blogspot.com/2000/10/google-launches-self-service.html; October 23, 2000

Examiner: _____ Date Considered: _____

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

OTHER ART

Examiner Initials	Item	AUTHOR, Title, Date, Pertinent Pages, Etc.
	353	Google Introduces New Pricing For Popular Self-Service Online Advertising Program; http://googlepress.blogspot.com/2002/02/google-introduces-new-pricing-for.html; February 20, 2002
	354	AdWords Separate Content Bidding; http://googlepress.blogspot.com/2005/11/adwords-separate-content-bidding_22.html; November 22, 2005
	355	Ipro.com website, as it was publicly available at least by January 18, 1998; see generally https://web.archive.org/web/19980118123203fw_/http://www.ipro.com:80/index.html; January 18, 1998
	356	Baker, Loren; Behavioral Targeting and Contextual Advertising; https://www.searchenginejournal.com/behavioral-targeting-and-contextual-advertising/836/; September 1, 2004

Examiner: _____ Date Considered: _____

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor	:	Shkedi, Roy	Art Unit	:	____
Serial No.	:	15/893,354	Examiner	:	____
Filing Date	:	02/09/2018	Conf. No.	:	5057
Title		Providing collected profiles to media properties having specified interests			

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

Filed via EFS-Web on February 9, 2018

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Assignee discloses the reference listed on form PTO-1449 attached to this document. All foreign and non-patent references listed were previously cited in parent application Serial No. 14/080,999, therefore copies of those references are not included here.

Assignee also wishes to direct Examiner to the applications listed in the table below, which share the same first inventor, as well as the references cited therein:

Serial No.	Filing Date	Earliest Parent Filing Date
12/536,451	08/05/2009	
12/912,726	10/26/2010	12/28/1999
14/089,645	11/25/2013	12/31/2007
14/091,285	11/26/2013	11/28/2000
15/429,601	02/10/2017	01/30/2013
15/450,361	03/06/2017	06/19/2006 (prov.)
15/690,214	08/29/2017	06/02/2008
15,789,354	10/20/2017	06/02/2008
15/803,631	11/03/2017	04/17/2007

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

Respectfully submitted,

DATONICS, LLC

by its attorney

Dated: February 9, 2018

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

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

Electronic Acknowledgement Receipt

EFS ID:	31756074
Application Number:	15893354
International Application Number:	
Confirmation Number:	5057
Title of Invention:	Providing collected profiles to media properties having specified interests
First Named Inventor/Applicant Name:	Roy Shkedi
Customer Number:	26362
Filer:	Louis J. Hoffman/Donald Hertz
Filer Authorized By:	Louis J. Hoffman
Attorney Docket Number:	14-PP-CON4
Receipt Date:	09-FEB-2018
Filing Date:	
Time Stamp:	18:33:19
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	18-02-09-DAT-PP_CON4-POA.pdf	2169581 29e57a2cf283b3903c61ccb62631265916cfb9bc	no	2

Warnings:

Information:					
2	Preliminary Amendment	18-02-09-DAT-PP_CON4-Prelim_Amend.pdf	216903 8b2b7e51d85e351c3fcc92b73510479f6ad1d885	no	23
Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	18-02-09-Datonics-PP_CON4-IDS_1449.pdf	177016 fd5232e3aed64fac5fe1d7a274e7ee1dd1f6cf51	no	16
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
4	Transmittal Letter	18-02-09-Datonics-PP_CON4-IDS_Cover.pdf	54324 3c096b252d873a7918cb28da9b5604a01cb12823	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	2617824	

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.

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82A (07-13)
Approved for use through 01/31/2018. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	15/893,354
Filing Date	02/09/2018
First Named Inventor	Shkedi, Roy
Title	Providing collected profiles to media properties having specified interests
Art Unit	
Examiner Name	
Attorney Docket Number	14-PP-CON4

SIGNATURE of Applicant or Patent Practitioner

Signature	/Louis J. Hoffman/	Date (Optional)	02/09/2018
Name	Louis J. Hoffman	Registration Number	38918
Title (if Applicant is a juristic entity)			
Applicant Name (if Applicant is a juristic entity)			

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/AIA/82B(07-12)
Approved for use through 11/30/2014. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in the attached transmittal letter.

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

26362

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

Name	Registration Number	Name	Registration Number

Please recognize or change the correspondence address for the application identified in the attached transmittal letter to:

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

OR

☐ The address associated with Customer Number:

OR

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

I am the Applicant:

☐ Inventor or Joint Inventor

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor

☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document)

SIGNATURE of Applicant for Patent

Signature	/Michael Benedek/	Date	September 28, 2012
Name	Michael Benedek	Telephone	(646) 867-0647
Title and Company	CEO - Optonics, LLC		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. Submit multiple forms for more than one signature, see below *.

☐ *Total of _____ forms are submitted.

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

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