IAP13 Rec'd PCT/PTO 06 JUL 2007
11/794825

MAIL STOP - PCT
Docket No. 28462U
Attorneys: GMN/JLM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: MERLIN, Yakkov
Appl. No.: Not Yet Assigned
Filing Date: July 6, 2007
Intl. Appl. No.: PCT/IL2005/000035
Intl. Filing Date: January 11, 2005
Title: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

PRELIMINARY AMENDMENT

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

Sir:

Prior to examining on the merits and calculating the filing fee for the national phase application under 35 USC 371, filed herewith, please enter the following amendments for the captioned application:

IN THE CLAIMS:

Please cancel claims 1-18 and add new claims 19-36 for the above-captioned application as shown on the marked-up ATTACHMENT A.

REMARKS

New claims are submitted wherein the multiple dependencies in the PCT application as amended under Article 34 PCT have been deleted.

Upon entry of the amendment, claims 1-18 will be canceled and new claims 19-36 will be pending in this application. The amendments to the claims do not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, the examiner is respectfully requested to enter the above amendment before examination.

If the examiner has any questions regarding this submission, she is invited to telephone the undersigned attorney.

No new matter has been added.

Respectfully submitted,
THE NATH LAW GROUP

July 6, 2007

Gary M. Nath, Reg. No. 26,965
Jerald L. Meyer, Reg. No. 41,194
Customer No. 20529

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

ct

Amendments to the Claims:

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

Listing of Claims:

1. to 18. (Canceled)

19. (New) A method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network from a web server to a combiner unit coupled to the TV subscriber channel, the method comprising:

receiving said first data and said second data; and

combining said first data and said second data to form a combined video signal for displaying a first image corresponding to the first data together with a second image corresponding to the second data;

said second data including data that is representative of:

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

storing the second data for off-line processing;

combining said first data and with data representative of said program details image only if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, and conveying said combined video signal to a video input of a TV set in a user premises for displaying a first image corresponding to the first data and having the program details image overlaid thereon within an area occupied by the first image, said program details image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program said IP content broadcast thereby in at least a portion of the TV set.

20. (New) The method according to claim 19, wherein said second data is received at the user premises according to a pre-stored user-profile.

21. (New) The method according to claim 19, further including:

receiving a command from a user at said user premises; and

resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

22. (New) The method according to claim 19, further including:

identifying a website address of the program broadcast by the digital data communications network associated with the second data; and

pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

23. (New) The method according to claim 19, wherein the second data comprises data representative of more than one of said second images and web site addresses of corresponding IP content to be displayed when selecting a respective one of the second images.

24. (New) The method according to claim 23, further including:

periodically accessing a web server for downloading said second data;

extracting from the second data the second images and the respective web site corresponding to each of said second images;

storing the program details images;

if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, displaying a respective one of the second images and accessing the respective web site corresponding to the displayed program details image and extracting and buffering IP content therefrom.

25. (New) The method according to claim 19, wherein the second data is supplementary or complementary to the first data.

26. (New) The method according to claim 19, wherein the program details image includes an icon that indicates to the TV subscriber that Internet content is currently being broadcast and which provides an indication of a nature of said content.

27. (New) The method according to claim 26, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

28. (New) The method according to claim 19, wherein the program details image contains textual information advising the subscriber to press a particular button on the remote control unit.

29. (New) A TV-Internet Integration Box for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network, the TV-Internet Integration Box comprising:

respective first and second inputs for receiving said first data and said second data; a combiner unit coupled to the first unit and to the second input for combining said first data and said second data to form a combined video signal; and

a video output coupled to the combiner unit for conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data together with a second image corresponding to the second data;

wherein said second data includes data representative of :

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

a memory is coupled to the second input and stores the second data for off-line processing;

the combiner unit is responsive to the TV set being tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data for combining said first data with data representative of the program

details image so that the program details image is overlaid on the first image and is contained within an area occupied by the first image; and

the video output is adapted to be coupled to a video input of said TV set; and

the program details image is configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

30. (New) The TV-Internet Integration Box according to claim 29, wherein said second data is received at the user premises according to a pre-stored user-profile

31. (New) The TV-Internet Integration Box according to claim 29, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

32. (New) The TV-Internet Integration Box according to claim 29, further including:

a receiver for receiving the program broadcast by the digital data communications network together with said second data; and

a processing unit for pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

33. (New) The TV-Internet Integration Box according to claim 29, wherein the processing unit is adapted to:

periodically access a web server for downloading said second data;

extract from the second data the program details images and the respective web site corresponding to each of said program details images;

store the program details images; and

if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, displaying a respective one of the program details images and access the respective web site

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corresponding to the displayed program details image and extract and buffer IP content therefrom.

34. (New) The TV-Internet Integration Box according to claim 29, wherein the program details image includes an icon that indicates to the TV subscriber that Internet content is currently being broadcast and which provides an indication of a nature of said content.

35. (New) The TV-Internet Integration Box according to claim 34, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

36. (New) The TV-Internet Integration Box according to claim 29, wherein the program details image contains textual information advising the subscriber to press a particular button on the remote control unit.

SCORE Placeholder Sheet for IFW Content

Application Number: **11794825** Document Date: **07/06/2007**

The presence of this form in the IFW record indicates that the following document type was received in paper and is scanned and stored in the SCORE database.

- Drawings

Images of the original documents are scanned in gray scale or color and stored in SCORE. Bi-tonal images are also stored in IFW. Defects visible in both IFW and SCORE are indicative of defects in the original paper documents.

To access the documents in the SCORE database, refer to instructions developed by SIRA.

At the time of document entry (noted above):

- Examiners may access SCORE content via the eDAN interface.
- Other USPTO employees can bookmark the current SCORE URL (http://es/ScoreAccessWeb/).
- External customers may access SCORE content via the Public and Private PAIR interfaces.

Form Revision Date: December 8, 2006

PATENT APPLICATION SERIAL NO._____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

07/10/2007 MKAYPAGH 00000039 11794825

01 FC:2631	150.00 OP
02 FC:2642	200.00 OP
03 FC:2633	100.00 OP

PTO-1556
(5/87)

*U.S. Government Printing Office: 2002- 489-267/69033

IAP12 Rec'd PCT/PTO 06 JUL 2007

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

Appl. No.: Not Yet Assigned	Filing Date: July 6, 2007	Docket No.: 28462U 11/794825
Intl. Appl. No. PCT/IL2005/000035	Intl. Filing Date: January 11, 2005	Priority Date Claimed:

Title: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

Applicants for DO/EO/US: Yakkov MERLIN

Applicant hereby submits to the Unites States Designated/Elected Office (DO/EO/US) the following items and other information:

1. X This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. _ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. X This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. X The US has been elected (Article 31).
5. X A copy of the International Application as filed (35 U.S.C. 371(c)(2)):
   a. X is transmitted herewith (required only if not transmitted by the International Bureau).
   b. _ has been communicated by the International Bureau.
   c. _ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. _ A English translation of the International Application as filed (35 U.S.C. 371(c)(2).
7. X Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. X are attached hereto (required only if not transmitted by the International Bureau).
   b. _ have been communicated by the International Bureau.
   c. _ have not been made; however, the time limit for making such amendments has NOT expired.
   d. _ have not been made and will not be made.
8. _ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. X An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. _ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
11. _ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. _ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. X A **FIRST** preliminary amendment.
14. _ A **SECOND** or **SUBSEQUENT** preliminary amendment
15. _ A substitute specification.
16. _ A change of power of attorney and/or address letter.
17. _ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825
18. _ A second copy of the published international application under 35 USC 154(d)(4)
19. _ A second copy of the English language translation of the international application under 35 USC 154(d)(4)
20. X Other items or Information:

TRANSMITTAL LETTER; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 2006/075313 A1; INTERNATIONAL PUBLICATION DATE OF JULY 30, 2006, WHICH CONSISTS OF 28 PAGES: 1 PAGE FOR THE COVER SHEET, WITH THE ABSTRACT, 14 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 18 CLAIMS, AND 7 SHEETS OF DRAWINGS; **PRELIMINARY AMENDMENT, TO BE EXAMINED**; EXECUTED DECLARATION & POWER OF ATTORNEY; PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); PCT/IPEA/416 (NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY); PCT/IPEA/409 (INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY); AND POSTCARD FOR THE REQUEST FOR THE EARLY NOTIFICATION OF THE SERIAL NUMBER.

IAP13 Rec'd PCT/PTO 06 JUL 2007

U.S. Appl. No.: 11/794825 Not Yet Assigned	Intl. Appl. No.: PCT/IL2005/000035	Docket No.: 28462U

The following fees are submitted:	CALCULATION	PTO USE ONLY
21. X Basic National Fee (37 CFR 1.492(a)) ----- $300.00	$300.00	
22. X Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ---------- $0.00 All other situations ---------- $200.00	$200.00	
23. X Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ---------- $0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ---------- $100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ---------- $400.00 All other situations ---------- $500.00	$400.00	
Total of 21, 22 and 23	**$900.00**	
__ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is $ 250.00 for each additional 50 sheets of paper or fraction thereof.		

Total Sheets	Extra Sheets	# of each additional 50	RATE		
28-100 =	/ 50 =		X $250		

_ Surcharge of $130.00 for furnishing the oath or declaration later than _____ 20 _____ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	# FILED	# EXTRA	RATE		
TOTAL	18-20=	0	X $50	**$0.00**	
INDEPENDENT	2-3=	0	X $200	**$0.00**	
Multiple dependent claims (if applicable)			+ $360		
			TOTAL OF ABOVE CALCULATIONS =	**$900.00**	
X Applicant claims small entity status. Fees above are reduced by ½.					
			SUBTOTAL =	**$450.00**	
_ Processing fee of $130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					
			TOTAL NATIONAL FEE =	**$450.00**	
_ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $40.00 per property +					
			TOTAL FEES ENCLOSED =	**$450.00**	
				Amount to be: refunded	$
				Amount to be: charged	$

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U.S. Appl. No.: Not Yet Assigned	Intl. Appl. No.: PCT/IL2005/000035	Docket No.: 28462U

a. X A check in the amount of $450.00 to cover the above fees is enclosed.

b. _ Please charge my Deposit Account Number: 14-0112 in the amount of $ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)

c. X The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.

d. _ Fees are to be charged to a credit card. 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

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

Gary M. Nath, Reg. No. 26,965
Jerald L. Meyer, Reg. No. 41,194
Customer No. 20529

July 6, 2007

ct

IAP13 Rec'd PCT/PTO 06 JUL 2007
11/794825

MAIL STOP - PCT
Docket No.: 28462U
Attorneys: GMN/JLM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: MERLIN, Yakkov

Appl. No.: Not Yet Assigned

Filing Date: July 6, 2007

Intl. Appl. No.: PCT/IL2005/000035

Intl. Filing Date: January 11, 2005

Title: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

TRANSMITTAL LETTER

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

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

1. Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
2. International Publication Number: WO 2006/075313 A1; International Publication Date of July 30, 2006, which consists of 28 pages:
   - 1 page for the Cover Sheet, with the Abstract,
   - 14 pages of Textual Specification,
   - 5 pages of 18 Claims, and
   - 7 sheets of Drawings;
3. **Preliminary Amendment, to be Examined;**
4. Executed Declaration & Power of Attorney;
5. PCT/ISA/210 (International Search Report);
6. PCT/IPEA/416 (Notification of Transmittal of the International Preliminary Report on Patentability);
7. PCT/IPEA/409 (International Preliminary Report on Patentability);
8. Check No.: 4463 in the amount of $450.00 for Basic Filing Fee, which includes the Search and Examination Fees, as a small entity; and
9. Postcard for the Request for the Early Notification of the Serial Number.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

July 6, 2007

Gary M. Nath, Reg. No. 26,965
Jerald L. Meyer, Reg. No. 41,194
Customer No. 20529

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

ct

IAP13 Rec'd PCT/PTO 06 JUL 2007

Attorney's Docket No.:

11/794825

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS, the specification of which:

- ☐ is attached hereto.
- ☐ was filed on _____ as Application Serial No. _____ and was amended on _____.
- ☒ was described and claimed in PCT International Application No. PCT/IL2005/000035 filed on January 11, 2005 and as amended under PCT Article 34 on May 5, 2006.

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

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

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status

I hereby claim the benefit under 35 U.S.C. §120 of any prior U.S. non-provisional application(s) or under §365(c) of any prior PCT international application(s) designating the U.S., listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status

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

Country	Application No.	Filing Date	Priority Claimed
			☐

Combined Declaration and Power of Attorney

I/We hereby appoint the Practitioners associated with the following Customer Number:

Customer Number 20529

Direct Telephone Calls to: Send Correspondence to:

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
U.S.A

Gary M. Nath
(703) 548-6284

The undersigned hereby authorizes the U.S. Attorneys or Agents appointed herein to accept and follow instructions from Reinhold Cohn and Partners as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorneys or Agents and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents appointed herein will be so notified by the undersigned.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Yakkov MERLIN

Inventor's Signature: _____ Date: 09 July 2007
Residence Address: Same as ~~Post Office Address~~
Citizenship: Israeli
Post Office Address: 9 Haeshel Street
Raanana 43585
ISRAEL

INTERNATIONAL SEARCH REPORT

Interi ıal Application No
PCT/IL2005/000035

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04N7/173 H04N5/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 02/19689 A (SONY ELECTRONICS INC) 7 March 2002 (2002-03-07) the whole document	1-14
X	US 2004/107437 A1 (REICHARDT M. SCOTT ET AL) 3 June 2004 (2004-06-03) paragraph '0094! - paragraph '0100! paragraph '0103! - paragraph '0105! paragraph '0108! - paragraph '0111!	1,3-5,8, 9,11-13
A	US 6 240 555 B1 (SHOFF DANIEL J ET AL) 29 May 2001 (2001-05-29) column 3, line 14 - line 37 column 9, line 30 - line 40	1-14

-/--

[X] Further documents are listed in the continuation of box C.

[X] Patent family members are listed in annex.

° Special categories of cited documents:

'A' document defining the general state of the art which is not considered to be of particular relevance
'E' earlier document but published on or after the international filing date
'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
'O' document referring to an oral disclosure, use, exhibition or other means
'P' document published prior to the international filing date but later than the priority date claimed
'T' later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
'&' document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
11 October 2005	18/10/2005

Name and mailing address of the ISA	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Blais, D

Form PCT/ISA/210 (second sheet) (January 2004)

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INTERNATIONAL SEARCH REPORT

Inter al Application No
PCT/IL2005/000035

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6 351 270 B1 (NISHIKAWA YUKO S ET AL) 26 February 2002 (2002-02-26) column 8, line 60 - column 9, line 20 column 10, line 40 - line 57	1-14
A	WO 00/08855 A (UNITED VIDEO PROPERTIES, INC) 17 February 2000 (2000-02-17) cited in the application abstract	1-14
A	US 6 606 746 B1 (ZDEPSKI JOEL W ET AL) 12 August 2003 (2003-08-12) cited in the application abstract	1-14

Form PCT/ISA/210 (continuation of second sheet) (January 2004)

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INTERNATIONAL SEARCH REPORT

rmation on patent family members

Intern al Application No
PCT/IL2005/000035

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 0219689 A	07-03-2002	AU 8522901 A	13-03-2002
		CN 1483287 A	17-03-2004
		EP 1314316 A2	28-05-2003
		JP 2004507984 T	11-03-2004
US 2004107437 A1	03-06-2004	US 2003056219 A1	20-03-2003
		US 2002124255 A1	05-09-2002
US 6240555 B1	29-05-2001	US 2001001160 A1	10-05-2001
US 6351270 B1	26-02-2002	NONE	
WO 0008855 A	17-02-2000	AU 5471499 A	28-02-2000
		BR 9913359 A	22-05-2001
		CA 2339470 A1	17-02-2000
		CN 1317201 A	10-10-2001
		EP 1106013 A1	13-06-2001
		JP 2002522979 T	23-07-2002
US 6606746 B1	12-08-2003	NONE	

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

REINHOLD COHN AND PARTNERS
P.O. Box 4060
61040 Tel Aviv
ISRAEL

RECEIVED
23-01-2007
REINHOLD COHN AND PARTNERS

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(PCT Rule 71.1)

Applicant's or agent's file reference 157429.2 DAB	Date of mailing *(day/month/year)* 18.01.2007
	IMPORTANT NOTIFICATION

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/IL2005/000035	11.01.2005	11.01.2005

Applicant
MERLIN, Yakkov

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:	Authorized Officer
European Patent Office - Gitschiner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Geier, Adolf Tel. +49 30 25901-706

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(72) Inventor; and
(75) Inventor/Applicant *(for US only)*: **MERLIN, Yakkov** [IL/IL]; 9 Haeshel Street, 43585 Raanana (IL).

(74) Agent: **REINHOLD COHN AND PARTNERS**; P.O. Box 4060, 61040 Tel Aviv (IL).

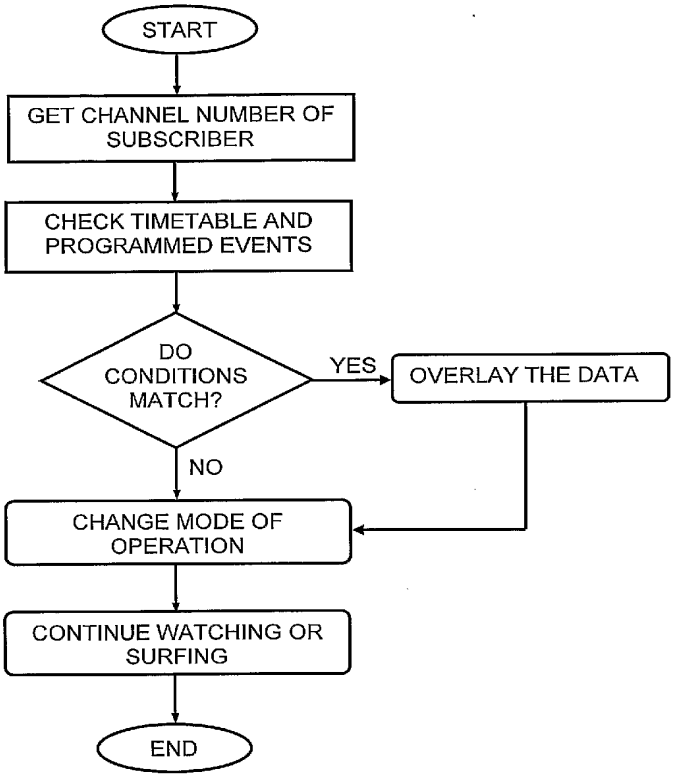
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(54) Title: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS



(57) Abstract: A TV-Internet Integration Box allows display of first data broadcast over a TV subscriber channel simultaneously together with second data broadcast over a digital data communications network has respective first and second inputs for receiving at a user premises the first data and the second data according to a user-profile associated with the second data. A combiner unit combines the first data and second data to form a combined video signal; and a video output coupled to the combiner unit conveys the combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data and having superimposed thereon a second image corresponding to the second data. A user at the user premises may interact with the second image for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

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Method and apparatus for facilitating toggling between Internet and TV broadcasts

FIELD OF THE INVENTION

This invention relates to the broadcast of audio/video content over the TV infrastructure and Internet.

BACKGROUND OF THE INVENTION

With the proliferation of cable TV and the high bandwidth currently available for the Internet, which promises to increase even more in the near future, Internet TV is fast becoming a viable alternative to regular and cable TV broadcast channels. Moreover, Internet TV is not subject to the government licensing laws required by cable and broadcast TV channels and thus offers programs that may not be obtainable using regular and cable TV broadcast channels.

It is not uncommon for Internet broadcasters to offer near DVD-quality movies that can be viewed either using video streaming or downloaded to the hard disk of a subscriber's computer for viewing "off-line". The video quality of such movies is vastly superior to that obtainable on a regular TV set, owing to the high resolution associated with computer displays that cannot presently be matched by TV screens. However, this is not particularly troublesome where only pictures are displayed; but it becomes a problem when textual information is displayed that is formatted for high resolution computer monitors since the text is then barely legible when displayed on lower resolution TV screens. Thus, if a regular TV set is used to display Internet content that is rich in text, the resulting display quality is poor.

It would therefore be a significant benefit to users of low resolution displays such as TV screens, to be able to watch regular and cable TV broadcasts and to integrate with Internet content on demand. In particular, it would be desirable to provide such a user with a visual and legible indication when viewing a regular or TV broadcast of available Internet movies or other programs and allow him to use the displayed indication to integrate with a desired Internet broadcast.

These requirements have been only partially addressed in the art. WO 00/08855 to United Video Properties, Inc. and entitled "*A system and method for synchronizing television-related product content and internet-delivered information*" describes a screen generator that merges program guide data with a TV image and superimposes an Interactive TV Guide on the regular TV image.

US 2002/0093594 (Kikinis) entitled "*Method and system for identifying addressing data within a television presentation*" illustrates in Fig. 5 the common connection of TV and Internet to a set-top box.

US 6,606,746 to OpenTV, Inc. entitled "*Interactive television system and method for displaying a graphical user interface using insert pictures*" discloses interactive television having a compressed background picture and one or more compressed insert pictures commonly connected to a TV-Internet Integration box. The compressed insert pictures represent items of a GUI. The local system i.e. computer "pastes" the insert pictures into the background image.

US 6,130,898 to Bell Atlantic Network Services, Inc., entitled "*Simulcasting digital video programs for broadcast and interactive services*" teaches an interactive TV system where TV broadcast data is merged with Internet data. To this end, public wireless packet data network is combined with a broadband digital broadcast network at a plurality of transmitter sites. Customer premises receiving systems include a receiving antenna and one or more digital entertainment terminals. The terminal includes a channel selector and digital receiver for capturing a digital transport stream from a selected channel. A processor converts selected program information from the transport stream for presentation, e.g. via a television set. The terminal also includes a CPU controlling the operation of the channel selector and the processor in response to user inputs.

None of these references appears to disclose the ability to merge broadcast TV signals with IP packet data at a customer site, specifically in such a manner that a conventional TV set is able to display Internet program selection data while viewing a TV broadcast program and to use the selected data to select an Internet channel, such as a movie, for display on the TV set instead of the TV broadcast program.

SUMMARY OF THE INVENTION

It is therefore an object of the present invention to provide a TV-Internet Integration Box having the ability to merge broadcast TV signals with IP packet data at a customer site.

It is a further object that such a TV-Internet Integration Box permits a TV set connected thereto to display Internet program selection data while viewing a TV broadcast program and to use the selected data to select an Internet movie for display instead of the TV broadcast program.

These objectives are realized in accordance with a first aspect of the invention by a method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data broadcast over a digital data communications network, the method comprising:

receiving said first data and said second data;

combining said first data and said second data to form a combined video signal; and

conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data and having superimposed thereon a second image corresponding to the second data, said second image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

In accordance with a second aspect of the invention there is provided a method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data broadcast over a digital data communications network, the method comprising:

receiving said first data at a user premises;

receiving said second data at the user premises according to a user-profile associated with the second data;

combining said first data and said second data to form a combined video signal; and

conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data and having superimposed thereon a second image corresponding to the second data, said second image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

BRIEF DESCRIPTION OF THE DRAWINGS

In order to understand the invention and to see how it may be carried out in practice, a preferred embodiment will now be described, by way of non-limiting example only, with reference to the accompanying drawings, in which:

Fig. 1 is pictorial representation showing a TV-Internet Integration Box according to the invention connected to a mixed broadcast network for combining Internet and broadcast TV signals;

Fig. 2 is a flow diagram showing the principal actions carried out by the web server shown in Fig. 1;

Fig. 3 is a flow diagram showing the principal actions carried out by the TV-Internet Integration Box shown in Fig. 1;

Fig. 4 is a flow diagram showing the principal actions carried out by an IP content provider such as an advertiser for creating IP content for overlaying by the TV-Internet Integration Box with a broadcast TV signal;

Fig. 5 is a block diagram showing the functionality of the TV-Internet Integration Box shown in Fig. 1;

Fig. 6 is a block diagram showing the functionality of a remote control unit for interfacing with the TV-Internet Integration Box shown in Fig. 5;

Figs. 7a, 7b and 7c are pictorial representations showing a TV set during different stages of receiving and displaying combined Internet and broadcast TV signals; and

Fig. 8 is a flow diagram showing the principal actions carried out by the TV-Internet Integration Box when pre-fetching a digital broadcast signal.

DETAILED DESCRIPTION OF EXEMPLARY EMBODIMENTS

Fig. 1 is pictorial representation showing a mixed broadcast network 10 having a Cable TV Box 11 coupled to a satellite 12 and a Cable TV transmitter 13 for receiving a cable TV broadcast signal (constituting first data). An Internet broadcast signal comprising IP packet data (constituting second data) is streamed from a web server 14 via the Internet 15 (constituting a digital data communications network) to a TV-Internet Integration Box 16 for display on a TV set 17 coupled thereto. The TV set 17 may be constituted by a computer having a video card and a high resolution display monitor. However, the principal benefit of the invention is obtained when a regular TV set having low resolution is used, since such a configuration has not so far been used to integrate Internet programs with conventional TV broadcasts in the manner proposed by the invention. The TV-Internet Integration Box 16 is connected to the Cable TV Box 11 for combining the broadcast TV signals received by the Cable TV Box 11 with the IP packet data broadcast via the Internet 15. Also shown is an advertiser 18 having a computer coupled to the Internet 15 for downloading advertising content to the web server 14 for storage in a database 19 and a telephone 20 coupled to the TV-Internet Integration Box 16 for feeding telephony signals to the TV-Internet Integration Box 16, which combines the received telephony signals with video data received from the Cable TV Box 11 and/or the Internet 15.

The advertiser 18 typically pays for specific time slots and for one or more specific channels during which his advertisement will be broadcast. Thus, in addition to the advertising content which is prepared and then stored on the web server 14 in known manner, the advertiser 18 also specifies when the advertisement is to be broadcast and on which TV channel or channels. By such means, a sports advertiser can request time during the interval of a football match to broadcast a commercial, while a toy advertiser would obviously prefer to broadcast a commercial during a children's TV program. Different time slots may be charged out at different rates depending on the ratings associated with the associated TV program. After selecting one or more time slots, the

advertisement content as well as the selected time slots and program data are stored in the database 19 accessed by the web server 14.

Fig. 2 is a flow diagram showing the principal actions carried out by the web server 14, which is responsive to an event timetable stored and updated in the database 19. To this end, an IP content provider interfaces with the web server for creating IP content and associating therewith calendar and program data indicating dates, times and channels in respect of which the IP content is to be streamed to the customer premises. Once this is done, the web server 14 monitors events, which are triggered in known manner causing the web server 14 to extract from the database 19 pre-stored IP content for streaming over the Internet 15 to the TV-Internet Integration Box 16, where it is processed as described below with reference to Fig. 3 of the drawings.

Fig. 3 is a flow diagram showing the principal actions carried out by the TV-Internet Integration Box 16. In accordance with one embodiment of the invention, the subscriber selects what kind of IP content he wishes to receive and in respect of which program details, such as icons and/or textual data, are to be displayed together with the TV broadcast data. For example, a subscriber may wish to block certain types of program material or may wish to receives details thereof only during limited hours, for example when the children are asleep. To this end, the subscriber is able to program the TV-Internet Integration Box 16 in much the same way that a video cassette recorder is programmed so as to store in the memory 25 a timetable indicating what type of IP data is to be displayed and when. The timetable is updated as and when required by the subscriber. The TV-Internet Integration Box 16 is adapted to check the timetable periodically and to filter out incoming IP content that is either of a type that is not required or that is broadcast during an unauthorized time window. By such means, an additional layer of authorization may be provided to that stored in the database 19 for access by the web server 14, thus allowing pre-fetching of IP content and storage in the memory 25 of the TV-Internet Integration Box 16. Upon detecting a matching event, corresponding to received IP content that is of interest to the subscriber, the TV-Internet Integration Box 16 overlays the matched IP content with the current broadcast and displays the new integrated video on the subscriber's TV set 17. For example, the matched information may be an icon that indicates to the subscriber that an Internet

movie is currently being broadcast; or it may be an advertisement or information related to the TV program being broadcast.

The subscriber can respond to the overlaid data using a remote control unit, described below with reference to Fig. 6 of the drawings, which is programmed to interact with the displayed icon or other data that is overlaid on the TV broadcast. To this end, the displayed IP content may optionally contain textual information advising the subscriber to press a particular button on the remote control unit. Alternatively, buttons on the remote control unit may be color-coded and the icon may be colored so as to indicate to the subscriber which color-coded button to press for selection of the corresponding IP content. If the subscriber responds to the overlaid data by pressing a button on the remote control unit, the TV-Internet Integration Box 16 receives the signal from the remote control unit and changes the priorities for use with the Picture-in-Picture (PIP) technique to display the TV broadcast in a reduced window and to show the other media, i.e. the IP content, in an enlarged window. The IP content can be a custom designed web page for TV, or a game or advertisement movie or any other information placed on the matched record. PIP techniques are known *per se* and allow a video or graphics image to be inserted on top of a movie clip and to be positioned and sized. An Effect In and Effect Out may be used to fade or move the inserted video to the screen. In accordance with one such technique, the bulk of the IP content e.g. corresponding to a movie may be rendered transparent so as to provide a transparent window through which an icon e.g. relating to the movie is visible. The video content of the TV broadcast is displayed in one window and the IP content in another window. Since the bulk of the IP content is transparent it will remain invisible to the subscriber, while the icon (or text) will be visible since it is opaque. On selecting the displayed icon, the attributes may simply be reversed so as to hide the icon while displaying the movie or other content. At the same time, the TV broadcast may be re-sized either to display it in a minimized window it the case that it is to be suppressed altogether, or to display it superimposed on the IP content so that both are visible at the same time in different, possibly overlapping, windows.

Fig. 4 is a flow diagram showing the principal actions carried out by an IP content provider such as an advertiser for creating IP content for overlaying by the TV-Internet Integration Box with a broadcast TV signal. Thus, the advertiser designs an

advertisement and sends it together with a request to a web site link via the Internet or off-line as required. Since the IP content is intended for display on a low resolution TV screen, any textual information that forms part of the IP content is formatted so as to be legible when displayed on lower resolution TV screens. Generally, this requires reducing the quantity of textual information to a minimum and sizing any text so that it is legible. Often, a web advertiser will wish to create an on-line advertisement based on an existing web page. In such case, it may be necessary to reduce and resize any textual information so as to comply with these requirements.

The request specifies calendar and program data as explained above, which the web site operator checks for availability and type, defining to which group of users it belongs. If the required time slots are available for the requested channels, the site operator confirms the request and forwards the request to the web control room for final confirmation. On confirming the request, a status flag of the advertisement is changed so as to indicate that the advertisement is awaiting final confirmation from the web control room. At the web control room the advertisement is checked for content by human evaluators who either approve or reject the advertisement content and, in the case of rejection, may provide reasons therefore. If the advertisement (or other IP content) is approved by the web control center, its status is set to "approved" and the web control center bills the customer and the web site operator adds the advertisement and the scheduling information to the database 19. The customer who is billed is typically the advertiser but may be any entity that is identified by a digital signature associated with the advertisement. If either of the requests for approval is rejected the status of the advertisement is set to "rejected" and the web control room informs the advertiser of the grounds for rejection, allowing the advertiser to change the request and re-send to the web site operator. Optionally, in such case the web server may be adapted to display to the advertiser the occupied timetable and suggest new timetable. Only those advertisements whose status flag indicates that they are approved by the web control room are actually available for transmission. The time slot and channel information associated with any advertisement that is not so approved remain available for other advertisements and will be shown as available to another advertiser who attempts to schedule an advertisement. Only when the advertisement is actually

approved by the web site operator and its status is updated accordingly, are the transmission time and channel locked for use by other users.

The IP packet data may optionally be associated with predefined user-profiles that are also stored in the database 19 so that the advertisement or other IP data is sent only to specific TV-Internet Integration Boxes. Such user-profiles may be configured by the advertiser or by the user. Thus, for example, the invention allows supplementary or complementary program content to be associated with a TV broadcast, while providing the facility to view the supplementary program content only to specific subscribers, according to their user-profiles.

Thus, by way of non-limiting example, the invention allows sign language to be associated with a TV broadcast for the hard of hearing. It is known to display sign language in a corner of the screen, but since this is usually done indiscriminately it also apt to disturb the majority of viewers who do not need the sign language. The invention may be used to avoid this by conveying the sign language as IP content separate from main TV broadcast and allowing subscribers to register for a "sign language" service so that only registered subscribers receive the IP content. IP content files corresponding to sign language to be associated with different TV broadcasts are created as explained above, and stored in the database 19 together with user-profile data indicating which subscribers are registered to obtain the service. The user-profile data may contain data that further refines the target audience, such as categories of TV program alongside which the sign language is to be displayed. The user-profile data may further contain geographical data or language data that allows sign language corresponding to a target language to be conveyed to specific audiences. By such means, a TV program can be accompanied by a sign language overlay that is customized to a target language depending on the location of the IP target address or the language requested by the subscriber on registering for the service.

Fig. 5 is a block diagram showing the functionality of the TV-Internet Integration Box 16 shown in Fig. 1. Thus, the TV-Internet Integration Box 16 comprises a first input 21 for receiving first data corresponding to a TV broadcast signal, typically being a cable TV signal and a second input 22 for receiving respective second data corresponding to IP packet data. The IP packet data may optionally be downloaded to specific TV-Internet Integration Boxes in accordance with predefined user-profiles

associated with IP packet data and stored in the database 19. A combiner unit 23 is coupled to the first and second inputs for combining the first data and the second data to form a combined video signal. A video output 24 is coupled to the combiner unit 23 for conveying the combined video signal to a TV set in a user premises. The TV set may be a conventional TV having a relatively low resolution screen for displaying a first image corresponding to the first data and having superimposed thereon a second image corresponding to the second data. Alternatively, it can be a computer having a video card for displaying a combined video image on a high resolution display monitor.

The combiner unit 23 is shown coupled to a processing unit 25 although in practice it may be implemented in software by the processing unit 25. A memory 26 is coupled to the processing unit 25 for storing program data, such as profiles and program timetables etc. so as to allow the processing unit 25 to filter incoming IP content according to pre-defined profiles and other selection data. The processing unit 25 is also coupled to a user interface 27 that allows the subscriber to program the TV-Internet Integration Box 16 and store the program data in the memory 26. An IR receiver 28 is adapted to receive IR commands from a remote control unit described below with reference to Fig. 6 and is coupled to a decoder 29, which decodes a received IR signal and feeds it to the processing unit 25 for further processing.

Fig. 6 is a block diagram showing the functionality of a remote control unit 30 for interfacing with the TV-Internet Integration Box 16 shown in Fig. 5. The remote control unit 30 includes a processing unit 31 coupled to a user interface 32, typically having a keypad or pushbuttons for program selection and setting as well as other functions. The user interface 32 is coupled to an encoder 33 which is responsive to a pressed key or key combination for producing a corresponding IR signal that is transmitted by an IR transmitter 34 to the TV-Internet Integration Box 16 for receipt by the IR receiver 28 thereof.

As noted above, the keys may be color coded in correspondence with pre-arranged colors of commonly displayed icons, so that pressing on a specific key activates the displayed icon of the same color. Alternatively, at least some of the keys may be covered with transfers depicting commonly displayed icons, whereupon the appropriate keys or button for activating each icon are easily recognized.

The keys may also be programmed so that depressing the same key more than once automatically re-sizes the windows containing the TV broadcast and the Internet broadcast. For example, Fig. 7a shows the default situation where a TV screen 40 displays a conventional TV broadcast in a window 41 that is sized to occupy the whole area of the TV screen 40 and will be referred to as the primary window. Also shown are IP icons 42, 43 and 44 each of which points to a different IP content that is streamed from a respective web site of known address. On pressing the key on the remote control unit 30 that corresponds to the icon 42, the IP content corresponding thereto is displayed within a small window 45 (referred to as the secondary window) that is contained within the primary window 41 as shown in Fig. 7d. The icons 42, 43 and 44 remain visible so that, if desired, the selected program can be changed by pressing a different key on the remote control unit 30. On pressing a key a second time in succession, the IP content is re-sized so that its window 45 occupies substantially the whole area of the screen as shown in Fig. 7c. On pressing the key a third time in succession, the situation reverts to the default shown in Fig. 7a where the primary window 41 containing the TV broadcast occupies the whole area of the TV screen 40. Thus, each key operates as a three-way toggle that switches between three different display modes.

The second data containing display information for the icons also contains data that informs the TV-Internet Integration Box 16 on which channel or channels the associated IP content is to be streamed and at what times. The second data also specifies the web site where the IP content is located. This is summarized in the following table:

Icon image	Channel	Time	Website of IP content
ICON.GIF	2; 23	19:30; 21:30	www.AB.com/adverts/123.htm

Table I: Second data – definition

Thus, the second data depicted in Table I above shows that the icon image is contained in a file called ICON.GIF and that the IP content relating thereto is to be streamed on channels 2 and 23 at times 19:30 and 21:30, these being the start times. The end times are determined by the duration of the IP content to be streamed, which is downloaded from a web site whose name is shown in the table and is contained in the second data.

The second data is downloaded from the web server 14 whose web site address is known to the TV-Internet Integration Box 16. In accordance with one embodiment, the processing unit 25 is programmed to access the web server 14 periodically and download current program data. For example, once every 2 to 3 hours the TV-Internet Integration Box 16 may automatically access the web server 14 to download the second data corresponding current program data for the next 3 hours as formatted according to Table I. The downloaded information is stored locally in the memory 26 of the TV-Internet Integration Box 16. This allows the TV-Internet Integration Box 16 to pre-fetch IP content relating to all the currently displayed icons and to store the data relating thereto in the memory 26 thus obviating the need to access the web site of a selected icon for the purpose of downloading IP selected content. Since this carries the overhead of web access and downloading of data, which can be cumbersome particularly if there is insufficient bandwidth, pre-fetching in this manner ensures that initial IP content data will be immediately available on selection of one of the icons.

Fig. 8 is a flow diagram showing the principal actions carried out by the TV-Internet Integration Box when pre-fetching a digital broadcast signal. Thus, the TV-Internet Integration Box 16 periodically accesses the web server 14 and downloads current program data, constituting the second data. It then extracts from the current program data the image files of the current icons and stores them in the memory 26. In like manner, it extracts the web sites of the IP content corresponding to the currently displayed icons and then accesses these sites to pre-fetch the respective IP content, which it likewise stores in the memory 26. On selection of an icon, the TV-Internet Integration Box 16 opens a secondary window 45 within the primary window 41, reads from the memory 26 the pre-fetched IP content and displays it in the secondary window 45.

It will be understood that the TV-Internet Integration Box according to the invention may be at least partially implemented by a suitably programmed computer. Likewise, the invention contemplates a computer program being readable by a computer for executing the method of the invention. The invention further contemplates a machine-readable memory tangibly embodying a program of instructions executable by the machine for executing the method of the invention.

CLAIMS:

1. A method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data broadcast over a digital data communications network, the method comprising:

receiving said first data and said second data;

combining said first data and said second data to form a combined video signal; and

conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data and having superimposed thereon a second image corresponding to the second data, said second image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

2. The method according to claim 1, wherein said second data is received at the user premises according to a pre-stored user-profile.

3. The method according to claim 1 or 2, wherein the second data is received during a predetermined time interval and on one or more predetermined channels.

4. The method according to any one of claims 1 to 3, further including:

receiving a command from a user at said user premises; and

resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

5. The method according to any one of claim 1 to 4, further including:

identifying a website address of the program broadcast by the digital data communications network associated with the second data; and

pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

6. The method according to any one of the preceding claims, wherein the second data comprises data representative of one or more of said second images and web site

addresses of corresponding IP content to be displayed when selecting a respective one of the second images.

7. The method according to claim 6, further including:

periodically accessing a web server for downloading said second data;

extracting from the second data the second images and the respective web site corresponding to each of said second images;

storing and displaying the second images;

accessing the respective web site corresponding to each of said second images and extracting and buffering IP content therefrom.

8. The method according to any one of claims 1 to 7, wherein the second data is supplementary or complementary to the first data.

9. A TV-Internet Integration Box for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data broadcast over a digital data communications network, the TV-Internet Integration Box comprising:

respective first and second inputs for receiving said first data and said second data;

a combiner unit coupled to the first unit and to the second input for combining said first data and said second data to form a combined video signal; and

a video output coupled to the combiner unit for conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data and having superimposed thereon a second image corresponding to the second data, said second image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

10. The TV-Internet Integration Box according to claim 9, wherein said second data is received at the user premises according to a pre-stored user-profile

11. The TV-Internet Integration Box according to claim 9 or 10, adapted to receive the second data during a predetermined time interval and a predetermined channel.

12. The TV-Internet Integration Box according to any one of claims 10 to 11, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

13. The TV-Internet Integration Box according to any one of claim 9 to 12, further including:

a receiver for receiving the program broadcast by the digital data communications network together with said second data; and

a processing unit for pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

14. The TV-Internet Integration Box according to any one of claims 9 to 13, wherein the processing unit is adapted to:

periodically access a web server for downloading said second data;

extract from the second data the second images and the respective web site corresponding to each of said second images;

store and display the second images; and

access the respective web site corresponding to each of said second images and extract and buffer IP content therefrom.

AMENDED CLAIMS
[Received by the International Bureau on 11 April 2006 (11.04.2006)]

1. A method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network from a web server to a combiner unit coupled to the TV subscriber channel, the method comprising:

receiving said first data and said second data; and

combining said first data and said second data to form a combined video signal for displaying a first image corresponding to the first data together with a second image corresponding to the second data;

characterized by:

receiving the second data including data that is representative of:

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

storing the second data for off-line processing;

combining said first data and with data representative of said program details image only if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, and conveying said combined video signal to a video input of a TV set in a user premises for displaying a first image corresponding to the first data and having the program details image overlaid thereon within an area occupied by the first image, said program details image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program said IP content broadcast thereby in at least a portion of the TV set.

2. The method according to claim 1, wherein said second data is received at the user premises according to a pre-stored user-profile.

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3. The method according to any one of claims 1 to 2, further including:

receiving a command from a user at said user premises; and

resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

4. The method according to any one of claim 1 to 3, further including:

identifying a website address of the program broadcast by the digital data communications network associated with the second data; and

pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

5. The method according to any one of the preceding claims, wherein the second data comprises data representative of more than one of said second images and web site addresses of corresponding IP content to be displayed when selecting a respective one of the second images.

6. The method according to claim 5, further including:

periodically accessing a web server for downloading said second data;

extracting from the second data the second images and the respective web site corresponding to each of said second images;

storing the program details images;

if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, displaying a respective one of the second images and accessing the respective web site corresponding to the displayed program details image and extracting and buffering IP content therefrom.

7. The method according to any one of claims 1 to 6, wherein the second data is supplementary or complementary to the first data.

8. The method according to any one of claims 1 to 7, wherein the program details image includes an icon that indicates to the TV subscriber that Internet content is currently being broadcast and which provides an indication of a nature of said content.

AMENDED SHEET (ARTICLE 19)

9. The method according to claim 8, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

10. The method according to any one of claims 1 to 7, wherein the program details image contains textual information advising the subscriber to press a particular button on the remote control unit.

11. A TV-Internet Integration Box for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network, the TV-Internet Integration Box comprising:

respective first and second inputs for receiving said first data and said second data; a combiner unit coupled to the first unit and to the second input for combining said first data and said second data to form a combined video signal; and

a video output coupled to the combiner unit for conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data together with a second image corresponding to the second data;

characterized in that:

said second data includes data representative of :

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

a memory is coupled to the second input and stores the second data for off-line processing;

the combiner unit is responsive to the TV set being tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data for combining said first data with data representative of the program details image so that the program details image is overlaid on the first image and is contained within an area occupied by the first image; and

the video output is adapted to be coupled to a video input of said TV set; and

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the program details image is configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

12. The TV-Internet Integration Box according to claim 11, wherein said second data is received at the user premises according to a pre-stored user-profile

13. The TV-Internet Integration Box according to claim 11 or 12, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

14. The TV-Internet Integration Box according to any one of claim 11 to 13, further including:

a receiver for receiving the program broadcast by the digital data communications network together with said second data; and

a processing unit for pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

15. The TV-Internet Integration Box according to any one of claims 11 to 14, wherein the processing unit is adapted to:

periodically access a web server for downloading said second data;

extract from the second data the program details images and the respective web site corresponding to each of said program details images;

store the program details images; and

if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, displaying a respective one of the program details images and access the respective web site corresponding to the displayed program details image and extract and buffer IP content therefrom.

AMENDED SHEET (ARTICLE 19)

16. The TV-Internet Integration Box according to any one of claims 11 to 15, wherein the program details image includes an icon that indicates to the TV subscriber that Internet content is currently being broadcast and which provides an indication of a nature of said content.

17. The TV-Internet Integration Box according to claim 16, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

18. The TV-Internet Integration Box according to any one of claims 11 to 15, wherein the program details image contains textual information advising the subscriber to press a particular button on the remote control unit.

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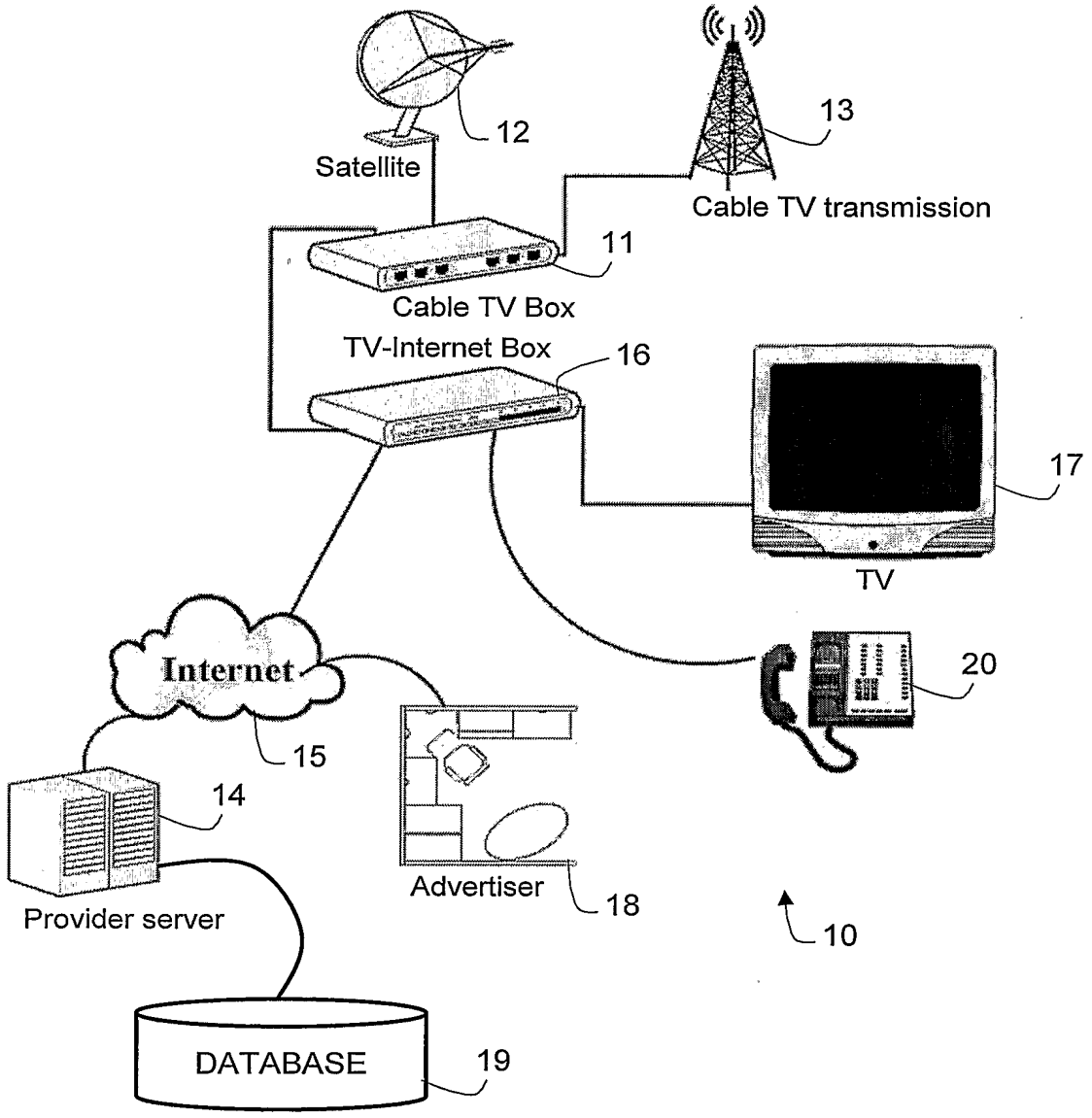

12
Satellite
13
Cable TV transmission
11
Cable TV Box
TV-Internet Box
16
17
TV
Internet
15
20
14
Advertiser
18
Provider server
10
DATABASE
19

FIG. 1

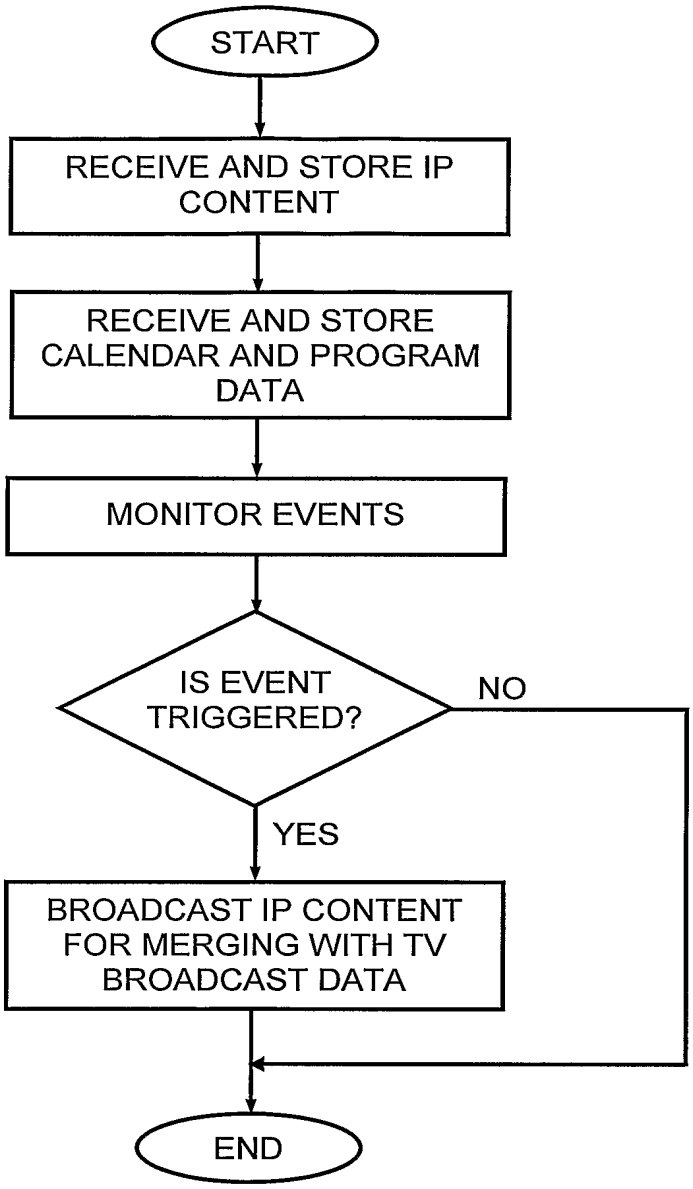

START
RECEIVE AND STORE IP CONTENT
RECEIVE AND STORE CALENDAR AND PROGRAM DATA
MONITOR EVENTS
IS EVENT TRIGGERED?
NO
YES
BROADCAST IP CONTENT FOR MERGING WITH TV BROADCAST DATA
END

FIG. 2

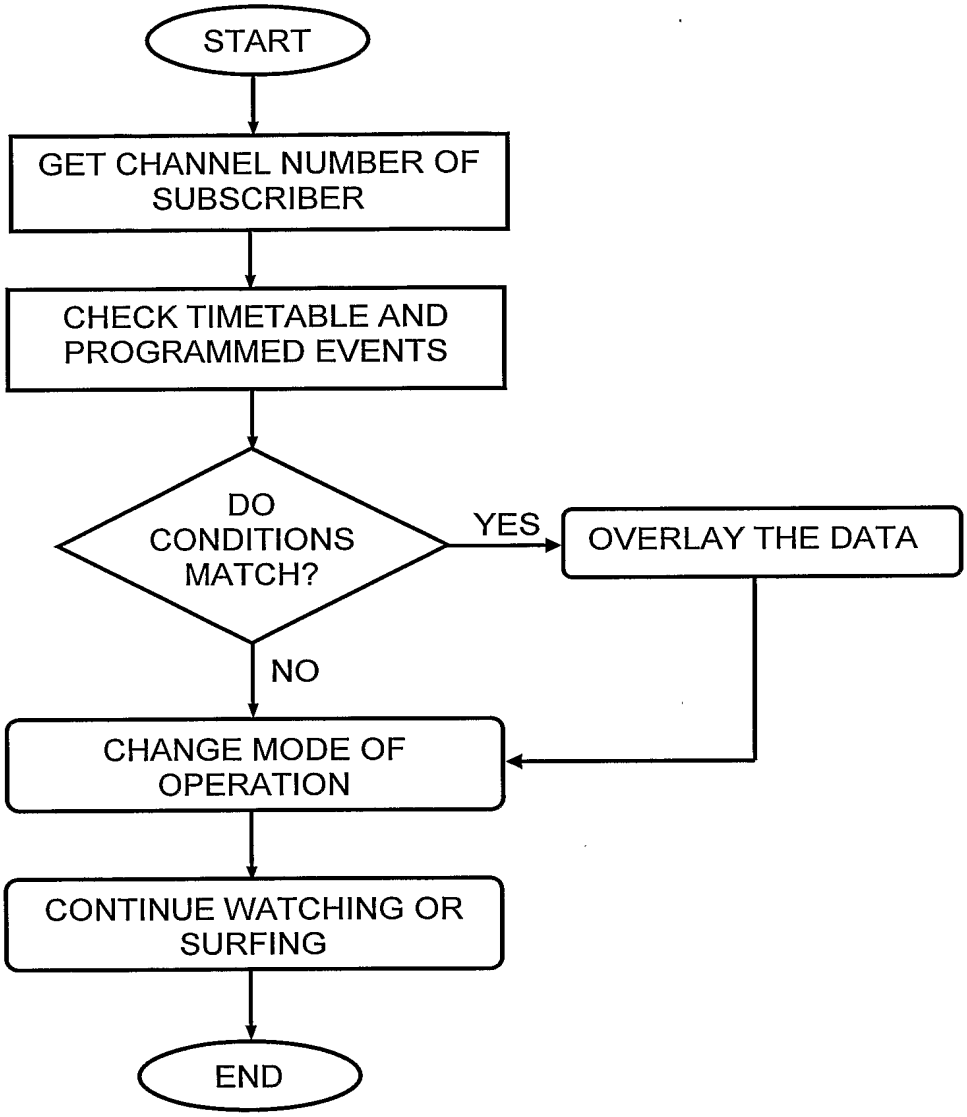

START
GET CHANNEL NUMBER OF SUBSCRIBER
CHECK TIMETABLE AND PROGRAMMED EVENTS
DO CONDITIONS MATCH?
YES
OVERLAY THE DATA
NO
CHANGE MODE OF OPERATION
CONTINUE WATCHING OR SURFING
END

FIG. 3

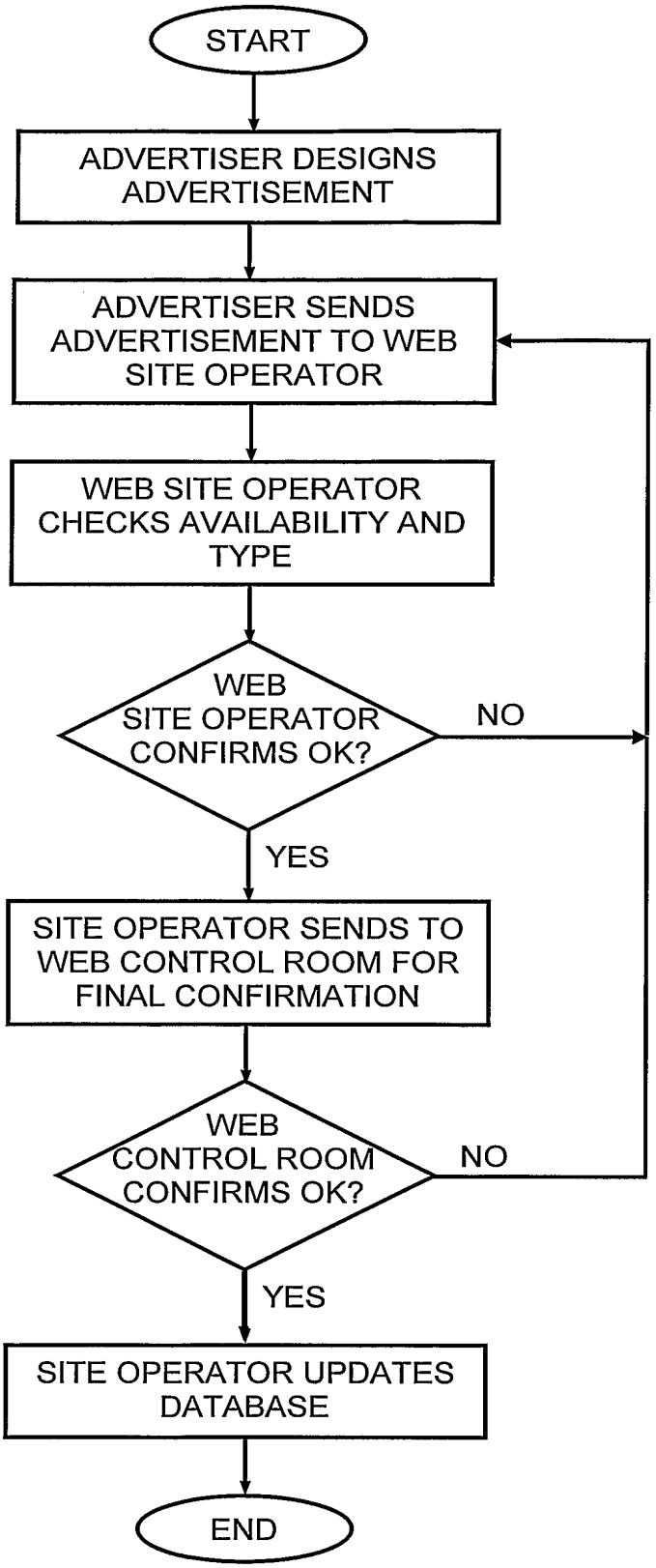

START
ADVERTISER DESIGNS ADVERTISEMENT
ADVERTISER SENDS ADVERTISEMENT TO WEB SITE OPERATOR
WEB SITE OPERATOR CHECKS AVAILABILITY AND TYPE
WEB SITE OPERATOR CONFIRMS OK?
NO
YES
SITE OPERATOR SENDS TO WEB CONTROL ROOM FOR FINAL CONFIRMATION
WEB CONTROL ROOM CONFIRMS OK?
NO
YES
SITE OPERATOR UPDATES DATABASE
END

FIG. 4

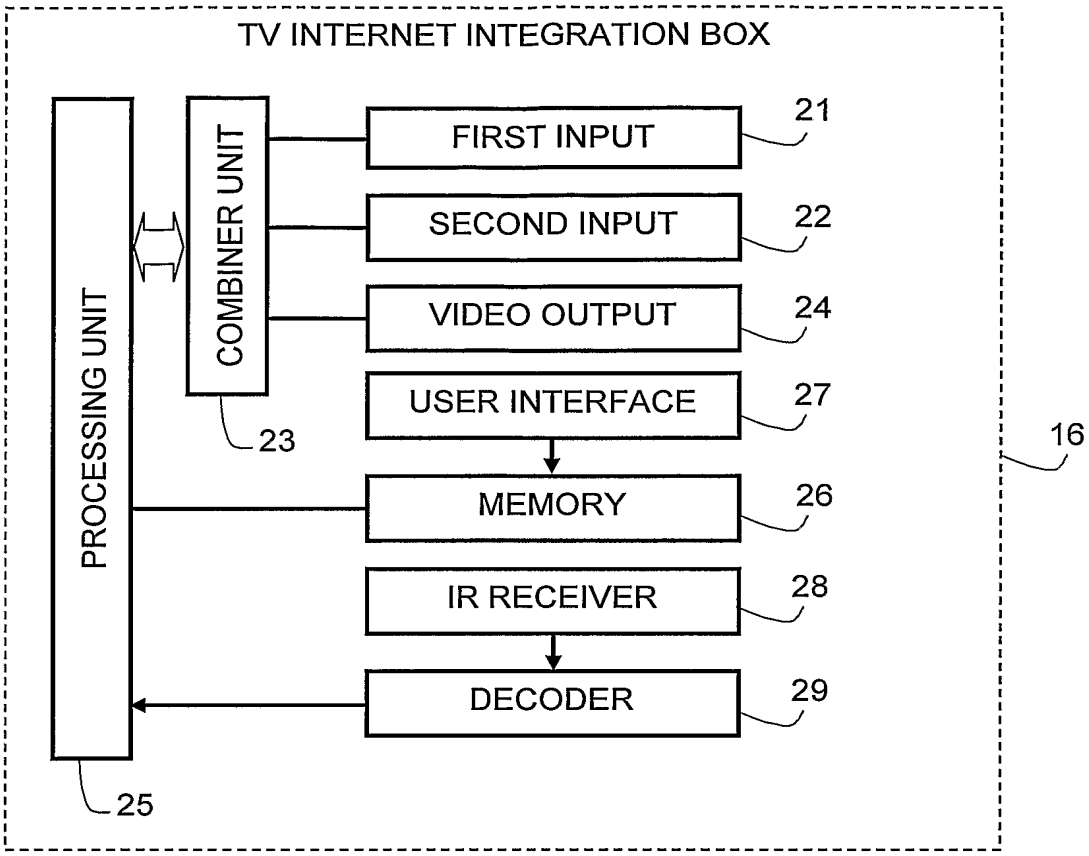

TV INTERNET INTEGRATION BOX
PROCESSING UNIT
COMBINER UNIT
FIRST INPUT
SECOND INPUT
VIDEO OUTPUT
USER INTERFACE
MEMORY
IR RECEIVER
DECODER
21
22
24
27
26
28
29
23
25
16

FIG. 5

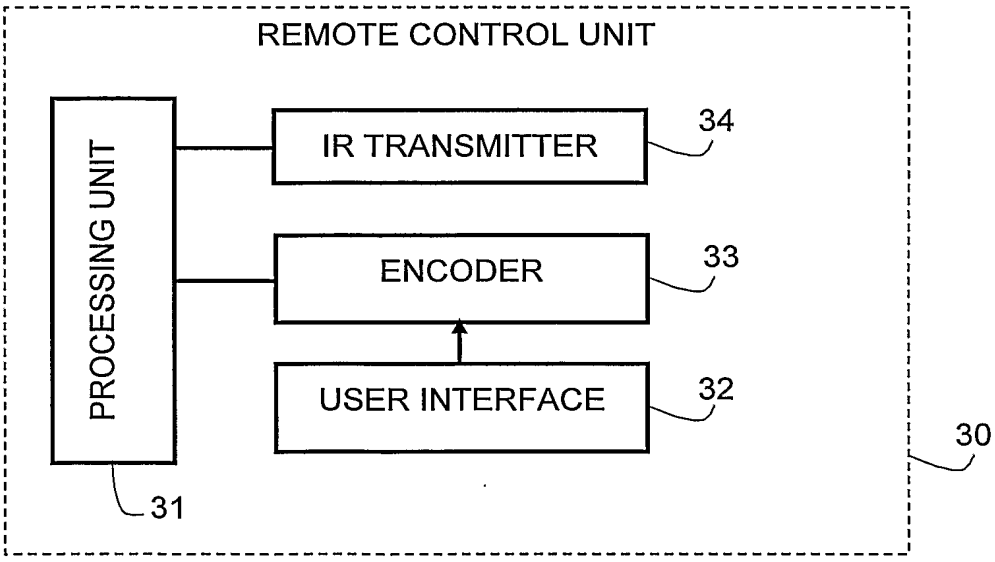

REMOTE CONTROL UNIT
PROCESSING UNIT
IR TRANSMITTER
ENCODER
USER INTERFACE
34
33
32
31
30

FIG. 6

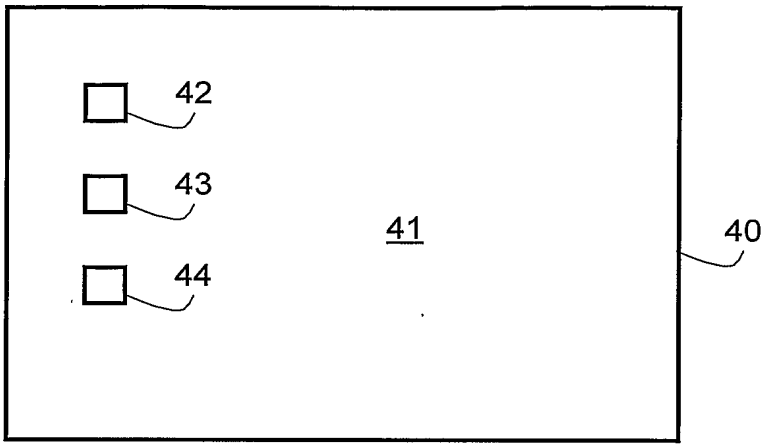


FIG. 7a

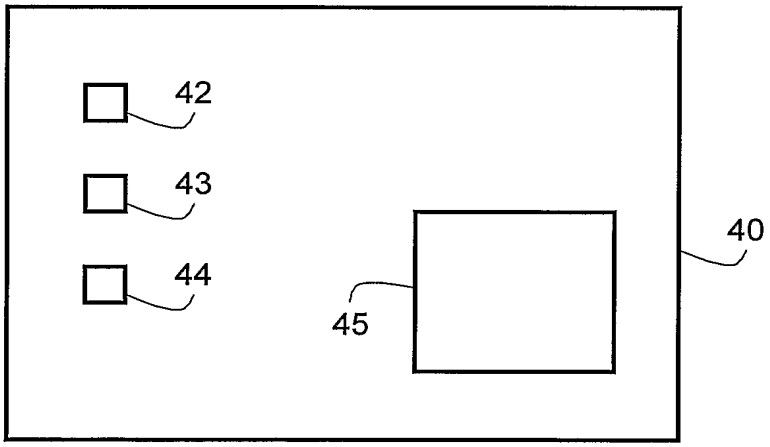


FIG. 7b

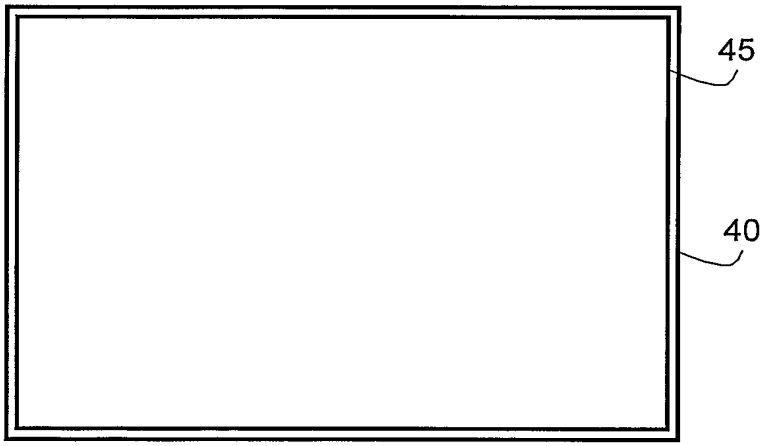


FIG. 7c

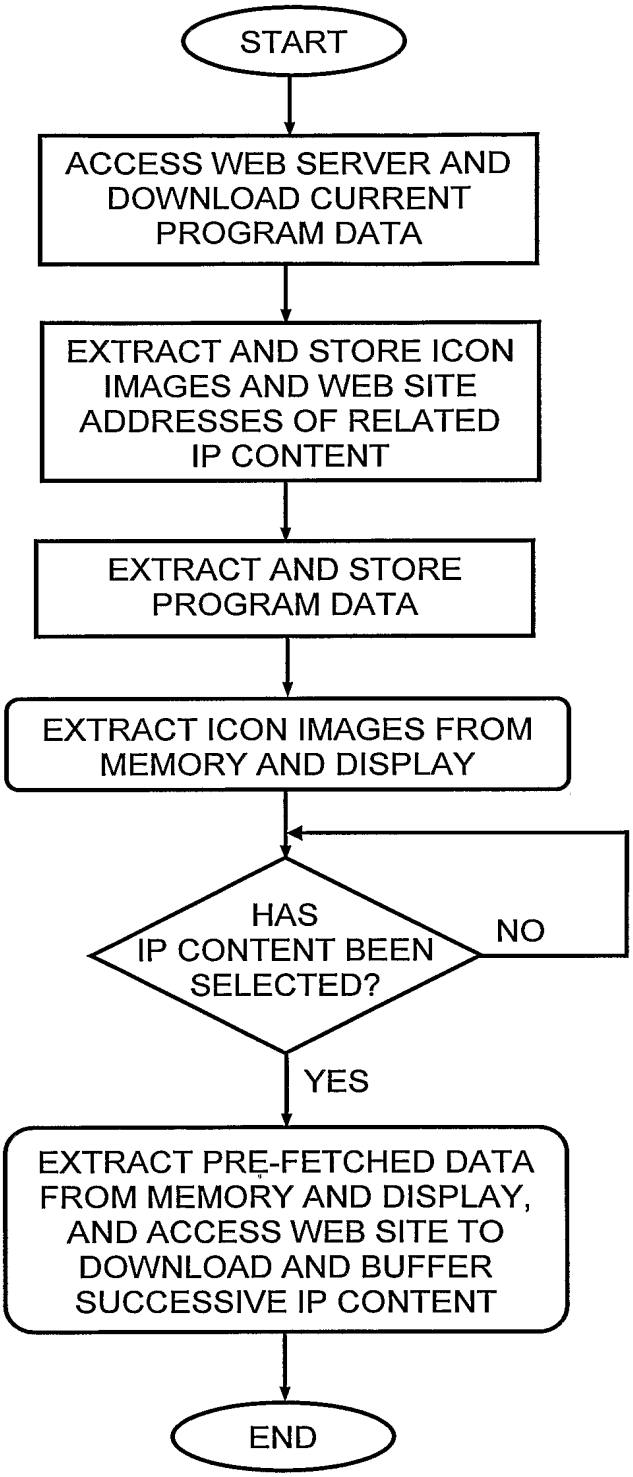

START
ACCESS WEB SERVER AND DOWNLOAD CURRENT PROGRAM DATA
EXTRACT AND STORE ICON IMAGES AND WEB SITE ADDRESSES OF RELATED IP CONTENT
EXTRACT AND STORE PROGRAM DATA
EXTRACT ICON IMAGES FROM MEMORY AND DISPLAY
HAS IP CONTENT BEEN SELECTED?
NO
YES
EXTRACT PRE-FETCHED DATA FROM MEMORY AND DISPLAY, AND ACCESS WEB SITE TO DOWNLOAD AND BUFFER SUCCESSIVE IP CONTENT
END

FIG. 8

REC'D 23 JAN 2007
WIPO PCT

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 157429.2 DAB	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/IL2005/000035	International filing date *(day/month/year)* 11.01.2005	Priority date *(day/month/year)* 11.01.2005
International Patent Classification (IPC) or national classification and IPC INV. H04N7/173 H04N5/00		
Applicant MERLIN, Yakkov		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *sent to the applicant and to the International Bureau)* a total of 11 sheets, as follows:
      ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
05.05.2006	18.01.2007
Name and mailing address of the international preliminary examining authority: European Patent Office - Gitschiner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Authorized officer Blais, Denis Telephone No. +49 30 25901-408

Form PCT/IPEA/409 (Cover Sheet) (April 2005)

Box No. I Basis of the report

1. With regard to the **language**, this report is based on

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
   - ☐ international search (under Rules 12.3(a) and 23.1(b))
   - ☐ publication of the international application (under Rule 12.4(a))
   - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1, 2, 5, 7, 9-12	as originally filed
3, 4, 4a, 4b, 6, 8	filed with telefax on 05.05.2006

Claims, Numbers

1-18	filed with telefax on 05.05.2006

Drawings, Sheets

1/7-7/7	as originally filed

   ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:
   - ☐ the description, pages
   - ☐ the claims, Nos.
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:
   - ☐ any table(s) related to sequence listing *(specify)*:

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
   - ☐ the description, pages
   - ☐ the claims, Nos.
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:
   - ☐ any table(s) related to sequence listing *(specify)*:

* *If item 4 applies, some or all of these sheets may be marked "superseded."*

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-18
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-18
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-18
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

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Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. The subject-matter of independent claims 1 and 11 of the present application meets the requirements of Article 33(2)(3)(4) PCT, as it is considered as new and inventive with respect to the cited state of the art and moreover as it has an industrial applicability.

   Indeed none of the documents cited in the International Search Report discloses a method or an apparatus for facilitating toggling between IP programs and TV programs having the features claimed in claim 1 or claim 11.

   WO 02/19689 A (document D1) is regarded as being the closest prior art to the subject-matter of claim 1 and discloses a method and a system for presenting both TV program and Web pages on a same screen (see D1, page 14, line 21 to page 17, line 2). Thereby D1 discloses a method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network from a web server to a combiner unit coupled to the TV subscriber channel, the method comprising:
   receiving said first data and said second data; and
   combining said first data and said second data to form a combined video signal for displaying a first image corresponding to the first data together with a second image corresponding to the second data.

   The subject-matter of claims 1 and 11 differs from the disclosure of D1 at least in that the second data includes data representative of:

   - a web link indicating a website where an IP content relating to the second data is stored;
   - a program details image to be displayed indicative of the IP content;
   - timing information indicating when the program details image is to be displayed; and
   - one or more TV subscriber channels on which said program details image is to be displayed.

Furthermore said program details image allows a user interacting with it to be redirected to a program contained in said IP content and is combined with the first data only if the TV set is tuned to one of said TV subscriber channels during a time corresponding to said timing information.

The technical effect of this difference leads to the following objective problem: how to provide a smart way to keep the subscriber continually informed of potentially relevant ITV content in an unobtrusive manner.

As the distinguishing features are new and considered not to be obvious to the skilled person, the subject-matter of independent claims 1 and 11 is considered to be novel, inventive and industrially applicable.

2. Also the combination of the subject-matter of claims 1 and 11 with the additional features of the respectively dependent claims 2-10 and 12-18 is considered as new, inventive and industrially applicable, Article 33(2)(3)(4) PCT.

Blais, D.

US 2002/0088004 (corresponding to WO0219689 published Mar. 7, 2002) to Sony Electronics Inc. describes a system and method for interactive television (ITV) includes presenting both TV channels and "virtual channels" on an ITV. A virtual channel can be a Web page stored in memory of the ITV (or remote therefrom) and accessed by a microprocessor in the ITV when a user selects the virtual channel number using a conventional TV remote control. The particular Web page can be established based on consumer data, such as demographic data supplied by the consumer or consumer responses to prompts displayed along with a channel. The Web page associated with the virtual channel can be updated or changed by sending data to the ITV through the VBI of a TV signal or via the Internet, through a modem on the ITV. Video TV broadcast data and content conveyed via the Internet are fed to separate inputs of a subscriber's TV set, thus requiring the TV set to have a digital data input, as well as the facility to combine both signals to form a composite signal.

US 2004/0107437 (Herrington *et al.*) published June 3, 2004 discloses systems and methods for providing enhanced advertising and merchandising opportunities. Advertisements may be provided for passive programming such as television programs, commercials, pay-per-view programs, passive video products, or other suitable passive programming. Interactive advertisements may be provided in interactive applications such as interactive television program guides, web browsers, home shopping applications, operating systems, or other suitable interactive applications. It appears that composite video data is prepared off-line by what is referred to as a main facility and then conveyed to a subscriber's TV set.

None of these references appears to disclose the ability to merge broadcast TV signals with IP packet data at a customer site, specifically in such a manner that a conventional TV set is able to display Internet program selection data while viewing a TV broadcast program and to use the selected data to select an Internet channel, such as a movie, for display on the TV set instead of the TV broadcast program.

SUMMARY OF THE INVENTION

It is therefore an object of the present invention to provide a TV-Internet Integration Box having the ability to merge broadcast TV signals with IP packet data at a customer site.

It is a further object that such a TV-Internet Integration Box permits a TV set connected thereto to display Internet program selection data while viewing a TV broadcast program and to use the selected data to select an Internet movie for display instead of the TV broadcast program.

These objectives are realized in accordance with a first aspect of the invention by a method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network from a web server to a combiner unit coupled to the TV subscriber channel, the method comprising:

receiving said first data and said second data; and

combining said first data and said second data to form a combined video signal for displaying a first image corresponding to the first data together with a second image corresponding to the second data;

characterized by:

receiving the second data including data that is representative of:

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

storing the second data for off-line processing;

combining said first data and with data representative of said program details image only if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, and conveying said combined video signal to a video input of a TV set in a user premises for displaying a first image corresponding to the first data and having the program details image overlaid thereon within an area occupied by the first image, said program details image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program said IP content broadcast thereby in at least a portion of the TV set.

In accordance with a second aspect of the invention there is provided a method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data broadcast over a digital data communications network, the method comprising:

receiving said first data at a user premises for displaying a first image;

receiving said second data at the user premises according to a user-profile associated with the second data, the second data including data representative of:

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

combining said first data with a portion of said second data to form a combined video signal only if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data; and

conveying said combined video signal to a TV set in a user premises for displaying said first image and having the program details image overlaid thereon, said the program details image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying the IP content in at least a portion of the TV set.

BRIEF DESCRIPTION OF THE DRAWINGS

In order to understand the invention and to see how it may be carried out in practice, a preferred embodiment will now be described, by way of non-limiting example only, with reference to the accompanying drawings, in which:

Fig. 1 is pictorial representation showing a TV-Internet Integration Box according to the invention connected to a mixed broadcast network for combining Internet and broadcast TV signals;

Fig. 2 is a flow diagram showing the principal actions carried out by the web server shown in Fig. 1;

Fig. 3 is a flow diagram showing the principal actions carried out by the TV-Internet Integration Box shown in Fig. 1;

Fig. 4 is a flow diagram showing the principal actions carried out by an IP content provider such as an advertiser for creating IP content for overlaying by the TV-Internet Integration Box with a broadcast TV signal;

Fig. 5 is a block diagram showing the functionality of the TV-Internet Integration Box shown in Fig. 1;

Fig. 6 is a block diagram showing the functionality of a remote control unit for interfacing with the TV-Internet Integration Box shown in Fig. 5;

Figs. 7a, 7b and 7c are pictorial representations showing a TV set during different stages of receiving and displaying combined Internet and broadcast TV signals; and

advertisement content as well as the selected time slots and program data are stored in the database 19 accessed by the web server 14.

Fig. 2 is a flow diagram showing the principal actions carried out by the web server 14, which is responsive to an event timetable stored and updated in the database 19. To this end, an IP content provider interfaces with the web server for creating IP content and associating therewith calendar and program data indicating dates, times and channels in respect of which the IP content is to be streamed to the customer premises. Once this is done, the web server 14 monitors events, which are triggered in known manner causing the web server 14 to extract from the database 19 pre-stored IP content for streaming over the Internet 15 to the TV-Internet Integration Box 16, where it is processed as described below with reference to Fig. 3 of the drawings.

Fig. 3 is a flow diagram showing the principal actions carried out by the TV-Internet Integration Box 16. In accordance with one embodiment of the invention, the subscriber selects what kind of IP content he wishes to receive and in respect of which program details, such as icons and/or textual data, are to be displayed together with the TV broadcast data. For example, a subscriber may wish to block certain types of program material or may wish to receive details thereof only during limited hours, for example when the children are asleep. To this end, the subscriber is able to program the TV-Internet Integration Box 16 in much the same way that a video cassette recorder is programmed so as to store in the memory 25 a timetable indicating what type of IP data is to be displayed and when. The timetable is updated as and when required by the subscriber. The TV-Internet Integration Box 16 is adapted to check the timetable periodically and to filter out incoming IP content that is either of a type that is not required or that is broadcast during an unauthorized time window. By such means, an additional layer of authorization may be provided to that stored in the database 19 for access by the web server 14, thus allowing pre-fetching of IP content and storage in the memory 25 of the TV-Internet Integration Box 16. Upon detecting a matching event, corresponding to received IP content that is of interest to the subscriber, the TV-Internet Integration Box 16 overlays the matched IP content with the current broadcast and displays the new integrated video on the subscriber's TV set 17. For example, the matched information may be an icon that indicates to the subscriber that an Internet

advertisement and sends it together with a request to a web site link via the Internet or off-line as required. Since the IP content is intended for display on a low resolution TV screen, any textual information that forms part of the IP content is formatted so as to be legible when displayed on lower resolution TV screens. Generally, this requires reducing the quantity of textual information to a minimum and sizing any text so that it is legible. Often, a web advertiser will wish to create an on-line advertisement based on an existing web page. In such case, it may be necessary to reduce and resize any textual information so as to comply with these requirements.

The request specifies calendar and program data as explained above, which the web site operator checks for availability and type, defining to which group of users it belongs. If the required time slots are available for the requested channels, the site operator confirms the request and forwards the request to the web control room for final confirmation. On confirming the request, a status flag of the advertisement is changed so as to indicate that the advertisement is awaiting final confirmation from the web control room. At the web control room the advertisement is checked for content by human evaluators who either approve or reject the advertisement content and, in the case of rejection, may provide reasons therefor. If the advertisement (or other IP content) is approved by the web control center, its status is set to "approved" and the web control center bills the customer and the web site operator adds the advertisement and the scheduling information to the database 19. The customer who is billed is typically the advertiser but may be any entity that is identified by a digital signature associated with the advertisement. If either of the requests for approval is rejected the status of the advertisement is set to "rejected" and the web control room informs the advertiser of the grounds for rejection, allowing the advertiser to change the request and re-send to the web site operator. Optionally, in such case the web server may be adapted to display to the advertiser the occupied timetable and suggest new timetable. Only those advertisements whose status flag indicates that they are approved by the web control room are actually available for transmission. The time slot and channel information associated with any advertisement that is not so approved remain available for other advertisements and will be shown as available to another advertiser who attempts to schedule an advertisement. Only when the advertisement is actually

CLAIMS:

1. A method for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network from a web server to a combiner unit coupled to the TV subscriber channel, the method comprising:

receiving said first data and said second data; and

combining said first data and said second data to form a combined video signal for displaying a first image corresponding to the first data together with a second image corresponding to the second data;

characterized by:

receiving the second data including data that is representative of:

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

storing the second data for off-line processing;

combining said first data and with data representative of said program details image only if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, and conveying said combined video signal to a video input of a TV set in a user premises for displaying a first image corresponding to the first data and having the program details image overlaid thereon within an area occupied by the first image, said program details image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program said IP content broadcast thereby in at least a portion of the TV set.

2. The method according to claim 1, wherein said second data is received at the user premises according to a pre-stored user-profile.

3. The method according to any one of claims 1 to 2, further including:

receiving a command from a user at said user premises; and

resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

4. The method according to any one of claim 1 to 3, further including:

identifying a website address of the program broadcast by the digital data communications network associated with the second data; and

pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

5. The method according to any one of the preceding claims, wherein the second data comprises data representative of more than one of said second images and web site addresses of corresponding IP content to be displayed when selecting a respective one of the second images.

6. The method according to claim 5, further including:

periodically accessing a web server for downloading said second data;

extracting from the second data the second images and the respective web site corresponding to each of said second images;

storing the program details images;

if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, displaying a respective one of the second images and accessing the respective web site corresponding to the displayed program details image and extracting and buffering IP content therefrom.

7. The method according to any one of claims 1 to 6, wherein the second data is supplementary or complementary to the first data.

8. The method according to any one of claims 1 to 7, wherein the program details image includes an icon that indicates to the TV subscriber that Internet content is currently being broadcast and which provides an indication of a nature of said content.

9. The method according to claim 8, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

10. The method according to any one of claims 1 to 7, wherein the program details image contains textual information advising the subscriber to press a particular button on the remote control unit.

11. A TV-Internet Integration Box for facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network, the TV-Internet Integration Box comprising:

respective first and second inputs for receiving said first data and said second data; a combiner unit coupled to the first unit and to the second input for combining said first data and said second data to form a combined video signal; and

a video output coupled to the combiner unit for conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data together with a second image corresponding to the second data;

characterized in that:

said second data includes data representative of :

- a web link indicating a website where an IP content relating to the second data is stored;
- a program details image to be displayed indicative of the IP content;
- timing information indicating when the program details image is to be displayed; and
- one or more TV subscriber channels on which said program details image is to be displayed;

a memory is coupled to the second input and stores the second data for off-line processing;

the combiner unit is responsive to the TV set being tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data for combining said first data with data representative of the program details image so that the program details image is overlaid on the first image and is contained within an area occupied by the first image; and

the video output is adapted to be coupled to a video input of said TV set; and

the program details image is configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.

12. The TV-Internet Integration Box according to claim 11, wherein said second data is received at the user premises according to a pre-stored user-profile

13. The TV-Internet Integration Box according to claim 11 or 12, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed.

14. The TV-Internet Integration Box according to any one of claim 11 to 13, further including:

a receiver for receiving the program broadcast by the digital data communications network together with said second data; and

a processing unit for pre-fetching and buffering the program broadcast by the digital data communications network from said website;

thereby allowing said program to be displayed substantially without delay upon redirection by the user.

15. The TV-Internet Integration Box according to any one of claims 11 to 14, wherein the processing unit is adapted to:

periodically access a web server for downloading said second data;

extract from the second data the program details images and the respective web site corresponding to each of said program details images;

store the program details images; and

if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, displaying a respective one of the program details images and access the respective web site corresponding to the displayed program details image and extract and buffer IP content therefrom.

16. The TV-Internet Integration Box according to any one of claims 11 to 15, wherein the program details image includes an icon that indicates to the TV subscriber that Internet content is currently being broadcast and which provides an indication of a nature of said content.

17. The TV-Internet Integration Box according to claim 16, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

18. The TV-Internet Integration Box according to any one of claims 11 to 15, wherein the program details image contains textual information advising the subscriber to press a particular button on the remote control unit.

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

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
11/794,825	07/06/2007	

APPLICATION AS FILED – PART I

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

APPLICATION AS AMENDED – PART II

AMENDMENT	07/06/2007	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 18	Minus	** 20	= 0	X $25 =	0	OR	X $ =	
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $100 =	0	OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

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

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

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

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

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

Legal Instrument Examiner:
Felicia R. Farmer

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.

DO/ EO WORKSHEET

Patent Application Specialist/ National Stage Division

U.S. Appl. No. 11/ 794,825 International Appl. No. PCT/IL2005/000035

Application filed by : ☐ 20 months ☑ 30 months

WIPO PUBLICATION INFORMATION :

Publication No.: WO200 6/075313 Publication Language : ☑ English ☐ German ☐ Japanese ☐ Chinese ☐ Korean ☐ French ☐ Spanish ☐ Russian ☐ Other : _____

Publication Date : 20 Jul 2006 Not Published : ☐ U.S. only designated ☐ EP request Published : ☐ EP

INTERNATIONAL APPLICATION PAPERS IN THE APPLICATION FILE :

☑ International Application *(RECORD COPY)*

☑ Article 19 Amendments

☑ PCT/IPEA/409 IPER : ☐ EP ☐ JP ☐ SE ☐ AU ☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ ___

☑ Annexes to 409

☐ PCT/ISA/237 : ☐ EP ☐ JP ☐ SE ☐ AU ☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ ___

☐ PCT/IPEA/409 or PCT/ISA/237 was NOT AVAILABLE at the time of paralegal review

☐ Priority Document (s) No. ____

☐ PCT/IB/306

☐ Request form PCT/RO/101

☐ PCT/ISA/210 - Search Report : ☐ EP ☐ JP ☐ SE ☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ ___ ☐ N

☐ Search Report References

☐ N/A

☐ Priority Document was NOT AVAILABLE at the time of paralegal rev

☐ Other : _____

RECEIPTS FROM THE APPLICANT *(other than checked above)* :

☑ Basic National Fee *(or authorization to charge)*

☑ Description ☑ Claims ☑ Abstract

☑ Drawing Figure(s) - (# of drwgs. 7)

☐ Translation of Article 19 Amendments ☐ entered ☐ not entered : ☐ not a page for page substitution ☐ replaced by Article 34 Amendment

☐ Annexes to 409 ☐ entered ☐ not entered : ☐ not a page for page substitution ☐ no translation ☐ other : _____

☐ Application Data Sheet

☐ Power of Attorney

☐ Change of Address

☑ Preliminary Amendment(s) Filed on : 1. ☐ same as 371 request date 2. _____ 3. _____

☐ Information Disclosure Statement(s) Filed on : 1. ☐ same as 371 request date 2. _____ 3. _____

☐ Assignment Document (forwarded to Assignment Branch)

☐ Assignee Statement Under 37 CFR 3.73(b)

☐ Assignee PG Publication Notice

☐ Substitute Specification Filed on : 1. ☐ same as 371 request date 2. _____ 3. _____

☐ Verified Small Status Statement

☑ Oath/ Declaration (executed)

☐ Oath/ Declaration ☐ unsigned ☐ no citizenship ☐ other

☐ DNA Diskette ☐ Sequence Listing

☐ Other : _____

NOTES : ☐ I.A. used as Specification ☐ Other :

35 U.S.C. 371 - Receipt of Request (PTO-1390)	06 July 07
Date Acceptable Oath/ Declaration Received ☐ Same as 371 Req. Date;	
Date of Completion of requirements under 35 U.S.C. 371 ☐ Same as 371 Req. Date; ☐ Same as OATH Date;	
Date of Completion of DO/ EO 903 - Notification of Acceptance	
Date of Completion of DO/ EO 905 - Notification of Missing Requirements	
Date of Completion of DO/ EO 909 - Notification of Abandonment	
Date of Completion of DO/ EO 916 - Notification of Defective Response	
Date of Completion of DO/ EO 922 - Notification to Comply w/ Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures	
Date of Completion of DO/ EO 923	

PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

Application or Docket Number: 11-794,825

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)	SMALL ENTITY TYPE ☐ RATE	FEE	OR	OTHER THAN SMALL ENTITY RATE	FEE
U.S. NATIONAL STAGE FEES							
BASIC FEE	SMALL ENT. = $ 150	LARGE ENT. = $ 300	BASIC FEE	150	OR	BASIC FEE	
EXAMINATION FEE	Satisfies PCT Article 33(1)-(4) = $ 50 / $ 100	All other situations = $ 100 / $ 200	EXAM. FEE	100		EXAM. FEE	
SEARCH FEE	U.S. is ISA = $ 50 / $ 100 ALL other countries = $ 200 / $ 400	ALL other situations = $ 250 / $ 500	SEARCH FEE	200		SEARCH FEE	
FEE FOR EXTRA SPEC. PGS.	minus 100 =	/ 50 =	X $ 125 =			X $ 250 =	
TOTAL CHARGEABLE CLAIMS	18 minus 20 =	*	X $ 25 =		OR	X $ 50 =	
INDEPENDENT CLAIMS	2 minus 3 =	*	X $ 100 =		OR	X $ 200 =	
MULTIPLE DEPENDENT CLAIM PRESENT ☐			+ $ 180 =		OR	+ $ 360 =	
			TOTAL	450	OR	TOTAL	

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

CLAIMS AS AMENDED - PART II

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

SMALL ENTITY RATE	ADDITIONAL FEE	OR	OTHER THAN SMALL ENTITY RATE	ADDITIONAL FEE
X $ 25 =		OR	X $ 50 =	
X $ 100 =		OR	X $ 200 =	
+ $ 180 =		OR	+ $ 360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

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

RATE	ADDITIONAL FEE	OR	RATE	ADDITIONAL FEE
X $ 25 =		OR	X $ 50 =	
X $ 100 =		OR	X $ 200 =	
+ $ 180 =		OR	+ $ 360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

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

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

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

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

MULTIPLE DEPENDENT CLAIM FEE CALCULATION SHEET

(FOR USE WITH FORM PTO-875)

SERIAL NO: 11/794,825 | FILING DATE:

APPLICANT(S):

CLAIMS

	AS FILED		AFTER 1st AMENDMENT		AFTER 2nd AMENDMENT	
	IND.	DEP.	IND.	DEP.	IND.	DEP.
TOTAL IND.	2	↓		↓		↓
TOTAL DEP.	16	←		←		←
TOTAL CLAIMS	18					

	AS FILED		AFTER 1st AMENDMENT		AFTER 2nd AMENDMENT	
	IND.	DEP.	IND.	DEP.	IND.	DEP.
TOTAL IND.		↓		↓		↓
TOTAL DEP.		←		←		←
TOTAL CLAIMS						

PTO-1344 (REV. 9/93)

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
11/794,825	07/06/2007	2623	450	28462U	18	2

CONFIRMATION NO. 5316

20529
NATH & ASSOCIATES
112 South West Street
Alexandria, VA22314

FILING RECEIPT

Date Mailed: 09/26/2007

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 write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Yakkov Merlin, Raanana, ISRAEL;

Power of Attorney: The patent practitioners associated with Customer Number 20529

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IL05/00035 01/11/2005

Foreign Applications

If Required, Foreign Filing License Granted: 09/24/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US11/794,825**

Projected Publication Date: 01/03/2008

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts

Preliminary Class

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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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.

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
11/794,825	Yakkov Merlin	28462U

INTERNATIONAL APPLICATION NO.	
PCT/IL05/00035	
I.A. FILING DATE	PRIORITY DATE
01/11/2005	

20529
NATH & ASSOCIATES
112 South West Street
Alexandria, VA 22314

CONFIRMATION NO. 5316

371 ACCEPTANCE LETTER

OC000000025983306

Date Mailed: 09/26/2007

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

07/06/2007	07/06/2007
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** *The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363).* Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 07/06/2007
- Copy of the International Search Report filed on 07/06/2007
- Copy of IPE Report filed on 07/06/2007
- Preliminary Amendments filed on 07/06/2007
- Oath or Declaration filed on 07/06/2007
- Request for Immediate Examination filed on 07/06/2007
- U.S. Basic National Fees filed on 07/06/2007

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

ANITA D JOHNSON
Telephone: (703) 308-9140 EXT 226

PART 3 - OFFICE COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

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
11/794,825	07/06/2007	Yakkov Merlin	28462U

CONFIRMATION NO. 5316

20529
NATH & ASSOCIATES
112 South West Street
Alexandria, VA22314

Date Mailed. 12/07/2007

NOTICE OF NEW OR REVISED PROJECTED PUBLICATION DATE

The above-identified application has a new or revised projected publication date. The current projected publication date for this application is 02/21/2008. If this is a new projected publication date (there was no previous projected publication date), the application has been cleared by Licensing & Review or a secrecy order has been rescinded and the application is now in the publication queue.

If this is a revised projected publication date (one that is different from a previously communicated projected publication date), the publication date has been revised due to processing delays in the USPTO or the abandonment and subsequent revival of an application. The application is anticipated to be published on a date that is more than six weeks different from the originally-projected publication date.

More detailed publication information is available through the private side of Patent Application Information Retrieval (PAIR) System. The direct link to access PAIR is currently http://pair.uspto.gov. Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Questions relating to this Notice should be directed to the Office of Patent Publication at 1-888-786-0101.

PART 1 - ATTORNEY/APPLICANT COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

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Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/794,825	07/06/2007	Yakkov Merlin	28462U

CONFIRMATION NO. 5316

20529
NATH & ASSOCIATES
112 South West Street
Alexandria, VA22314

Title: Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts

Publication No. US-2008-0046942-A1
Publication Date: 02/21/2008

NOTICE OF PUBLICATION OF APPLICATION

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

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

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

Pre-Grant Publication Division, 703-605-4283

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OCT 27 2008
PATENT & TRADEMARK OFFICE

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Atty. Docket No. 28462U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

YAKKOV, Merlin

Group Art Unit: 2623

Examiner: Unknown

Serial No.: 11/794,825

Filed: July 6, 2007

Title: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

TRANSMITTAL LETTER

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

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

1) Transmittal Letter;
2) Information Disclosure Statement;
3) PTO Form 1449 citing 17 references; and
4) 5 references attached.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

By: _____

Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Customer No. 20529

Date: October 27, 2008
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
TEL: (703)548-6284
FAX: (703)683-8396
GMN/JLM/jag:IDS_FR&Trans

OIPE
OCT 27 2008
PATENT & TRADEMARK OFFICE
MAP21

Atty. Docket No. 28462U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

YAKKOV, Merlin

Group Art Unit: 2623

Examiner: Unknown

Serial No.: 11/794,825

Filed: July 6, 2007

Title: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

INFORMATION DISCLOSURE STATEMENT

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

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[**NOTE**: One only of items a, b, c, and d must be checked.]

[**X**] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:
[ ] i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
[ ] ii. a check in the amount required by 37 C.F.R. § 1.17(p).

[ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.
[ ] Certification report(e) below; and
[ ] A check in the amount as required by § 1.17(p).

[ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.

[ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[**X**] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[**X**] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

And/or

[**X**] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

or Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Atty. Docket No. 28462U

Respectfully submitted,
THE NATH LAW GROUP

By: _____

Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Customer No. 20529

Date: October 27, 2008
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
TEL: (703)548-6284
FAX: (703)683-8396
GMN/JLM/jag:IDS_FR&Trans

OIPE IAP31 OCT 27 2008 PATENT & TRADEMARK OFFICE

PTO FORM-1449 INFORMATION DISCLOSURE CITATION	Atty Docket No: 28462U	Serial No.: 11/794,825
	Applicant: Merlin Yakkov	Examiner: Unknown
	Filing Date: July 6, 2007	Group Art Unit: 2623

U.S. PATENT DOCUMENTS

Exam. Initial		Document No.	Issue/Pub. Date	Inventor	Filed Date
	A1	2004/0107437	3 Jun. 2004	Reichardt, M. Scott et al.	11 Jul. 2003
	A2	6,240,555	29 May 2001	Shoff et al.	29 Mar. 1996
	A3	6,351,270	26 Feb. 2002	Nishikawa et al.	1 Mar. 1999
	A4	6,606,746	12 Aug. 2003	Zdepski et al.	17 Jun. 1998
	A5	2002/0093594	18 Jul. 2002	Kikinis, Dan	4 Dec. 2001
	A6	6,130,898	10 Oct. 2000	Kostreski et al.	25 Nov. 1997
	A7	2002/0088004	4 Jul. 2002	Kitsukawa, Tadamasa et al.	21 Apr. 2001
	A8	6,727,918	27 Apr. 2004	Nason	28 Nov. 2000
	A9	2004/0221308	4 Nov. 2004	Cuttner, Craig D. et al.	7 Jan. 2004
	A10	2004/0064835	1 Apr. 2004	Bellwood, Thomas Alexander, et al.	26 Sep. 2002
	A11	6,501,557	31 Dec. 2002	Abe	7 Mar. 1995
	A12	6,760,324	6 Jul. 2004	Scott et al.	10 Sep. 1999

FOREIGN PATENT DOCUMENTS

Exam. Initial		Document No.	Pub. Date	Country	Translation
	A13	02/19689	7 Mar. 2002	WIPO	N/A
	A14	00/08855	17 Feb. 2000	WIPO	N/A
	A15	03/015406	20 Feb. 2003	WIPO	N/A
	A16	00/07372	10 Feb. 2000	WIPO	N/A
	A17	2,239,293	27 Oct. 2004	RU	Abstract

OTHER

Exam. Initial	(Including Author, Title, Date, Pertinent Pages, etc.)

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 03/17/2010

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
03/17/2010	PAPER

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

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

Office Action Summary	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK D. FEATHERSTONE	2423	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1)☒ Responsive to communication(s) filed on *06 July 2007*.

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

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

Disposition of Claims

4)☒ Claim(s) *19-36* is/are pending in the application.

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

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-36* is/are rejected.

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

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

Application Papers

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

10)☒ The drawing(s) filed on *06 July 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

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

DETAILED ACTION

Claim Rejections - 35 USC § 102

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

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 19, 21-23, 25-26, 28-29, 31-32, 34, and 36 are rejected under 35 U.S.C. 102(a) as being anticipated by Reichardt et al, US PG Pub # 20040107437, hereinafter Reichardt.

With regard to claim 19, Reichardt discloses a method for facilitating first data (paragraph [0053], television programming is distributed on multiple analog or digital channels) broadcast over a TV subscriber channel (figure 2c, item 20 and paragraph [0052], communications path can be multiple analog or digital channels) to be displayed simultaneously together (fig. 8, and paragraph [0088], hybrid screen to show interactive content as well as programming) with second data conveyed via a digital data communications network (paragraph [0052], communications path can be digital channels or internet) from a web server (figure 2c, item 61 and paragraph [0060]) to a combiner unit coupled to the TV subscriber channel (figure 2c, item 22 and paragraph [0061], user television equipment), the method comprising:

receiving said first data and said second data (fig. 3, item 26 video and data in)

said second data including data that is representative of:

a web link indicating a website where an IP content relating to the second data is stored (paragraph [0040], data provided by the main facility can be an internet web link)

a program details image to be displayed indicative of the IP content (paragraph [0090], the interactive guide can display a linked interactive advertisement, corresponding to a details image indicative of the internet content)

timing information indicating when the program details image is to be displayed (paragraph [0090], the program data can include timing information on when to display the linked advertisements)

one or more TV subscriber channels on which said program details image is to be displayed (fig. 10c and paragraph [0096], an advertisement can be displayed on conventional television programming)

storing the second data for off-line processing (paragraph [0075], the user television equipment 22 has memory 63 for storing the instructions, data)

combining said first data and with data representative of said program details image (figure 9A-9D and 10c) only if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data (paragraph [0090], program guide data can include times to display interactive content, if the TV is not tuned to that channel, the interactive screen will not be displayed), and conveying said combined video signal to a video input of a TV set (fig. 3, item 38 TV input and item 36 TV) in a user premises for displaying a first image corresponding to the first data and having the program details image overlaid thereon (fig. 10c) within an area occupied by the first image, said program details image being configured to allow a user

at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program said IP content broadcast thereby in at least a portion of the TV set (fig. 10E, the program is displayed along with interactive content which the user can interact with (for example shop for CDs "YES" or "NO") and this content is displayed in a portion of the TV set).

With regard to claim 21, Reichardt further discloses receiving a command from a user at said user premises; and resizing said portion of the TV set in which the program broadcast by the digital data communications network is displayed (paragraph [0096], a user selects an alert icon (corresponding to receiving a command from a user) and the programming may be resized for additional advertisements to be displayed).

With regard to claim 22, Reichardt further discloses identifying a website address of the program broadcast by the digital data communications network associated with the second data (paragraph [0063], obtaining a program guide data from a website, this can be done via a web browser; figure 3, set top box 28 with video and data in 26)

pre-fetching and buffering the program broadcast by the digital data communications network from said website (fig. 3, item 28 set top box with memory 44 and digital storage 31);

thereby allowing said program to be displayed substantially without delay upon redirection by the user (paragraph [0065-0067], the programs may be stored on storage device 31 or 32 for playback, involving less delay than receiving the program via the network).

With regard to claim 23, Reichardt further discloses wherein the second data comprises data representative of more than one of said second images and web site addresses of corresponding IP content to be displayed when selecting a respective one of the second images (figure 10E, when selecting N'SYNC CD to the shopping cart, the user can then shop for more CDs, corresponding to more than image to be displayed see fig. 10F).

With regard to claim 25, Reichardt further discloses wherein the second data is supplementary or complementary to the first data (figures 10B-10C and paragraph [0096], the CD interactive content is complementary to the TV Music News segment).

With regard to claim 26, Reichardt further discloses wherein the program details image includes an icon that indicates to the TV subscriber that Internet content is currently being broadcast and which provides an indication of a nature of said content (figure 10C-D, the image includes an icon 1000 that indicates that supplementary content is available related to the 'N SYNC segment, the icon expands in fig. 10D to indicate that a CD is available for purchase).

With regard to claim 28, Reichardt further discloses wherein the program details image contains textual information advising the subscriber to press a particular button on the remote control (fig. 10C, item 1000, icon with textual information advising the user to invoke the icon which entails pressing a particular button on the remote control 40).

Claims 29, 31-32, 34, and 36 are the system claims corresponding to method claims 19, 21-22, 26, and 28, and are analyzed and rejected accordingly.

Claim Rejections - 35 USC § 103

3. 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.

4. Claims 20 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichardt in view of Killian et al, US Patent # 7340457, hereinafter Killian.

With regard to claim 20, Reichardt discloses the method according to claim 19, however fails to disclose wherein said second data is received at the user premises according to a pre-stored user-profile. In an analogous art, Killian discloses supplementing television content with supplemental data (abstract). In figure 3A-3B, Killian illustrates providing supplemental information to the user, such as a car advertisement. In column 6, lines 26-49, Killian discloses that the content is customized based on user profile. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Killian to supply the supplemental content to the user based on a user profile to the system of Reichardt which supplies supplemental content to the user in order to target the advertisement to the specific viewer (Killian, column 1, lines 60-65).

Claim 30 is the system claim corresponding to method claim 20, and is analyzed and rejected accordingly.

5. Claims 27 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichardt in view of Aratani et al, US Patent # 7124430, hereinafter Aratani.

With regard to claim 27, Reichardt discloses the method according to claim 26 including selecting specific internet content, however fails to disclose pressing a color-coded button on a remote control in accordance with a color of said icon. Aratani discloses an interface in which the color coded icons on the screen correspond to the color coded buttons on the remote controller (fig. 7A, item 701 and column 7, lines 17-25). Accordingly, it would have been obvious to combine this feature of Aratani to the system of Reichardt with the predictable results of icons that match the color buttons on the remote control for user friendliness.

Claim 35 is the system claim corresponding to method claim 27, and is analyzed and rejected accordingly.

6. Claims 24 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichardt in view of Akiyama et al, WO 0219689, hereinafter Akiyama.

With regard to claim 24, Reichardt discloses the method according to claim 23 including extracting from the second data the second images and the respective website corresponding to each of said second images (paragraph [0040], data provided by the main facility can be an internet web link – see claim 1 rejection). Reichardt further discloses if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data (paragraph [0090], the program data can include timing information on when to display the linked advertisements), displaying a respective one of the second images and accessing the respective web site corresponding to the displayed program details image (fig. 10c and paragraph [0096], an advertisement can be displayed on conventional television

programming) and extracting and buffering IP content therefrom (paragraph [0075], the user television equipment 22 has memory 63 for storing the instructions, data)

In an analogous art, Akiyama discloses a similar interactive television system which downloads content from a web server 14 (figure 1) and TV content from a TV source 28. Akiyama further discloses periodically accessing a web server for downloading said second data (page 7, the ITV content is periodically updated via the internet).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Akiyama to periodically access the web server for downloading ITV content to the system of Reichardt which teaches accessing a web server for downloading ITV content in order to keep the content updated (Akiyama, page 7).

Claim 33 is the system claim corresponding to method claim 24, and is analyzed and rejected accordingly.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571) 270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

E-Signed

/Mark Featherstone/ - Assistant Examiner

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423

Notice of References Cited	Application/Control No. 11/794,825	Applicant(s)/Patent Under Reexamination MERLIN, YAKKOV	
	Examiner MARK D. FEATHERSTONE	Art Unit 2423	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0107437 A1	06-2004	Reichardt et al.	725/037
*	B	US-7,124,430 B2	10-2006	Aratani et al.	725/142
*	C	US-7,340,457 B1	03-2008	Killian et al.	707/5
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	WO 0219689 A2	03-2002	World Intellect	AKIYAMA T et al.	
	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
	11794825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D FEATHERSTONE	2423

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

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

CLAIM		DATE								
Final	Original	11/04/2009								
	19	✓								
	20	✓								
	21	✓								
	22	✓								
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	32	✓								
	33	✓								
	34	✓								
	35	✓								
	36	✓								

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11794825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D FEATHERSTONE	2423

SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
East Text Search725/32-36	11/3/2009	MF

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

OIPE OCT 27 2008 PATENT & TRADEMARK OFFICE MAP31

PTO FORM-1449 INFORMATION DISCLOSURE CITATION	Atty Docket No: 28462U	Serial No.: 11/794,825
	Applicant: Merlin Yakkov	Examiner: Unknown
	Filing Date: July 6, 2007	Group Art Unit: 2623

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Exam. Initial		Document No.	Issue/Pub. Date	Inventor	Filed Date
	A1	2004/0107437	3 Jun. 2004	Reichardt, M. Scott et al.	11 Jul. 2003
	A2	6,240,555	29 May 2001	Shoff et al.	29 Mar. 1996
	A3	6,351,270	26 Feb. 2002	Nishikawa et al.	1 Mar. 1999
	A4	6,606,746	12 Aug. 2003	Zdepski et al.	17 Jun. 1998
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	A14	00/08855	17 Feb. 2000	WIPO	N/A
	A15	03/015406	20 Feb. 2003	WIPO	N/A
	A16	00/07372	10 Feb. 2000	WIPO	N/A
	A17	2,239,293	27 Oct. 2004	RU	Abstract

OTHER

Exam. Initial	(Including Author, Title, Date, Pertinent Pages, etc.)

Examiner	Date Considered
/Mark Featherstone/	11/04/2009

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.F

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	22	US-20040107437-$.DID. OR US-6240555-$.DID. OR US-6351270-$.DID. OR US-6606746-$.DID. OR US-20020093594-$.DID. OR US-6130898-$.DID. OR US-20020088004-$.DID. OR US-6727918-$.DID. OR US-20040221308-$.DID. OR US-20040064835-$.DID. OR US-6501557-$.DID.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:39
S1	5	"2004107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:56
S2	2	"20040107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:57
S4	28	(supplement$4 adj2 content) with profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:20
S5	2086	725/32-36.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22

S6	0	S5 with (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S7	1101	S5 and(supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S8	1101	S5 and (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S9	1325	S5 and (enhance$3 supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S10	70308	S9 and (web near2 server) (internet near2 server)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S11	362	S9 and ((web near2 server) (internet near2 server))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S12	203	S11 and interactive	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:24
S14	191	color with (remote) with icon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 01:29

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BIB DATA SHEET

CONFIRMATION NO. 5316

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
11/794,825	07/06/2007	725	2423	28462U

APPLICANTS
Yakkov Merlin, Raanana, ISRAEL;

**** CONTINUING DATA ***************************
This application is a 371 of PCT/IL05/00035 01/11/2005

**** FOREIGN APPLICATIONS ***************************

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
09/24/2007

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /MARK D FEATHERSTONE/ Examiner's Signature	☐ Met after Allowance Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		ISRAEL	7	18	2

ADDRESS

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
UNITED STATES

TITLE

Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts

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

Mail Stop AMENDMENT
Attorney Docket No. **28642U**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin

Application No.: **11/794,825**

Filed: July 6, 2007

Conf. No.: 5316

Examiner: Mark D. Featherstone

Group Art Unit: 2423

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

RESPONSE UNDER 37 CFR 1.111

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

Dear Commissioner:

This Response is submitted responsive to the Official Action dated March 17, 2010, making a response due on or before September 17, 2010 with the concurrently submitted petition and fee for a three-month Extension of Time. Accordingly, this Response is timely filed.

Amendments to the claims begin on page **2** of this paper.

Remarks/Arguments begin on page **13** of this paper.

A **Conclusion** appears at page **24** of this paper.

AMENDMENTS TO THE CLAIMS

Please **AMEND** the claims as follows. This listing of claims replaces all prior versions of claims in this application.

1 – 18. Canceled

19. (Currently amended) A method for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data ~~facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network from a web server to a combiner unit coupled to the TV subscriber channel~~, the method comprising:

providing a combiner unit at the user's premises, the combiner unit is coupled to a TV set and connected to a TV tuner at the user's premises, and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and

wherein said overlay-enabling digital data includes at least: ~~receiving said first data and said second data; and~~

~~combining said first data and said second data to form a combined video signal for displaying a first image corresponding to the first data together with a second image corresponding to the second data;~~

~~said second data including data that is representative of:~~

- a web link indicating a website where ~~an IP~~ content that is associated with said overlay-enabling digital ~~relating to the second~~ data is stored;
- an ~~program details~~ image ~~to be displayed~~ indicative of the ~~IP~~ content associated with said overlay-enabling digital data;
- an overlay activation criterion ~~timing information indicating when the program details image is to be displayed~~; and
- ~~one or more TV subscriber channels on which said program details image is to be displayed;~~ processing at the user's premises said overlay-enabling digital data and generating at the user's premises a corresponding overlay only if said activation criterion is met, wherein said generating an overlay includes:

generating at the user's premises a combined display screen including at least a first portion corresponding to said video signals and a second portion corresponding at least to said image, and

associating a Web link with said second portion of the combined video display thereby allowing a user to cause the combiner unit to retrieve said content, generate a video display screen including at least a portion which corresponds to said content, and input the display screen to said TV set.

~~storing the second data for off-line processing;~~

~~combining said first data and with data representative of said program details image only if the TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data, and conveying said combined video signal to a video input of a TV set in a user premises for displaying a first image corresponding to the first data and having the program details image overlaid thereon within an area occupied by the first image, said program details image being configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program said IP content broadcast thereby in at least a portion of the TV set.~~

20. (Currently amended) The method according to claim 19, wherein said overlay-enabling digital ~~second~~ data is received at the user premises according to a pre-stored user-profile.

21. (Currently amended) The method according to claim 19, further including:

receiving a command from a user at said user premises; and

responsive to said command, resizing said first portion and/or said second portion of ~~the~~ said combined display screen. ~~TV set in which the program broadcast by the digital data communications network is displayed.~~

22. (Currently amended) The method according to claim 19, wherein ~~further including: identifying~~ the content stored at said [[a]] website ~~address of the program broadcast by the digital data communications network associated with the second data~~ enables streaming of digital data over the Internet; and

said method further including: pre-fetching and buffering ~~the~~ said digital data stream ~~program broadcast by the digital data communications network~~ from said website[[;]], thereby allowing said ~~program~~ digital data stream to be displayed substantially without delay upon redirection by the user.

23. (Currently amended) The method according to claim 19, wherein the ~~second~~ overlay-enabling digital data comprises data representative of one or more ~~more than one of said~~ second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where ~~of corresponding~~ IP content associated with the respective second image is stored, and wherein said generating an overlay further includes within said combined display said one or more second images. ~~to be displayed when selecting a respective one of the second images.~~

24. (Currently amended) The method according to claim 23, further including:

periodically accessing a web server for downloading said ~~second~~ overlay-enabling digital data;

extracting from the overlay-enabling digital ~~second~~ data ~~the~~ said one more second images and the respective web sites corresponding to each of said second images;

retrieving and storing ~~the~~ digital content from said web sites ~~program details images~~; and

if the ~~TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data~~ overlay activation criterion is met and a user command that is associated with an image from amongst said one or more second images is identified, displaying the respective image from amongst ~~a respective one of~~ the second images, ~~and~~ accessing the respective web site ~~corresponding to~~ associated with the displayed ~~program details~~ image and extracting and buffering ~~IP~~ content ~~therefrom~~ from the website.

25. (Currently amended) The method according to claim 19, wherein the overlay-enabling digital ~~second~~ data is supplementary or complementary to the ~~first data~~ video signals.

26. (Currently amended) The method according to claim 19, wherein the ~~program details~~ image includes an icon that indicates to the ~~TV subscriber~~ user that digital data from Internet content is currently being ~~broadcast~~ displayed and which provides an indication of a nature of said Internet content.

27. (Previously Presented) The method according to claim 26, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

28. (Currently amended) The method according to claim 19, wherein the ~~program details~~ image contains textual information advising the ~~subscriber~~ user to press a particular button on the remote control unit.

29. (Currently amended) A TV-Internet Integration Box for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, ~~facilitating first data broadcast over a TV subscriber channel to be displayed simultaneously together with second data conveyed via a digital data communications network,~~ the TV-Internet Integration Box comprising:

a combiner unit at a user's premises coupled to a TV tuner and connected to a TV set, and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and

wherein said overlay-enabling digital data includes at least:

~~respective first and second inputs for receiving said first data and said second data; a combiner unit coupled to the first unit and to the second input for combining said first data and said second data to form a combined video signal; and~~

~~a video output coupled to the combiner unit for conveying said combined video signal to a TV set in a user premises for displaying a first image corresponding to the first data together with a second image corresponding to the second data;~~

~~wherein said second data includes data representative of :~~

- a web link indicating a website where ~~an IP~~ content that is associated with said overlay-enabling digital ~~relating to the second~~ data is stored;
- an ~~program details~~ image ~~to be displayed~~ indicative of the ~~IP~~ content associated with said overlay-enabling digital data;
- an overlay activation criterion ~~timing information indicating when the program details image is to be displayed~~; [[and]] wherein
- ~~one or more TV subscriber channels on which said program details image is to be displayed;~~

~~a memory is coupled to the second input and stores the overlay-enabling digital data for off-line processing;~~

the combiner unit is responsive to an overlay activation criterion being met for ~~the TV set being tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data for combining said first data with data representative of the program details image so that the program details image is overlaid~~

~~on the first image and is contained within an area occupied by the first image~~ generating a corresponding overlay, including:[[; and]]

generating at the user's premises a combined display screen including at least a first portion corresponding to said video signals and a second portion corresponding at least to said image, and

associating a Web link with said second portion of the combined video display thereby allowing a user to cause the combiner unit to retrieve said content, and generate a video display screen including at least a portion which corresponds to said content; and

[[the]] a video output interface, coupled to or integrated within the combiner unit and~~, is adapted~~ configured to be coupled to a video input of said TV set and to display said combined display screen or said video display screen.~~; and~~

~~the program details image is configured to allow a user at said user premises to interact therewith for redirecting to the digital data communications network and displaying a program broadcast thereby in at least a portion of the TV set.~~

30. (Currently amended) The TV-Internet Integration Box according to claim 29, wherein said overlay-enabling digital ~~second~~ data is received at the user premises according to a pre-stored user-profile.

31. (Currently amended) The TV-Internet Integration Box according to claim 29, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said first portion and/or said second portion of ~~the TV set~~ said combined display screen in response to said command. ~~in which the program broadcast by the digital data communications network is displayed.~~

32. (Currently amended) The TV-Internet Integration Box according to claim 29, further including:

a receiver for receiving ~~the program broadcast by~~ a digital data stream, wherein the stream of the digital data is enabled by the content stored at said website ~~the digital data communications network together with said second data~~; and

a processing unit for pre-fetching and buffering ~~the program broadcast by the~~ said digital data stream ~~digital data communications network~~ from said website[[;]], thereby allowing said ~~program~~ digital data stream to be displayed substantially without delay upon redirection by the user.

33. (Currently amended) The TV-Internet Integration Box according to claim 29, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored,

and wherein the combiner unit ~~the processing unit~~ is ~~adapted~~ configured to:

periodically access a web server for downloading said overlay-enabling digital ~~second~~ data;

extract from the overlay-enabling digital ~~second~~ data said one or more second images ~~the program details images~~ and the respective web sites corresponding to each of said ~~program details~~ second images;

retrieve and store ~~the program details images~~ digital content from said web sites; and

if the ~~TV set is tuned to one of said TV subscriber channels during a time that conforms to the timing information embedded in the second data~~ overlay activation criterion is met, and a user command that is associated with an image from amongst said one or more second images is identified, display~~ing a~~ the respective image from amongst the ~~second one of the program details~~ images, ~~and~~ access the respective web site ~~corresponding to~~ associated with the displayed ~~program details~~ image and extract and buffer ~~IP~~ content ~~therefrom~~ from the website.

34. (Currently amended) The TV-Internet Integration Box according to claim 29, wherein the ~~program details~~ image includes an icon that indicates to the ~~TV subscriber~~ user that digital data from Internet content is currently being ~~broadcast~~ displayed and which provides an indication of a nature of said Internet content.

35. (Previously Presented) The TV-Internet Integration Box according to claim 34, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

36. (Currently Amended) The TV-Internet Integration Box according to claim 29, wherein the ~~program details~~ image contains textual information advising the ~~subscriber~~ user to press a particular button on the remote control unit.

37. (New) The TV-Internet Integration Box according to claim 29, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

38. (New) The method according to claim 19, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

39. (New) The method according to claim 23,further comprising displaying a respective IP content when a corresponding one of said one or more second images is selected

REMARKS

Summary of the Office Action

Claims 19, 21 – 23, 25, 26, 28, 29, 31, 32, 34, and 36 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Pre-Grant Publication No. 2004/0107437 ("Reichardt").

Claims 20 and 30 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Reichardt in view of U.S. Patent No. 7,340,457 ("Killian").

Claims 27 and 35 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Reichardt in view of U.S. Patent No. 7,124,430 ("Aratani").

Claims 24 and 33 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Reichardt in view of WO 0219689 ("Akiyama").

Summary of the Response to the Office Action

Applicant amends claims 19 – 26, 28 – 34, and 36, and add new claims 36 – 39. Claims 1 – 18 were previously canceled without prejudice or disclaimer.

Applicant requests entry of the present Amendment and reconsideration and timely withdrawal of the pending objections and rejections for at least the reasons discussed below.

I. The rejection of claims 19, 21 – 23, 25, 26, 28, 29, 31, 32, 34, and 36 under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Pre-Grant Publication No. 2004/0107437 ("Reichardt")

Applicant respectfully submits that the rejections of claims 19, 21 – 23, 25, 26, 28, 29, 31, 32, 34, and 36 must be withdrawn because the cited reference does not disclose, teach, or suggest all of the features of the claimed subject matter. "Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W.L. Gore & Assocs. V. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, "when evaluating the scope of a claim, every limitation in the claim must be considered. U.S.P.T.O. personnel may not dissect a claimed invention into discrete elements and then evaluate the elements in isolation. Instead, the claim as a whole must be considered." *U.S.P.T.O. Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, page 9, October 26, 2005. As the Federal Circuit stated, "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Col.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)).

Here, amended independent claim 19 recites in part:

A method for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the method comprising:

*providing a combiner unit **at the user's premises**...*
*processing **at the user's premises** said overlay-enabling digital data and generating **at the user's premises** a corresponding overlay only if said activation criterion is met, wherein said generating an overlay includes:*
generating at the user's premises a combined display screen including at least a first portion corresponding to said video signals and a second portion corresponding at least to said image, and
associating a Web link with said second portion of the combined video.

Applicant respectfully submits that Reichardt explicitly states that the process of generating the display screens which contain videos and data is carried out by a screen generator unit which is implemented **within the distribution facility**:

> *"Distribution facility 16 may have screen generator 117 for generating passive video product display screens containing videos and data."* Reichardt at [0051] and FIGS. 2a-2d.

The term "data" is defined by Reichardt as follows:

> *In accordance with the present invention, a main facility (e.g., a satellite uplink facility) may provide data from a data source to any number of distribution facilities... The data transmitted by the main facility to the distribution facilities may include data suitable for the interactive application. For example, the data may include television programming data (e.g., titles, channels, content information, rating information, advertising information, or any other information associated with television programming), and may also include other data for additional services other than television program listings (e.g., weather information, associated Internet web links, computer software, video clips, non-television advertisements etc.). Any suitable combination of programming data and other data may sometimes be referred to herein as "program guide data."* Reichardt at [0011].

Using the interchangeable term "program guide data" Reichardt adds that:

> *"[T]he program guide data transmitted by main facility 12 to application equipment 17 may include television programming data (e.g., program identifiers, times, channels, titles, and descriptions) and other data...(e.g.,...associated Internet web links, associated software, etc.)."* Reichardt at [0040].

Thus, it is clear that Reichardt teaches a system which generates display screens which contain videos **using the screen generator, which is part of the distribution facility**. The term "distribution facility" is known in the art, and is used to describe a facility at a local TV network's office that originates and communicates TV services and other services to the (plurality of) subscribers connected to the infrastructure of this TV network.

> *"As shown in FIGS. 2a-2e, distribution facility 16 may be any suitable distribution facility (e.g., a cable system headend, a broadcast distribution facility, a satellite distribution facility, or any other suitable type of distribution facility)."* Reichardt at [0050].

It is well known to implement interactive television at the cable system headend, *inter alia,* inserting ads and video on demand as shown for example, at the link below: http://www.itvdictionary.com/definitions/headend_head-end_head_end_definition.html. Therefore, it is clear that Reichardt's distribution facility is part of the **public segment of the television network**. At the very least, operations and processes taking place at the public segment of the television network are many times subject to significant regulatory and commercial constraints, including with respect to advertisements and promotional content.

Notwithstanding and in addition to the above, amended claim 19 further recites:

> *"providing a combiner unit at the user's premises...the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein said video signals and said overlay-enabling digital data* ***originate from unrelated source****"* (emphasis added).

Applicant respectfully asserts that Reichardt does not teach and cannot render obvious a method or system which involves a combiner unit operating **at a user's premises**, and whose operation is based on receiving video signals and "program guide data" or "data" which are transmitted to the user's premises **from unrelated sources**. Instead, Reichardt clearly states that both the video and the data are provided to the distribution facility from the main facility:

> *In accordance with the present invention,* ***a main facility (e.g., a satellite uplink facility) may provide data from a data source to any number of distribution facilities****...There may be multiple data sources, some of which may be located at different facilities, which provide data to the main facility for localization and distribution. The data* ***transmitted by the main facility to the distribution facilities*** *may include data suitable for the interactive application. For example, the data may include television programming data (e.g., titles, channels, content information, rating information, advertising information, or any other information associated with television programming), and may also include other data for additional services other than television program listings (e.g., weather information, associated Internet web links, computer software, video clips, non-television advertisements etc.). Any suitable combination of programming data and other data may sometimes be referred to herein as "program guide data."* Reichardt at [0011] (emphasis added).

Furthermore, in paragraph [0038] the function of the main facility within the system as the data source of data for both a passive and an interactive guide is described, as is the communication of such data from the main facility to the distribution facility:

> *As shown in FIG. 1,* ***main facility 12 may provide program guide or other application data*** *from data source 14 within main facility 12* ***to application equipment 17*** *via communications link 18. There may be multiple data sources 14 but only one has been shown to avoid over complicating FIG. 1. If desired, program guide data sources 14 may also be located at facilities separate from main facility 12, such as at local information services 15, and may* ***provide data to main facility 12 for localization and distribution****. Data sources 14 may be any suitable computer or computer based system*

> *for obtaining data...and for putting the data into electronic form* ***for distribution by main facility 12****. Link 18 may be a satellite link, a telephone network link, a cable or fiber optic link, a microwave link, an Internet link, a combination of such links, or any other suitable communications link. If desired, one or more* ***data sources 14 may provide data for both a passive and an interactive guide****. Alternatively, data may be provided by* ***one or more separate data sources 14 for each guide****.* Reichardt at [0038] (emphasis added).

In paragraph [0039] the local communication services communicate the data to the main facility:

> *"Local information service 15 may be any suitable facility for obtaining data particular to a localized region and for providing the data to main facility 12 over communications link 41."* Reichardt at [0039].

And at paragraph [0040] Reichardt described the transmission of "television programming data" and "other data" from the main facility to the application equipment:

> *The program guide data* ***transmitted by main facility 12 to application equipment 17*** *may include television programming data (e.g., program identifiers, times, channels, titles, and descriptions) and other data for services other than television program listings (e.g., help text, pay-per-view information, weather information, sports information, music channel information, associated Internet web links, associated software, etc.* Reichardt at [0040] (emphasis added).

A further statement in this regard is found in paragraph [0041]. At paragraph [0047] the encoding of the program guide or other data at the main facility, and the transmission thereof by the transmitter of the main facility are discussed:

> *Program guide or other application data and videos may be transmitted by transmission system 24 to application equipment 17 via link 18. Transmission system 24 may include any equipment suitable for encoding the program guide data and videos and providing the encoded data and videos to transmitter 111.* Reichardt at [0047].

With respect to video, Reichardt states:

> ***Main facility 12 may also provide videos*** *for passive video products to application equipment 17. Videos...may be transmitted in real-time by main facility 12 to application equipment 17...Alternatively, main facility 12 may transmit or otherwise provide (e.g., on portable storage media) videos to application equipment 17 for storage.* Reichardt at [0042] (emphasis added).

In paragraph [0050] it is clearly stated that the both the video input and the data input are transmitted by the transmitter of the main facility for being received by the receiver of the distribution facility:

> *"As illustrated in FIGS. 2a-2d, distribution facility 16 may have reception system 23 for* ***receiving videos, data, or a suitable combination thereof from transmitter 111*** *using receiver 27."* Reichardt at [0050].

Notwithstanding and in addition to the above, amended claim 19 recites:

> *"...providing a combiner unit at the user's premises...the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein said video signals and said overlay-enabling digital data...****are transmitted to the user's premises by different resources as mutually distinct and independent inputs****..."*

Applicant respectfully asserts that Reichardt does not teach and cannot render obvious a method which involves providing a combiner unit at the user's premises which operates with respect to video signals and overlay-enabling digital data that are **transmitted to the user's premises by different resources as mutually distinct and independent inputs**. Instead, in Reichardt's system, data received at the television equipment and related to the overlay with the video data is transmitted to the user's television equipment through the distribution equipment (element 21 in Reichardt Figs. 2a-2d) and implemented as part of the distribution facility.

> *"The distribution facilities may distribute the program guide data for use by an interactive program guide."* Reichardt at [0014].

In paragraph [0053] the distribution of the passive video product display screens and the television programming by the distribution equipment is described:

> *"Distribution equipment 21 may distribute passive video product display screens on a dedicated channel and, if desired, television programming on multiple analog or digital channels, to multiple users via communications paths 20."* Reichardt at [0053].

The distribution of the program guide or other application data by the same distribution equipment is described in the subsequent paragraph:

> *"Distribution equipment 21 of FIGS. 2a-2d may also include suitable hardware for providing program guide or other application data to user television equipment 22 over communications path 20."* Reichardt at [0054].

That the overlay-enabling data which is received at the television equipment is transmitted to the user's television equipment through the distribution facility is also evident from the numerous citations presented above which describe the provisioning of such data by the main facility to the distribution facility.

Based on all of the foregoing, Applicant respectfully avers that when read as a whole Reichardt teaches away from the method of amended claim 19. As was very clearly shown above, as a key aspect, Reichardt makes use of central TV network facilities as both a source for the video and overlay-enabling digital data (the main facility) and as the distribution means for the video and overlay-enabling digital data (the distribution facility). The claimed subject matter, on the other hand, is directed to an overlay process which takes place entirely at a user's premises based on video signals and overlay-enabling digital data which originate from unrelated sources and

which are transmitted to the user's premises by different resources as mutually distinct and independent inputs. Therefore, the claimed subject matter is neither disclosed nor taught, and cannot be considered obvious in view of Reichardt.

Accordingly, Reichardt fails at least to disclose the method recited in amended independent claim 19. Applicant submits that amended independent claim 29 is an apparatus claim corresponding to independent claim 19, and is therefore allowable over Reichardt for at least the reasons discussed above. Applicant further submits that claims 21 – 23, 25, 26, 28, 31, 32, 34, and 36 are also patentable over Reichardt, at least due to their direct or indirect dependency from patentable claims 19 and 29. Accordingly, Applicant requests that the rejection of claims 19, 21 – 23, 25, 26, 28, 29, 31, 32, 34, and 36 under 35 U.S.C. § 102(b) be withdrawn.

***II. The rejection of claims* 20, 24, 27, 30, 33, and 35 under 35 U.S.C. § 103(a) as allegedly unpatentable over Reichardt in view of Killian, Aratani, or Akiyama**

Applicant respectfully traverses the rejection of claims 20, 24, 27, 30, 33, and 35 under 35 U.S.C. § 103(a) as allegedly unpatentable over Reichardt in view of Killian, Aratani, or Akiyama. Applicant respectfully submits that the combined references do not disclose or suggest all of the claimed features, nor would a person of ordinary skill in the relevant field been prompted to combine the cited prior art in the manner claimed. To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d)

evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741 (2007). Furthermore, even if the prior art may be combined, there must be a reasonable expectation of success, and the reference or references, when combined, must disclose or suggest all of the claim limitations. See *in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As discussed above in the section regarding anticipation, Reichardt fails at least to disclose or suggest all the claim features of independent claims 19 and 29. The secondary references fail to correct this deficiency. Specifically, these secondary references are cited as allegedly teaching additional features of claims 20, 24, 27, 30, 33, and 35, but not for teaching or suggesting the features of claims 19 and 29 discussed above. Thus, even if one of ordinary skill in the art were to combine Reichardt with one or more of the secondary references, the combined references still fail to teach or suggest each and every feature of amended claims 19 and 29. Thus, claims 20, 24, 27, 30, 33, and 35 are allowable at least because they depend from claims 19 and 29.

Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed subject matter, Applicants respectfully submit that claims 20, 24, 27, 30, 33, and 35 are allowable. For

at least these reasons, Applicant respectfully requests that the rejection of claims 20, 24, 27, 30, 33, and 35 under 35 U.S.C. §103(a) be withdrawn.

New Claims 37 – 39

Applicant adds new claims 37 – 39. Applicant submits that new claims 37 – 39 are allowable at least for their dependence from claims 19 or 29, and requests that these claims be allowed.

# # # #

CONCLUSION

Applicant asserts that the claims are in condition for immediate allowance and early notice to that effect is earnestly solicited. Should the Examiner deem that any further action by Applicant's undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: September 16, 2010

/Derek Richmond/

THE NATH LAW GROUP
112 South West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396

Susanne M. Hopkins
Registration No. 33,247
Derek Richmond
Registration No. 45,771
Robert T. Burns
Registration No. 60,545
Customer No. 20529

Electronic Patent Application Fee Transmittal

Application Number:	11794825
Filing Date:	06-Jul-2007
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Filer:	Robert Thomas Burns Jr.
Attorney Docket Number:	28462U

Filed as Small Entity

U.S. National Stage under 35 USC 371 Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 3 months with $0 paid	2253	1	555	555

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
			Total in USD ($)	**555**

Electronic Acknowledgement Receipt

EFS ID:	8429830
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Robert Thomas Burns Jr.
Filer Authorized By:	
Attorney Docket Number:	28462U
Receipt Date:	16-SEP-2010
Filing Date:	06-JUL-2007
Time Stamp:	10:53:42
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$555
RAM confirmation Number	8339
Deposit Account	140112
Authorized User	BURNS,ROBERT T

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	28462U_TL_ROA_3-17-10.pdf	92574 6bef119acbcb749589528bd7156f9b3e78c5c509	no	1
Warnings:					
Information:					
2	Application Data Sheet	28462U_SB14.pdf	1030969 9e16e6277a3df99dea3dbbf2ba7d1b7088657ff6	no	4
Warnings:					
Information:					
3	Extension of Time	28462U_EOT3_ROA_3-17-10.pdf	338374 6ed4dbe719f153521ff5963b2933dd322c56f49f	no	2
Warnings:					
Information:					
4		28462U_ROA_3-17-10.pdf	2362459 59fd381494e1efecdab7a28e44129fda84ea549a	yes	24

Multipart Description/PDF files in .zip description

Document Description	Start	End
Amendment/Req. Reconsideration-After Non-Final Reject	1	1
Claims	2	12
Applicant Arguments/Remarks Made in an Amendment	13	24

Warnings:					
Information:					
5	Fee Worksheet (PTO-875)	fee-info.pdf	30294 0ebe3ff4314d16ac303b2638cf299fbb23513062	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	3854670	

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

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: **11/794,825**	Examiner: Mark D. Featherstone
Filed: July 6, 2007	Group Art Unit: 2423

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

TRANSMITTAL LETTER

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

Dear Commissioner:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

(1) Transmittal Letter;
(2) Application Data Sheet;
(2) Petition for a three-month Extension of Time (EOT); and
(3) Response under 37 C.F.R. 1.111.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency, or credit any overpayment, in connection with this matter to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: September 16, 2010

/Derek Richmond/

THE NATH LAW GROUP
112 South West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396

Susanne M. Hopkins
Registration No. 33,247
Derek Richmond
Registration No. 45,771
Robert T. Burns
Registration No. 60,545
Customer No. 20529

PTO/SB/14 (11-08)
Approved for use through 09/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	28462U
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS	

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.)

Applicant Information:

Applicant 1 Remove

Applicant Authority ◉ Inventor ○ Legal Representative under 35 U.S.C. 117 ○ Party of Interest under 35 U.S.C. 118

Prefix	Given Name	Middle Name	Family Name	Suffix
	Yakkov		MERLIN	

Residence Information (Select One) ○ US Residency ◉ Non US Residency ○ Active US Military Service

City	Raanana	**Country Of Residence**[i]	IL
Citizenship under 37 CFR 1.41(b) [i]	IL		

Mailing Address of Applicant:

Address 1	9 Haeshel Street		
Address 2			
City	Raanana	**State/Province**	
Postal Code	43585	**Country**[i]	IL

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	20529		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS		
Attorney Docket Number	28462U	**Small Entity Status Claimed**	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		**Sub Class (if any)**	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	7	**Suggested Figure for Publication (if any)**	

PTO/SB/14 (11-08)
Approved for use through 09/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	28462U
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS	

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).
Enter either 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	20529		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this 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(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.

Prior Application Status			Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
11794825	a 371 of international	PCT/IL2005/000035	2005-01-11

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 benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. 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(a).

Remove

Application Number	Country [i]	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			◉ Yes ○ No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button. Add

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

Assignee 1 Remove

PTO/SB/14 (11-08)
Approved for use through 09/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	28462U
	Application Number	
Title of Invention	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS	

If the Assignee is an Organization check here. ☒			
Organization Name	TVNGO LTD.		
Mailing Address Information:			
Address 1	11 Hasadna Street, Industrial Zone		
Address 2	POB 2547		
City	Raanana	**State/Province**	
Country [i]	IL	Postal Code	43650
Phone Number		Fax Number	
Email Address			
Additional Assignee Data may be generated within this form by selecting the **Add** button.		Add	

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.					
Signature	/Derek Richmond/			Date (YYYY-MM-DD)	2010-09-16
First Name	Derek	Last Name	Richmond	Registration Number	45771

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 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.

PTO/SB/22 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARMENT OF COMMERCE
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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) **FY 2009** ***(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)***	Docket Number (Optional) 28642U
Application Number 11/794,825	Filed July 6, 2007
For Method and Apparatus for Facilitating Toggling Between Internet and TV Broadcasts	
Art Unit 2423	Examiner Mark D. Featherstone

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

		Fee	Small Entity Fee	
☐	One month (37 CFR 1.17(a)(1))	$130	$65	$
☐	Two months (37 CFR 1.17(a)(2))	$490	$245	$
☑	Three months (37 CFR 1.17(a)(3))	$1110	$555	$ 555
☐	Four months (37 CFR 1.17(a)(4))	$1730	$865	$
☐	Five months (37 CFR 1.17(a)(5))	$2350	$1175	$

☑ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☑ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☑ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-0112.

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

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☑ attorney or agent of record. Registration Number 45,771

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

/Derek Richmond/ — Signature

September 16, 2010 — Date

Derek Richmond — Typed or printed name

703-548-6284 — Telephone Number

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

☑ Total of one (1) 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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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.

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

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
11/794,825	07/06/2007	

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

APPLICATION AS AMENDED – PART II

AMENDMENT 09/16/2010	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
Total (37 CFR 1.16(i))	* 20	Minus	** 20	= 0	X $26 =	0	OR	X $ =	
Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $110 =	0	OR	X $ =	
☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
					TOTAL ADD'L FEE	0	OR	TOTAL ADD'L FEE	

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

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

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

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

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

Legal Instrument Examiner:
/Veronica Day-Everett/

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 10/26/2010

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
10/26/2010	PAPER

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

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

Office Action Summary	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK D. FEATHERSTONE	2423	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1)☒ Responsive to communication(s) filed on *09/16/2010*.

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

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

Disposition of Claims

4)☒ Claim(s) *19-39* is/are pending in the application.

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

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-39* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

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

DETAILED ACTION

Response to Amendment

Response to amendment filed 09/16/2010. Claims 19-26, 28-34, and 36 have been amended. Claims 37-39 are newly added. Claims 19-39 are currently pending.

Response to Arguments

Applicant's arguments with respect to claims 19-39 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 102

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

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

2. Claims 19-20, 22-25, 29-30, 32-33, and 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Akiyama et al, WO 02/19689, hereinafter Akiyama.

With regard to claim 19, Akiyama discloses a method for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the method comprising: providing a combiner unit at the user's premises, the combiner unit is coupled to a TV set and connected to a TV tuner at the user's premises (figure 2, item 22 ITV with connection to display 32 (corresponding to TV set) TV tuner 36, and internet 24), and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet (figure 2, item 26 TV connection, item 24 internet connection, figure 1, item 24 internet and item 26 TV channels over a separate distinct network; see also page 8), wherein said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs (figure 1, item 18 ITV server to provide web content, and separate content provider 28 to provide TV channels; page 8, the source can be a cable television company, satellite dish, etc), and wherein said overlay-enabling digital data includes at least:

a web link indicating a website where content that is associated with said overlay-enabling digital data is stored (page 18, web links are presented to the user that are associated with new stories from web sites and choosing a specific headline causes the ITV system to present the text corresponding to the section of the website containing the data):

an image indicative of the content associated with said overlay-enabling digital data (figure 6, item 102 and page 16, second paragraph, the internet data is shown in panel 102 and television content is displayed in panel 100)::

an overlay activation criterion (page 14-15, when a gateway button is toggled, a gateway screen is shown (see also figure 6); and

processing at the user's premises said over-lay enabling digital data (page 15, the gateway screen is cached from memory 44 or streamed real time from the server) and generating at the user's premises a corresponding overlay only if said activation criterion is met (page 14-15, the gateway screen is presented when the gateway button is toggled or when ITV is turned on), wherein said generating an overlay includes:

generating at the user's premises a combined display screen including at least a first portion corresponding to said video signals and a second portion corresponding at least to said image (figure 6 and page 16, the gateway screen shows both a television content panel 100 (first portion) and the internet content panel 102 (second portion), which shows the interactive content); and

associating a Web link with said second portion of the combined video display thereby allowing a user to cause the combiner unit to retrieve said content (page 17-18, the user can use a point and click device to access the content on the internet panel 102; the internet content panel 102 can present news headlines from one or more news web sites (corresponding to a link), the user can choose a specific headline and the ITV system will present the text corresponding to the headline or the section of the website corresponding to the headline), generate a video display screen including at least a portion which corresponds to said content, and input the display screen to said TV set (figure 2, ITV set 32 receives the signal from the ITV system).

With regard to claim 20, Akiyama further discloses wherein said overlay-enabling digital data is received at the user premises according to a pre-stored user-profile (page 18 and figure 7, user preferences are stored in memory and are used to establish what is presented by the web server on the gateway screen).

With regard to claim 22, Akiyama further discloses wherein the content stored at said website enables streaming of digital data over the internet; and said method further including pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user (page 15, the content can be streamed in real time or cached in memory 44, corresponding to pre-fetching and buffering).

With regard to claim 23, Akiyama further discloses wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored, and wherein said generating an overlay further includes within said combined display said one or more second images (page 14-15, the images can include news headlines the link to one or more news web sites, wherein if the user chooses a specific headline the user is presented with the text corresponding to the headline or the section of the website (corresponding to the website address where the content is stored)

corresponding to the headline; the images are displayed in the internet content panel 102, (corresponding to combined display).

With regard to claim 24, Akiyama further discloses periodically accessing a web server for downloading said over-enabling digital data (page 7, the content is downloaded and periodically updated via the internet) extracting from the overlay-enabling digital data said one or more second images and the respective web sites, corresponding to each of said second images (page 18, the internet panel presents news headlines from one of more news web sites, corresponding to second images and respective web sites); retrieving and storing digital content from said web sites (page 13, the web pages are downloaded from the web server to memory 44); if the overlay activation criterion is met page 14-15, the gateway screen activation button is pressed, corresponding to activation criterion) and a user command that is associated with an image from amongst said one or more second images is identified, displaying the respective image from amongst the second images (page 18, the user selects (corresponding to a user command) from the news headlines a particular displayed news headline), accessing the respective web site associated with the displayed image and extracting and buffering content from the website (page 18, the ITV presents the text corresponding to the head line or the section of the web site corresponding to the headline, (page 15, the gateway screen content is cached in the memory 44 (corresponding to buffered for needed use) or streamed real time from the server).

With regard to claim 25, Akiyama further discloses wherein the overlay-enabling digital data is supplementary or complementary to the video signals (page 16, in a preferred embodiment, the content in the internet panel 102 is related to the content in the television panel 100).

Claims 29, 30, 32, are the system claims corresponding to method claims 19-20, and 22, and are analyzed and rejected accordingly.

Claim 33 is the system claim corresponding to method claim 24, and is analyzed and rejected accordingly.

With regard to claim 37, Akiyama further discloses wherein said display activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscribers channels, a user command information (page 14-15, the gateway screen containing the supplementary information is invoked when a user toggles a gateway screen button (corresponding to a user command).

With regard to claim 38, Akiyama further discloses wherein said display activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscribers channels, a user command information (page 14-15, the gateway screen containing the supplementary information is invoked when a user toggles a gateway screen button (corresponding to a user command).

With regard to claim 39, Akiyama further discloses displaying a respective IP content when a corresponding one of said one of more second images is

selected (Akiyama, page 18, the web site content (corresponding to the IP content from the web server) is displayed when the user selects the image of a news headline).

Claim Rejections - 35 USC § 103

3. 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.

4. Claims 21, 26, 28, 31, 34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama in view of Reichardt et al, US PG Pub # 20030107437, hereinafter Reichardt.

With regard to claim 21, Akiyama fails to disclose receiving a command from a user at said user premises; and responsive to said command, resizing said first portion and/or said second portion of said combined display screen. Reichardt discloses receiving a command from a user at said user premises; and responsive to said command, resizing said first portion and/or said second portion of said combined display screen (paragraph [0096], a user selects an alert icon (corresponding to receiving a command from a user) and the programming may be resized for additional advertisements to be displayed). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Reichardt to resize a portion of the screen to make room for additional content to the system of Akiyama which

discloses multiple portions of a screen with the expected results of the resizing of the panels of Akiyama in order to fit the additional content as taught by Reichardt.

With regard to claim 26, Akiyama discloses the method according to claim 19, however fails to disclose wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content. In an analogous art, Reichardt discloses a method of displaying interactive content while a user is viewing video content (abstract, figure 10D), the interactive content being distributed via any suitable link such as an internet link (paragraph [0055]). In figures 10c-d (corresponding paragraph [0096]), Reichardt discloses an icon 1000 which indicates that indicates that content is being displayed (the opportunity to purchase a CD), the icon indicates to the user that there is a product for sale. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Reichardt of providing an alert icon to the system of Akiyama which provides supplemental content to a user watching TV to provide the user the opportunity to make a purchase of a product related to what the user is watching as described by Reichardt in paragraph [0096]).

With regard to claim 28, Akiyama further fails to disclose wherein the image contains textual information advising the user to press a particular button on the remote unit. Reichardt discloses wherein the image contains textual

information advising the user to press a particular button on the remote unit (figure 10C, item 1000, icon with textual information advising the user to invoke the icon which entails pressing a particular button on the remote control 40).

Claim 31 is the system claim corresponding to method claim 21, and is analyzed and rejected accordingly.

Claim 34 is the system claim corresponding to method claim 26, and is analyzed and rejected accordingly.

Claim 36 is the system claim corresponding to method claim 28, and is analyzed and rejected accordingly.

5. Claims 27 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama in view of Reichardt in view of Aratani et al, US Patent # 7124430, hereinafter Aratani.

With regard to claim 27, Akiyama in view of Reichardt discloses the method according to claim 26 including selecting specific internet content, however fails to disclose pressing a color-coded button on a remote control in accordance with a color of said icon. Aratani discloses an interface in which the color coded icons on the screen correspond to the color coded buttons on the remote controller (fig. 7A, item 701 and column 7, lines 17-25). Accordingly, it would have been obvious to combine this feature of Aratani to the system of Akiyama in view of Reichardt with the predictable results of icons that match the color buttons on the remote control for user friendliness.

Claim 35 is the system claim corresponding to method claim 27, and is analyzed and rejected accordingly.

Conclusion

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

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

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571) 270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/Mark D Featherstone/

Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11794825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D FEATHERSTONE	2423

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

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

CLAIM		DATE								
Final	Original	11/04/2009	10/21/2010							
	19	✓	✓							
	20	✓	✓							
	21	✓	✓							
	22	✓	✓							
	23	✓	✓							
	24	✓	✓							
	25	✓	✓							
	26	✓	✓							
	27	✓	✓							
	28	✓	✓							
	29	✓	✓							
	30	✓	✓							
	31	✓	✓							
	32	✓	✓							
	33	✓	✓							
	34	✓	✓							
	35	✓	✓							
	36	✓	✓							
	37		✓							
	38		✓							
	39		✓							

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11794825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D FEATHERSTONE	2423

SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
East Text Search725/32-36	11/3/2009	MF
Updated East Text Search 725/32-36 - see notes	10/21/2010	MF
Inventor search	10/21/2010	MF

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	207	color with (remote) with icon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:40
L2	2495	725/32-36.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
L3	1611	L2 and (enhance$3 supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
L4	451	L3 and ((web near2 server) (internet near2 server))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
L5	259	L4 and interactive	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
L6	36	(supplement$4 adj2 content) with profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S1	5	"2004107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:56

S2	2	"20040107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:57
S4	28	(supplement$4 adj2 content) with profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:20
S5	2086	725/32-36.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S6	0	S5 with (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S7	1101	S5 and(supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S8	1101	S5 and (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S9	1325	S5 and (enhance$3 supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S10	70308	S9 and (web near2 server) (internet near2 server)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23

S11	362	S9 and ((web near2 server) (internet near2 server))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S12	203	S11 and interactive	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:24
S14	191	color with (remote) with icon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 01:29
S15	22	US-20040107437-$.DID. OR US-6240555-$.DID. OR US-6351270-$.DID. OR US-6606746-$.DID. OR US-20020093594-$.DID. OR US-6130898-$.DID. OR US-20020088004-$.DID. OR US-6727918-$.DID. OR US-20040221308-$.DID. OR US-20040064835-$.DID. OR US-6501557-$.DID.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:39
S16	2	"7340457".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:41
S17	3	"0279869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:48
S18	0	wo adj "0279869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:48

S19	0	wo0279869	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S20	0	wo0219869	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S21	1	wo adj "0219869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S22	1	wo adj "0219689"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S23	3	"0219689"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/18 18:02
S25	109	(overlay with link) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/19 15:07
S26	15	(overlay with (hyperlink (hyper adj link))) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/19 15:09
S27	2	"US 20080046942"	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2010/10/21 13:39

10/21/2010 7:29:57 PM
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: **11/794,825**	Examiner: Mark D. Featherstone
Filed: July 6, 2007	Group Art Unit: 2423

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

RESPONSE UNDER 37 CFR 1.116

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

Dear Commissioner:

This Response is submitted responsive to the Official Action dated October 26, 2010, making a response due on or before January 26, 2010. Accordingly, this Response is timely filed.

Amendments to the claims begin on page **2** of this paper.

Remarks/Arguments begin on page **11** of this paper.

A **Conclusion** appears at page **21** of this paper.

AMENDMENTS TO THE CLAIMS

Please **AMEND** the claims as follows. This listing of claims replaces all prior versions of claims in this application.

1 – 18. Canceled

19. (Currently amended) A method for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the method comprising:

(a) providing a combiner unit at the user's premises, wherein:

the combiner unit is coupled to a TV set and connected to a TV tuner at the user's premises, and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and wherein

said overlay-enabling digital data includes at least:

a ~~web~~ Web link indicating a website where content that is associated with said overlay-enabling digital data is stored[[;]].

an image indicative of the content associated with said overlay-enabling digital data[[;]], and

an overlay activation criterion; and

(b) processing at the user's premises said overlay-enabling digital data and generating at the user's premises a corresponding overlay only if said activation criterion is met, wherein ~~said~~ generating an overlay includes:

generating at the user's premises a ~~combined~~ first display screen including at least a first portion overlaid over said first portion and corresponding to said video signals and a second portion corresponding at least to said image, and

associating [[a]] the Web link with said second portion of the ~~combined video~~ first display screen thereby allowing a user to cause the combiner unit to retrieve said content, generate a second video display screen including at least a portion which corresponds to said content, and input the second display screen to said TV set.

20. (Currently Amended) The method according to claim 19, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored ~~user-profile~~ user profile.

21. (Currently Amended) The method according to claim 19, further including:

receiving a command from a user at said user premises; and

responsive to said command, resizing said first portion and/or said second portion of said ~~combined~~ first display screen.

22. (Previously Presented) The method according to claim 19, wherein the content stored at said website enables streaming of digital data over the Internet; and

said method further including: pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

23. (Currently Amended) The method according to claim 19, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored, and wherein said generating an overlay further includes within said ~~combined~~ first display said one or more second images.

24. (Previously Presented) The method according to claim 23, further including:

periodically accessing a web server for downloading said overlay-enabling digital data;

extracting from the overlay-enabling digital data said one more second images and the respective web sites corresponding to each of said second images;

retrieving and storing digital content from said web sites; and

if the overlay activation criterion is met and a user command that is associated with an image from amongst said one or more second images is identified, displaying the respective image from amongst the second images, accessing the respective web site associated with the displayed image and extracting and buffering content from the website.

25. (Previously Presented) The method according to claim 19, wherein the overlay-enabling digital data is supplementary or complementary to the video signals.

26. (Previously Presented) The method according to claim 19, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

27. (Previously Presented) The method according to claim 26, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

28. (Previously Presented) The method according to claim 19, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

29. (Currently Amended) A TV-Internet Integration Box for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the TV-Internet Integration Box comprising:

a combiner unit at a user's premises coupled to a TV tuner and connected to a TV set, [[and]] wherein

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and

wherein

said overlay-enabling digital data includes at least:

a ~~web~~ Web link indicating a website where content that is associated with said overlay-enabling digital data is stored;

an image indicative of the content associated with said overlay-enabling digital data; and

an overlay activation criterion, wherein

the combiner unit is responsive to an overlay activation criterion being met for generating a corresponding overlay, including:

generating at the user's premises a ~~combined~~ first display screen including at least a first portion corresponding to said video signals and a second portion overlaid over said first portion and corresponding at least to said image, and

associating [[a]] the Web link with said second portion of the ~~combined video~~ first display screen thereby allowing a user to cause the combiner unit to retrieve said content, and generate a second video display screen including at least a portion which corresponds to said content; and

a video output interface, coupled to or integrated within the combiner unit and configured to be coupled to a video input of said TV set and to display said ~~combined~~ first display screen or said second video display screen.

30. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored user-profile.

31. (Currently Amended) The TV-Internet Integration Box according to claim 29, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said first portion and/or said second portion of said ~~combined~~ first display screen in response to said command.

32. (Previously Presented) The TV-Internet Integration Box according to claim 29, further including:

a receiver for receiving a digital data stream, wherein the stream of the digital data is enabled by the content stored at said website; and

a processing unit for pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

33. Previously Presented) The TV-Internet Integration Box according to claim 29, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored,

and wherein the combiner unit is configured to:

periodically access a web server for downloading said overlay-enabling digital data;

extract from the overlay-enabling digital data said one or more second images and the respective web sites corresponding to each of said second images;

retrieve and store digital content from said web sites; and

if the overlay activation criterion is met, and a user command that is associated with an image from amongst said one or more second images is identified, display the respective image from amongst the second images, access the respective web site associated with the displayed image and extract and buffer content from the website.

34. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

35. (Previously Presented) The TV-Internet Integration Box according to claim 34, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

36. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

37. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

38. (Previously Presented) The method according to claim 19, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

39. (Currently Amended) The method according to claim 23, further comprising displaying a respective IP content when a corresponding one of said one or more second images is selected.

REMARKS

Summary of the Office Action

Claims 19, 20, 22 – 25, 29, 30, 32, 33, and 37 – 39 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by WO 02/19689 ("Akiyama").

Claims 21, 26, 28, 31, 34, and 36 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Akiyama in view of U.S. Pre-Grant Publication No. 2003/0107437 ("Reichardt").

Claims 27 and 35 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Akiyama in view of Reichardt in view of U.S. Patent No. 7,124,430 ("Aratani").

Summary of the Response to the Office Action

Applicant amends claims 19 and 29 to define the claimed subject matter further, and amends claims 20, 21, 23, 31, and 39 to conform to amended claims 19 and 29 and to correct minor informalities. Claims 1 – 18 were previously canceled without prejudice or disclaimer. Entry of the Amendment is proper under 37 C.F.R. §1.116 because it (a) places the application in prima facie condition for allowance for the reasons discussed herein; (b) does not raise new issues requiring further search and/or consideration by the Examiner because similar subject matter was previously considered by the Examiner and thus further consideration and/or search by the Examiner is not warranted; and (c) places the application in better form for appeal, should an appeal be necessary. Accordingly, Applicant respectfully requests entry of the present Amendment, reconsideration and timely withdrawal of the pending rejections for at least the reasons discussed below.

I. The rejection of claims 19, 20, 22 – 25, 29, 30, 32, 33, and 37 – 39 under 35 U.S.C. § 102(b) as allegedly anticipated by WO 02/19689 ("Akiyama")

Applicant respectfully submits that the rejections of claims 19, 20, 22 – 25, 29, 30, 32, 33, and 37 – 39 must be withdrawn because the cited reference does not disclose, teach, or suggest all of the features of the claimed subject matter. "Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W.L. Gore & Assocs. V. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, "when evaluating the scope of a claim, every limitation in the claim must be considered. U.S.P.T.O. personnel may not dissect a claimed invention into discrete elements and then evaluate the elements in isolation. Instead, the claim as a whole must be considered." *U.S.P.T.O. Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, page 9, October 26, 2005. As the Federal Circuit stated, "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Col.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)).

Here, amended independent claim 19 recites in part:

- generating at the user's premises a <u>first</u> display screen including at least a first portion <u>overlaid over said first portion and</u> corresponding to said video signals and a second portion corresponding at least to said image (emphasis added), and
- associating [a] Web link with said second portion of the <u>first</u> display screen thereby allowing a user to cause the combiner unit to retrieve said content, generate a <u>second</u> video display screen including at least a portion which corresponds to said content, and input the <u>second</u> display screen to said TV set (emphasis added).

Applicant has voluntarily amended claim 19, in order to better define the display screen in which the image from the overlay-enabling data is overlaid over the input video signal from the display screen, which includes at least a portion which corresponds to the content to which the overlay-enabling digital data points. The expression "*the combined video display"* in claim 19 was replaced with the expression *"first display screen"* to show that this is the same display screen generated in the previous step of claim 19. The terms "first" and "second" were added respectively before the expression "display screen" which was used in connection with both display screens.

Claim 19 was further amended to include the expression "*overlaid over said first portion."* As amended, the step of *"generating an overlay"* involves generating a first display screen wherein at least a second portion of a display screen corresponding at least to an image that is part of the overlay-enabling digital data is overlaid over a second portion of the display screen, which corresponds to the input video signal. Since the step of "*generating… a first display screen"* is recited as part of *"generating an overlay"* Applicant submits that the addition of the language "*overlaid over said first portion"* is a clarification of what was already recited in the previous version of claim 19. In a further amendment of claim 19, the article "a" in the expression "*associating a Web link*" was replaced with the article "the" and now reads "*associating the Web link.*" This corrects a typographical error in the previous version of claim 19, and clarifies that the "Web link" is part of the overlay-enabling data previously recited in claim 19.

Applicant respectfully submits that Akiyama does not disclose, teach, or suggest generating an overlay. Akiyama simply does not involve any overlay which is created from

two different data types to form a combined video signal. Akiyama also fails to disclose or suggest a method of generating at a user's premises an **overlay** using video signals constituting a first data and overlay-enabling digital data constituting a second data, including *inter-alia* "*processing at the user's premises said overlay-enabling digital data and* ***generating…a corresponding overlay*** *…wherein said* ***generating an overlay includes:*** *generating at the user's premises a first display screen including at least a first portion corresponding to said video signals and a second portion* ***overlaid over said first portion*** *and corresponding at least to said image*" (emphasis added).

Applicant further submits that Akiyama also fails to disclose or suggest the claimed overlay-enabling digital data and the claimed use thereof. In particular Akiyama fails at least to disclose or suggest overlay-enabling digital data processed to generate a first display screen that includes at least a first portion corresponding to an input video signal and a second portion overlaid over said first portion and corresponding at least to an image provided by the overlay-enabled digital data. The expression "overlay" recited in claim 19 is known in the field of video processing. It describes a visual effect corresponding to a second data placed over a first data (the first and second data being visual data, *e.g.* a visual representation), such that the second data visually superimposes the first data. This understanding is supported in various dictionaries including, for example, The Merriam Webster Online Dictionary ("Merriam"). Merriam defines overlay at http://www.merriam-webster.com/dictionary/overlay as "to lay or spread over or across: superimpose." *Id.* The Free Dictionary provides a similar definition at http://www.thefreedictionary.com/overlay, and the Macmillan Dictionary ("Macmillan") defines overlay as "to put one thing on top

of another, so that they both show." Macmillan at http://www.macmillandictionary.com/dictionary/american/overlay.

The specification describes the claimed overlay of input video signals and overlay-enabling digital data consistent with the definitions above. Paragraph [0033], for example, describes how an icon is overlaid over an ongoing television broadcast.

> [T]he TV-Internet Integration Box 16 **overlays the matched IP content with the current broadcast** and displays the new **integrated video** on the subscriber's TV set 17. For example, the matched information may be an icon that indicates to the subscriber that an Internet movie is currently being broadcast (emphasis added).

Paragraph [0039] discloses that

> [a] combiner unit 23 is coupled to the first and second inputs for combining the first data and the second data **to form a combined video signal**. A video output 24 is coupled to the combiner unit 23 for conveying the combined video signal to a TV set in a user premises. The TV set may be a conventional TV having a relatively low resolution screen for displaying a first image corresponding to the first data **and having superimposed thereon** a second image corresponding to the second data (emphasis added).

In paragraph [0043], the overlay is further described with reference to FIG. 7A which shows icons superimposed over the visual data corresponding to a conventional TV broadcast.

> For example, FIG. 7a shows the default situation where a TV screen 40 displays a conventional TV broadcast in a window 41 that is sized to **occupy the whole area of the TV screen** 40 and will be referred to as the primary window. Also shown are IP icons 42, 43 and 44 each of which points to a different IP content that is streamed from a respective web site of known address (emphasis added).

Thus, as is shown in FIG. 7A of the present application, the primary window 41 occupies the whole area of the TV screen and icons 42, 43, and 44 are displayed over the primary window.

Akiyama, on the other hand, proposes a system and method for interactive television (ITV) which uses dedicated "virtual channels" to display Web content (Akiyama Abstract; Akiyama page 7 lines 11-15 and page 10 lines 3-8), and must include at least one such virtual channel (Akiyama page 3 line 7-11). Akiyama expressly discloses that **"the virtual channel is <u>not</u> a television channel per se, but rather a Web-based channel"** (Akiyama page 9 lines 17-18) (emphasis added). Toggling between a consumer-selected TV channel and a virtual channel is controlled by a **switch**, so the television receives **<u>either</u>** the consumer-selected TV channel **<u>or</u>** a virtual channel (Akiyama page 9 lines 6-9). The only mixing of Web content and video signal occurs after a "jump" to Akiyama's Web content channel – *i.e.* the virtual channel, and involves display of the video data in a window within the virtual channel (Akiyama page 10 lines 21-23).

This is very different from the claimed overlay and overlay-enabling digital data. For at least the reasons discussed above, there is no overlay of data from the overlay-enabling digital data over the input video, as recited in claim 19. Nothing in Akiyama discloses or suggests overlaying a visual indication related to Web content over the input video signal (referred to by Akiyama as "*television content*"). Instead, the television channels according to what is disclosed in Akiyama **always display television content only, without any visual modifications.** Any combination with visual data which is not part of the television content **<u>only</u>** occurs within a virtual channel, and only **<u>after</u>** tuning to a virtual channel.

Even within the virtual channel there is still no teaching of an overlay, and if (within the virtual channel) TV content is resized to occupy the complete screen area, the Web content will no longer be seen.

Notwithstanding and in addition to the above, Akiyama's proposed system also requires a dedicated gateway screen. The gateway screen is split into two **separate** panels – a television content panel within which the video content is displayed, and an Internet content panel within which internet content is displayed. Each panel is associated with a different region of the gateway screen (Akiyama page 5 lines 15-17 and 22-23). Akiyama's gateway screen is similar to a classic channel navigation screen, which is essentially a split screen with multiple distinct display windows or frames, each showing a visual representation (usually live video) of a specific channel. Each display directs a user to a desired channel by "selecting" the respective window in the channel navigation screen (Akiyama page 17 line 15 – page 18 line 7). Thus, any attempt to overlay visual indications, such as a first indication corresponding to a television channel (television content) and a second indication corresponding to a virtual channel (Web content) **would create ambiguity, and would not allow the user to navigate to the desired destination** (*e.g.* the respective television channel or the respective virtual channel). Accordingly, Akiyama's gateway screen **teaches away** from the claimed subject matter, and has nothing to do with overlaying an image from the overlay-enabling digital data over the input video.

In summary, Akiyama fails at least to disclose or suggest an overlay based on overlay-enabling digital data over the claimed input video signal, and in particular where the overlay-enabling digital data includes visual elements and a web link. Instead Akiyama

disclose a gateway screen, with an inherent separation between input video data and Web content. If anything, Akiyama teaches to display the input video signal uninterruptedly. Any sort of visual representation or indication with regard to web content is invoked in Akiyama only **after** a user selects a virtual channel, and such visual representation or indication with regard to web content would appear on the user's screen only **after** being redirected to a **distinct** "virtual channel." Even then, within the virtual channel there is no teaching whatsoever of an overlay and in particular of an overlay of elements from the claimed overlay-enabling data over the input video.

Accordingly, Akiyama fails at least to disclose the method recited in amended independent claim 19. Applicant submits that amended independent claim 29 is an apparatus claim corresponding to independent claim 19, and is therefore allowable over Akiyama for at least the reasons discussed above. Applicant further submits that claims 21 – 23, 25, 26, 28, 31, 32, 34, and 36 are also patentable over Akiyama, at least due to their direct or indirect dependency from patentable claims 19 and 29. Accordingly, Applicant requests that the rejection of claims 19, 21 – 23, 25, 26, 28, 29, 31, 32, 34, and 36 under 35 U.S.C. § 102(b) be withdrawn.

II. The rejection of claims 21, 26, 28, 31, 34, and 36 under 35 U.S.C. § 103(a) as allegedly unpatentable over Akiyama in view of Reichardt and claims 27 and 35 as allegedly unpatentable over Akiyama in view of Reichardt and Aratani

Applicant respectfully traverses the rejection of claims 21, 26, 28, 31, 34, and 36 under 35 U.S.C. § 103(a) as allegedly unpatentable over Akiyama in view of Reichardt, and claims 27 and 35 as allegedly unpatentable over Akiyama in view of Reichardt and Aratani. Applicant respectfully submits that the combined references do not disclose or

suggest all of the claimed features, nor would a person of ordinary skill in the relevant field been prompted to combine the cited prior art in the manner claimed. To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. § 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741 (2007). Furthermore, even if the prior art may be combined, there must be a reasonable expectation of success, and the reference or references, when combined, must disclose or suggest all of the claim limitations. See *in re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As discussed above in the section regarding anticipation, Akiyama fails at least to disclose or suggest all the claim features of independent claims 19 and 29. The secondary references fail to correct this deficiency. Specifically, the secondary references are cited as allegedly teaching additional features of claims 21, 26, 28, 31, 34, and 36, or claims 27 and 35, but not for teaching or suggesting the features of claims 19 and 29 discussed above.

Thus, even if one of ordinary skill in the art were to combine Akiyama with one or more of the secondary references, the combined references still fail to teach or suggest

each and every feature of amended claims 19 and 29. Thus, claims 21, 26, 28, 31, 34, and 36, and claims 27 and 35 are allowable at least because they depend from claims 19 and 29. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed subject matter, Applicant respectfully submits that claims 21, 26, 28, 31, 34, and 36 and claims 27 and 35 are allowable. For at least these reasons, Applicant respectfully requests that the rejection of claims 21, 26, 28, 31, 34, and 36 and claims 27 and 35 under 35 U.S.C. §103(a) be withdrawn.

# # # #

CONCLUSION

Applicant asserts that the claims are in condition for immediate allowance and early notice to that effect is earnestly solicited. Should the Examiner deem that any further action by Applicant's undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: December 1, 2010

/Susanne M. Hopkins/

THE NATH LAW GROUP
112 South West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396

Susanne M. Hopkins
Registration No. 33,247
Robert T. Burns
Registration No. 60,545
Customer No. 20529

Electronic Acknowledgement Receipt

EFS ID:	8943183
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Robert Thomas Burns Jr.
Filer Authorized By:	
Attorney Docket Number:	28462U
Receipt Date:	01-DEC-2010
Filing Date:	06-JUL-2007
Time Stamp:	14:26:24
Application Type:	U.S. National Stage under 35 USC 371

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	28462U_TL_RFR_10-26-10.pdf	92444 e0a770a4327314bd5799db2e9699bedac3848584	no	1

Warnings:	
Information:	

2		28462U_RFR_10-26-10.pdf	180970 66a2d86b4635ceb3e7b2425b9db427b0eeda3b35	yes	21

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Amendment After Final	1	1
Claims	2	10
Applicant Arguments/Remarks Made in an Amendment	11	21

Warnings:	
Information:	
Total Files Size (in bytes):	273414

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.

Mail Stop AF
Attorney Docket No. **28462U**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: **11/794,825**	Examiner: Mark D. Featherstone
Filed: July 6, 2007	Group Art Unit: 2423

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

TRANSMITTAL LETTER

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

Dear Commissioner:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

(1) Transmittal Letter; and
(2) Response under 37 C.F.R. 1.116.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency, or credit any overpayment, in connection with this matter to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: December 1, 2010

/Susanne M. Hopkins/

Susanne M. Hopkins
Registration No. 33,247
Robert T. Burns
Registration No. 60,545
Customer No. 20529

THE NATH LAW GROUP
112 South West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396

PTO/SB/06 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
11/794,825	07/06/2007	

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

APPLICATION AS AMENDED – PART II

AMENDMENT	12/01/2010	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 21	Minus	** 20	=	X $ =		OR	X $ =	
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	=	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	

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

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

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

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

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

Legal Instrument Examiner:
/PEGGY YARBOROUGH/

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

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Attorney Docket No. **28462U**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: **11/794,825**	Examiner: Mark D. Featherstone
Filed: July 6, 2007	Group Art Unit: 2423

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

RESPONSE UNDER 37 CFR 1.116

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

Dear Commissioner:

This Response is submitted responsive to the Official Action dated October 26, 2010, making a response due on or before January 26, 2010. Accordingly, this Response is timely filed.

Amendments to the claims begin on page **2** of this paper.

Remarks/Arguments begin on page **11** of this paper.

A **Conclusion** appears at page **21** of this paper.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 12/15/2010

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
12/15/2010	PAPER

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

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

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 11/794,825	**Applicant(s)** MERLIN, YAKKOV	
	Examiner MARK D. FEATHERSTONE	**Art Unit** 2423	

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

THE REPLY FILED 01 December 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: *19-39*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423

Continuation of 3. NOTE: Regarding the indepenent claims 19 and 39, further search or consideration is needed for the newly added limitation of generating a first display screen including at least a first portion "overalid over said first portion".

Samsung
Ex. 1006 - Page 183

Mail Stop AF
Attorney Docket No. **28462U**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: **11/794,825**	Examiner: Mark D. Featherstone
Filed: July 6, 2007	Group Art Unit: 2423

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

SUPPLEMENTAL RESPONSE UNDER 37 CFR 1.116

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

Dear Commissioner:

This Supplemental Response is submitted responsive to the Official Action dated October 26, 2010 and the Advisory Action dated December 15, 2010, making a response due on or before January 26, 2010. Accordingly, this Supplemental Response is timely filed.

Amendments to the claims begin on page **2** of this paper.

Remarks/Arguments begin on page **11** of this paper.

A **Conclusion** appears at page **13** of this paper.

AMENDMENTS TO THE CLAIMS

Please **AMEND** the claims as follows. This listing of claims replaces all prior versions of claims in this application.

1 – 18. Canceled

19. (Currently amended) A method for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the method comprising:

(a) providing a combiner unit at the user's premises, wherein:

the combiner unit is coupled to a TV set and connected to a TV tuner at the user's premises, and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and wherein

said overlay-enabling digital data includes at least:

a ~~web~~ Web link indicating a website where content that is associated with said overlay-enabling digital data is stored[[;]].

an image indicative of the content associated with said overlay-enabling digital data[[;]], and

an overlay activation criterion; and

(b) processing at the user's premises said overlay-enabling digital data and generating at the user's premises a corresponding overlay only if said activation criterion is met, wherein ~~said~~ generating an overlay includes:

generating at the user's premises a ~~combined~~ first display screen including at least a first portion corresponding to said video signals and a second portion overlaid over said first portion and corresponding at least to said image, and

associating [[a]] the Web link with said second portion of the ~~combined video~~ first display screen thereby allowing a user to cause the combiner unit to retrieve said content, generate a second video display screen including at least a portion which corresponds to said content, and input the second display screen to said TV set.

20. (Currently Amended) The method according to claim 19, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored ~~user-profile~~ user profile.

21. (Currently Amended) The method according to claim 19, further including:

receiving a command from a user at said user premises; and

responsive to said command, resizing said first portion and/or said second portion of said ~~combined~~ first display screen.

22. (Previously Presented) The method according to claim 19, wherein the content stored at said website enables streaming of digital data over the Internet; and

said method further including: pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

23. (Currently Amended) The method according to claim 19, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored, and wherein said generating an overlay further includes within said ~~combined~~ first display said one or more second images.

24. (Currently Amended) The method according to claim 23, further including:

periodically accessing a web server for downloading said overlay-enabling digital data;

extracting from the overlay-enabling digital data said one or more second images and the respective web sites corresponding to each of said second images;

retrieving and storing digital content from said web sites; and

if the overlay activation criterion is met and a user command that is associated with an image from amongst said one or more second images is identified, displaying the respective image from amongst the second images, accessing the respective web site associated with the displayed image and extracting and buffering content from the website.

25. (Previously Presented) The method according to claim 19, wherein the overlay-enabling digital data is supplementary or complementary to the video signals.

26. (Previously Presented) The method according to claim 19, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

27. (Previously Presented) The method according to claim 26, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

28. (Previously Presented) The method according to claim 19, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

29. (Currently Amended) A TV-Internet Integration Box for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the TV-Internet Integration Box comprising:

a combiner unit at a user's premises coupled to a TV tuner and connected to a TV set, [[and]] wherein

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and

wherein

said overlay-enabling digital data includes at least:

a ~~web~~ Web link indicating a website where content that is associated with said overlay-enabling digital data is stored;

an image indicative of the content associated with said overlay-enabling digital data; and

an overlay activation criterion, wherein

the combiner unit is responsive to an overlay activation criterion being met for generating a corresponding overlay, including:

generating at the user's premises a ~~combined~~ first display screen including at least a first portion corresponding to said video signals and a second portion overlaid over said first portion and corresponding at least to said image, and

associating [[a]] the Web link with said second portion of the ~~combined video~~ first display screen thereby allowing a user to cause the combiner unit to retrieve said content, and generate a second video display screen including at least a portion which corresponds to said content; and

a video output interface, coupled to or integrated within the combiner unit and configured to be coupled to a video input of said TV set and to display said ~~combined~~ first display screen or said second video display screen.

30. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored user-profile.

31. (Currently Amended) The TV-Internet Integration Box according to claim 29, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said first portion and/or said second portion of said ~~combined~~ first display screen in response to said command.

32. (Previously Presented) The TV-Internet Integration Box according to claim 29, further including:

a receiver for receiving a digital data stream, wherein the stream of the digital data is enabled by the content stored at said website; and

a processing unit for pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

33. Previously Presented) The TV-Internet Integration Box according to claim 29, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored,

and wherein the combiner unit is configured to:

periodically access a web server for downloading said overlay-enabling digital data;

extract from the overlay-enabling digital data said one or more second images and the respective web sites corresponding to each of said second images;

retrieve and store digital content from said web sites; and

if the overlay activation criterion is met, and a user command that is associated with an image from amongst said one or more second images is identified, display the respective image from amongst the second images, access the respective web site associated with the displayed image and extract and buffer content from the website.

34. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

35. (Previously Presented) The TV-Internet Integration Box according to claim 34, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

36. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

37. (Previously Presented) The TV-Internet Integration Box according to claim 29, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

38. (Previously Presented) The method according to claim 19, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

39. (Currently Amended) The method according to claim 23, further comprising displaying a respective IP content when a corresponding one of said one or more second images is selected.

REMARKS

This Supplemental Response to the Office Action is submitted to correct an error in amended claim 19 as presented in the Response submitted on December 1, 2010, and to correct an informality noted in claim 24.

Since the Advisory Action mailed December 15, 2010 states that the claim amendments submitted on December 1, 2010 were not entered, the claims in the Supplemental Response are amended with respect to the claims entered from the Response submitted September 16, 2010. Though not repeated in the Supplemental Response, Applicant incorporates by reference and maintain their remarks from the Response submitted December 1, 2010.

Applicant notes that the Advisory Action of December 15, 2010 states that the amendments submitted December 1, 2010 were not entered because a further search or consideration is needed. Specifically, the Examiner states that a further search or consideration is needed for a display screen including at least a portion "overlaid over said first portion." Applicant respectfully disagrees, and submits that entry of the Amendment is proper under 37 C.F.R. §1.116 because it (a) places the application in prima facie condition for allowance for the reasons discussed herein; (b) does not raise new issues requiring further search and/or consideration by the Examiner because similar subject matter was previously considered by the Examiner and thus further consideration and/or search by the Examiner is ***not*** warranted; and (c) places the application in better form for appeal, should an appeal be necessary.

Accordingly, Applicant respectfully requests entry of the present Amendment, reconsideration and timely withdrawal of the pending rejections as amended in this Supplemental Response, for at least the reasons discussed in the Response submitted December 1, 2010.

Should the Examiner maintain that further search or consideration is required, Applicant respectfully requests that the next Official Action expressly state why further search or consideration is needed for a display screen including at least a portion "overlaid over said first portion."

CONCLUSION

Applicant asserts that the claims are in condition for immediate allowance and early notice to that effect is earnestly solicited. Should the Examiner deem that any further action by Applicant's undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: December 20, 2010

/Susanne M. Hopkins/

THE NATH LAW GROUP
112 South West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396

Susanne M. Hopkins
Registration No. 33,247
William L. Klima
Registration No. 32,422
Robert T. Burns
Registration No. 60,545
Customer No. 20529

Electronic Acknowledgement Receipt

EFS ID:	9078071
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Robert Thomas Burns Jr.
Filer Authorized By:	
Attorney Docket Number:	28462U
Receipt Date:	20-DEC-2010
Filing Date:	06-JUL-2007
Time Stamp:	17:29:45
Application Type:	U.S. National Stage under 35 USC 371

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	28462U_TL_RFR_10-26-10.pdf	92964 7a8d4e057810519dbff244ea06821fba2d729da4	no	1

Warnings:	
Information:	

2		28462U_Supp_RFR_10-26-10.pdf	131729 70cb96a13679cf86fbd7b1473fabc4829dbc3ca7	yes	13

Multipart Description/PDF files in .zip description		
Document Description	**Start**	**End**
Supplemental Response or Supplemental Amendment	1	1
Claims	2	10
Applicant Arguments/Remarks Made in an Amendment	11	13

Warnings:	
Information:	
Total Files Size (in bytes):	224693

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.

Mail Stop AF
Attorney Docket No. **28462U**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin — Conf. No.: 5316

Application No.: **11/794,825** — Examiner: Mark D. Featherstone

Filed: July 6, 2007 — Group Art Unit: 2423

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

TRANSMITTAL LETTER

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

Dear Commissioner:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

(1) Transmittal Letter; and
(2) Supplemental Response under 37 C.F.R. 1.116.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency, or credit any overpayment, in connection with this matter to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: December 20, 2010

/Susanne M. Hopkins/

THE NATH LAW GROUP
112 South West Street
Alexandria, Virginia 22314
Tel: (703) 548-6284
Fax: (703) 683-8396

Susanne M. Hopkins
Registration No. 33,247
William L. Klima
Registration No. 32,422
Robert T. Burns
Registration No. 60,545
Customer No. 20529

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.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 01/10/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
01/10/2011	PAPER

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

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

Interview Summary	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK D. FEATHERSTONE	2423	

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

(1) *MARK D. FEATHERSTONE*. (3) *Rob Burns*.

(2) *Bill Klima*. (4)_____.

Date of Interview: *06 January 2011*.

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

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

Claim(s) discussed: *1*.

Identification of prior art discussed: *Kitsukawa*.

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

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Applicant discussed the invention and the differences between the proposed claimed invention and the cited prior art. The proposed amendments appear to overcome Kitsukawa of record. An RCE would be required for a further search and consideration of the proposed claims*.

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

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

/Mark D Featherstone/ Examiner, Art Unit 2423	

Summary of Record of Interview Requirements

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

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

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

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

———

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

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

PTO/SB/30EFS (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	11/794,825	Filing Date	2007-07-06	Docket Number (if applicable)	28462U	Art Unit	2423
First Named Inventor	Yakkov MERLIN			Examiner Name	Mark D. FEATHERSTONE		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the orde in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s entered, applicant must request non-entry of such amendment(s).

☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☒ Other Supplemental Response under 37 CFR 1.116, filed December 20, 2010; and Response under 37 CFR 1.116, filed December 1, 2010

☐ Enclosed

☐ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☒ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 140112

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

PTO/SB/30EFS (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Susanne M. Hopkins/	Date (YYYY-MM-DD)	2011-01-19
Name	Susanne M. HOPKINS	Registration Number	33247

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is t 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 estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Tim will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions fo 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.

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 informatio 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 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 ma 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.

Mail Stop RCE
Attorney Docket No. 28462U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yakkov MERLIN — Confirmation No.: 5316

Application No.: 11/794,825 — Group Art Unit: 2423

Filed: July 6, 2007 — Examiner: Mark D. FEATHERSTONE

For: **METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS**

TRANSMITTAL LETTER

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

Dear Commissioner:

Submitted herewith for filing in the U.S. Patent and Trademark Office are the following:
(1) Transmittal Letter, one (1) page; and
(2) Request for Continued Examination (RCE) Transmittal (PTO/SB/30), one (1) page.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

THE NATH LAW GROUP

/William L. Klima/
Susanne M. Hopkins
Registration No. 33,247
William L. Klima
Registration No. 32,422
Jiaxiao Zhang
Registration No. 63,235
Customer No. 20529

January 19, 2011
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314-2891
Tel: (703) 548-6284
Fax: (703) 683-8396

Electronic Patent Application Fee Transmittal

Application Number:	11794825
Filing Date:	06-Jul-2007
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Filer:	Jiaxiao Zhang
Attorney Docket Number:	28462U

Filed as Small Entity

U.S. National Stage under 35 USC 371 Filing Fees

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

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
Request for continued examination	2801	1	405	405
		Total in USD ($)		**405**

Electronic Acknowledgement Receipt

EFS ID:	9266209
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Jiaxiao Zhang
Filer Authorized By:	
Attorney Docket Number:	28462U
Receipt Date:	19-JAN-2011
Filing Date:	06-JUL-2007
Time Stamp:	23:59:50
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$405
RAM confirmation Number	6499
Deposit Account	140112
Authorized User	ZHANG,JIAXIAO

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. 1.492 (National application filing, search, and examination fees)

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	28462U_sb0030e_fill.pdf	697862 9bf3e3641e5493946f555b0871818f21380f67cf	no	3
Warnings:					
Information:					
2	Transmittal Letter	28462U_RCE_TL_01-19-2011_v2.pdf	166572 ffa6523ceafdbe514f2b4214569942e080772359	no	1
Warnings:					
Information:					
3	Fee Worksheet (PTO-875)	fee-info.pdf	30211 7e718aa92d2d69c5be3490f0d608e0914a3285e5	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	894645		

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.

Applicant Initiated Interview Request Form

Application No.: 11/794,825 First Named Applicant: Yakkov Merlin
Examiner: Mark D. Featherstone Art Unit: 2423 Status of Application: Docketed - Ready for Examination

Tentative Participants:
(1) William Klima **(2)** Rob Burns

(3) _____ **(4)** _____

Proposed Date of Interview: February 7, 2011 **Proposed Time:** 10:00 **(AM/PM)**

Type of Interview Requested:
(1) [✓] Telephonic (2) [ ] Personal (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES [✓] NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	Cls. 19 & 29	Akiyama	[ ]	[ ]	[ ]
(2)			[ ]	[ ]	[ ]
(3)			[ ]	[ ]	[ ]
(4)			[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached [ ] Proposed Amendment or Arguments Attached

Brief Description of Arguments to be Presented: _____

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed and filed by applicant in advance of the interview (see MPEP § 713.01). If this form is signed by a registered practitioner not of record, the Office will accept this as an indication that he or she is authorized to conduct an interview on behalf of the principal (37 CFR 1.32(a)(3)) pursuant to 37 CFR 1.34. This is not a power of attorney to any above named practitioner. See the Instruction Sheet for this form, which is incorporated by reference. By signing this form, applicant or practitioner is certifying that he or she has read the Instruction Sheet. After the interview is conducted, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible. This application will not be delayed from issue because of applicant's failure to submit a written record of this interview.

/William Klima/
Applicant/Applicant's Representative Signature

Examiner/SPE Signature

William Klima
Typed/Printed Name of Applicant or Representative

32,422
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 24 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Electronic Acknowledgement Receipt

EFS ID:	9354415
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Robert Thomas Burns Jr.
Filer Authorized By:	
Attorney Docket Number:	28462U
Receipt Date:	01-FEB-2011
Filing Date:	06-JUL-2007
Time Stamp:	15:41:49
Application Type:	U.S. National Stage under 35 USC 371

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	Letter Requesting Interview with Examiner	28462U_Int_Request.pdf	450286 861c642715876160927a0d9ad228c4b1153267e3	no	1

Warnings:	
Information:	

Total Files Size (in bytes):	450286

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.

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Doc Code: M865 or FAI.REQ.INTV

PTOL-413A (08-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 11/794,825 First Named Applicant: Yakkov Merlin

Examiner: Mark D. Featherstone Art Unit: 2423 Status of Application: Docketed - Ready for Examination

Tentative Participants:

(1) William Klima (2) Rob Burns

(3) _____ (4) _____

Proposed Date of Interview: February 7, 2011 **Proposed Time:** 10:00 (AM/PM)

Type of Interview Requested:

(1) [✓] Telephonic (2) [ ] Personal (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES [✓] NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	Cls. 19 & 29	Akiyama	[ ]	[ ]	[ ]
(2) _____	_____	_____	[ ]	[ ]	[ ]
(3) _____	_____	_____	[ ]	[ ]	[ ]
(4) _____	_____	_____	[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached [ ] Proposed Amendment or Arguments Attached

Brief Description of Arguments to be Presented: _____

An interview was conducted on the above-identified application on _____

NOTE: This form should be completed and filed by applicant in advance of the interview (see MPEP § 713.01). If this form is signed by a registered practitioner not of record, the Office will accept this as an indication that he or she is authorized to conduct an interview on behalf of the principal (37 CFR 1.32(a)(3)) pursuant to 37 CFR 1.34. This is not a power of attorney to any above named practitioner. See the Instruction Sheet for this form, which is incorporated by reference. By signing this form, applicant or practitioner is certifying that he or she has read the Instruction Sheet. After the interview is conducted, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible. This application will not be delayed from issue because of applicant's failure to submit a written record of this interview.

/William Klima/
Applicant/Applicant's Representative Signature

Examiner/SPE Signature

William Klima
Typed/Printed Name of Applicant or Representative

32,422
Registration Number, if applicable

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Derek Richmond (VA)

*Practice Limited to Matters and Proceedings before Federal Courts and Agencies; not Admitted in VA
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++Limited Recognition to Practice before USPTO; not Admitted in VA

THE NATH LAW GROUP
Attorneys at Law
112 S. West Street
Alexandria, VA 22314
TELEPHONE (703) 548-6284
(703) 548-NATH

FACSIMILE (703) 683-8396

E-MAIL: IP@NATHLAW.COM
WEB: WWW.NATHLAW.COM

Tanya E. Harkins (MD)*
Charles D. Niebylski, Ph.D. (MD, DC)*
Sheldon M. McGee (DC)*
Stanley N. Protigal (DC)*
H. David Starr (MD, DC)*
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Patent, Trademark and Copyright Causes, Unfair Competition, Trade Secrets, Licensing, Litigation

To:	Examiner Featherstone	From:	Rob Burns
Fax:	571-273-8300	Pages:	2 (including cover)
Phone:	571-270-3750	Date:	2/1/11
Re:	Application No. 11/794,825	CC:	

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply

Examiner Featherstone,

Here is a courtesy copy of the Examiner Interview request form filed this afternoon.

With best regards,
Rob Burns

The information transmitted in this fax, including any attachments, is intended only for the person or entity to which it is addressed and may contain Attorney – Client confidential, proprietary, or privileged material. Any review, re-transmission, dissemination or other use of, or taking of any action in reliance upon the information contained in this fax other than by the intended recipient is prohibited. If you receive this message in error, please contact the sender and destroy the fax and any attachment immediately.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 06/08/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
06/08/2011	PAPER

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

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

Interview Summary	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK FEATHERSTONE	2423	

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

(1) *MARK FEATHERSTONE*. (3) *Yakkov Merlin*.

(2) *William Klima*. (4)_____.

Date of Interview: *06 June 2011*.

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

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

Claim(s) discussed: *1*.

Identification of prior art discussed: *Akiyama*.

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

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Applicant presented an overview of the claimed invention. Examiner agreed that the currently filed response overcomes the prior art of record and will conduct a further search and prepare a corresponding office action.*.

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

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

/Mark D Featherstone/ Examiner, Art Unit 2423	

Summary of Record of Interview Requirements

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

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

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

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

———

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

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 07/14/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
07/14/2011	PAPER

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

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

Office Action Summary	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK D. FEATHERSTONE	2423	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1)☒ Responsive to communication(s) filed on *19 January 2011*.

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

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

Disposition of Claims

4)☒ Claim(s) *19-39* is/are pending in the application.

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

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-39* is/are rejected.

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

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

Application Papers

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

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

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

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

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

Priority under 35 U.S.C. § 119

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

a)☐ All b)☐ Some * c)☐ None of:

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

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

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

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

Attachment(s)

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

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/19/2011 has been entered.

Response to Amendment

Response to amendment filed 01/19/2011. Claims 19-21, 23, 29, 31 and 39 have been amended. Claims 19-39 are currently pending.

Response to Arguments

Applicant's arguments with respect to claims 19-39 have been considered but are moot in view of the new grounds of rejection.

Applicant further argues (applicant's remarks, page 16-17) that Akiyama teaches toggling between a virtual channel and a TV channel, wherein either the virtual channel or the TV channel is displayed (as opposed to both being displayed at the same time). The examiner agrees with these arguments in that Akiyama does disclose this embodiment, however Akiyama further discloses an embodiment wherein both television content and web content that is related to the television content (and with which the user can interact with) are displayed on the same screen as disclosed in figures 5-6 and page 16, second paragraph. Applicant further argues (page 17 of

applicant's remarks) that Akiyama teaches away from the claimed subject matter in that any attempt to overly visual indications, such as a first indication corresponding to a television channel and a second indication corresponding to a virtual channel would create ambiguity, and would not allow the user to navigate to the desired destination. The examiner asserts that Akiyama, in the disclosed embodiment teaches a split-screen showing both television content and interactive content that is associated with the television content as described above. It is not clear to the examiner how the mere overlaying of content over the television content (as taught by newly cited Butler) would create ambiguity. The addition of the overlay content as described by Butler would provide the user with more desired content that is related to the television content if activated by the user as disclosed by Butler.

Claim Rejections - 35 USC § 103

1. 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.

2. Claims 19-20, 22-25, 29-30, 32-33, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama et al, WO 02/19689, hereinafter Akiyama, in view of Butler, US PG Pub # 20020007493, hereinafter Butler.

With regard to claim 19, Akiyama discloses a method for generating at a user's premises an overlay using video signals constituting a first data and enabling digital data constituting a second data, the method comprising:

(a) providing a combiner unit at the user's premises wherein: the combiner unit is coupled to a TV set and connected to a TV tuner at the user's premises (figure 2, item 22 ITV with connection to display 32 (corresponding to TV set) TV tuner 36, and internet 24), and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing enabling digital data over the Internet (figure 2, item 26 TV connection, item 24 internet connection, figure 1, item 24 internet and item 26 TV channels over a separate distinct network; see also page 8), wherein said video signals and said enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs (figure 1, item 18 ITV server to provide web content, and separate content provider 28 to provide TV channels; page 8, the source can be a cable television company, satellite dish, etc), and wherein said enabling digital data includes at least:

a web link indicating a website where content that is associated with said enabling digital data is stored (page 18, web links are presented to the user that are associated with new stories from web sites and choosing a specific headline causes the ITV system to present the text corresponding to the section of the website containing the data):

an image indicative of the content associated with said enabling digital data (figure 6, item 102 and page 16, second paragraph, the internet data is shown in panel 102 and television content is displayed in panel 100):

an activation criterion (page 14-15, when a gateway button is toggled, a gateway screen is shown (see also figure 6); and

processing at the user's premises said enabling digital data (page 15, the gateway screen is cached from memory 44 or streamed real time from the server) and generating at the user's premises a corresponding display only if said activation criterion is met (page 14-15, the gateway screen is presented when the gateway button is toggled or when ITV is turned on), wherein said generating a display includes:

generating at the user's premises a combined display screen including at least a first portion corresponding to said video signals and a second portion corresponding at least to said image (figure 6 and page 16, the gateway screen shows both a television content panel 100 (first portion) and the internet content panel 102 (second portion), which shows the interactive content); and

associating a Web link with said second portion of the combined video display thereby allowing a user to cause the combiner unit to retrieve said content (page 17-18, the user can use a point and click device to access the content on the internet panel 102; the internet content panel 102 can present news headlines from one or more news web sites (corresponding to a link), the user can choose a specific headline and the ITV system will present the text corresponding to the

headline or the section of the website corresponding to the headline), generate a video display screen including at least a portion which corresponds to said content, and input the display screen to said TV set (page 18, first paragraph, the consumer can choose the panel and a full screen display of the web site is presented (corresponding to at least a portion of the screen).

Akiyama fails to disclose that the first display screen includes a first portion overlaid over said first portion and wherein the activation criterion is an overlay activation criterion which includes a link to where content associated with the overlay is stored and that the image is indicative of the content associated with the overlay-enabling data. In an analogous art, Butler discloses a video broadcast system which receives video stream data, overlay hyperlink files and control data which indicates when the overlays should be rendered (abstract). In paragraph [0055], Butler discloses displaying hyperlink overlays in accordance with control data, which indicate the times when the overlays are to be displayed (corresponding to activation criterion). In paragraph [0058], Butler discloses a user activating a hyperlink overlay to retrieve the content associated with the overlay (corresponding to retrieving content associated with the hyperlink overlay), the target content can replace the currently displayed overlay. In paragraph [0021], Butler discloses that the hyperlinks have a target, which indicates some other content that can be rendered for the viewer (corresponding to indicating the content associated with the overlay). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to

combine the teaching of Butler of overlaying a hyperlink which indicates additional content that can be activated by the user to the system of Akiyama which displays links to supplemental content that can be activated by the user by displaying the links on the screen along side the video content as shown in figure 6 in order to provide the user in order to advertise program-related merchandise during a program (Butler, paragraph [0004], provide ancillary data along with video feeds (Butler, paragraph [0006], and provide this data as an overlay on the primary video stream (Butler, paragraph [0008]).

With regard to claim 20, Akiyama further discloses wherein said enabling digital data is received at the user premises according to a pre-stored user-profile (page 18 and figure 7, user preferences are stored in memory and are used to establish what is presented by the web server on the gateway screen).

With regard to claim 22, Akiyama further discloses wherein the content stored at said website enables streaming of digital data over the internet; and said method further including pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user (page 15, the content can be streamed in real time or cached in memory 44, corresponding to pre-fetching and buffering).

With regard to claim 23, Akiyama further discloses wherein the enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said enabling data comprises

respective web site addresses where IP content associated with the respective second image is stored, and wherein said generating an overlay further includes within said first display said one or more second images (page 14-15, the images can include news headlines the link to one or more news web sites, wherein if the user chooses a specific headline the user is presented with the text corresponding to the headline or the section of the website (corresponding to the website address where the content is stored) corresponding to the headline; the images are displayed in the internet content panel 102, (corresponding to combined display).

With regard to claim 24, Akiyama further discloses periodically accessing a web server for downloading said enabling digital data (page 7, the content is downloaded and periodically updated via the internet) extracting from the overlay-enabling digital data said one or more second images and the respective web sites, corresponding to each of said second images (page 18, the internet panel presents news headlines from one of more news web sites, corresponding to second images and respective web sites); retrieving and storing digital content from said web sites (page 13, the web pages are downloaded from the web server to memory 44); if the overlay activation criterion is met page 14-15, the gateway screen activation button is pressed, corresponding to activation criterion) and a user command that is associated with an image from amongst said one or more second images is identified, displaying the respective image from amongst the second images (page 18, the user selects (corresponding to a

user command) from the news headlines a particular displayed news headline), accessing the respective web site associated with the displayed image and extracting and buffering content from the website (page 18, the ITV presents the text corresponding to the head line or the section of the web site corresponding to the headline, (page 15, the gateway screen content is cached in the memory 44 (corresponding to buffered for needed use) or streamed real time from the server).

With regard to claim 25, Akiyama further discloses wherein the enabling digital data is supplementary or complementary to the video signals (page 16, in a preferred embodiment, the content in the internet panel 102 is related to the content in the television panel 100).

Claims 29, 30, 32, are the system claims corresponding to method claims 19-20, and 22, and are analyzed and rejected accordingly.

Claim 33 is the system claim corresponding to method claim 24, and is analyzed and rejected accordingly.

With regard to claim 37, Akiyama further discloses wherein said display activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscribers channels, a user command information (page 14-15, the gateway screen containing the supplementary information is invoked when a user toggles a gateway screen button (corresponding to a user command).

With regard to claim 38, Akiyama further discloses wherein said display activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscribers channels, a user command information (page 14-15, the gateway screen containing the supplementary information is invoked when a user toggles a gateway screen button (corresponding to a user command).

With regard to claim 39, Akiyama further discloses displaying a respective IP content when a corresponding one of said one of more second images is selected (Akiyama, page 18, the web site content (corresponding to the IP content from the web server) is displayed when the user selects the image of a news headline).

3. Claims 21, 26, 28, 31, 34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama in view of Butler in view of Reichardt et al, US PG Pub # 20030107437, hereinafter Reichardt.

With regard to claim 21, Akiyama in view of Butler fails to disclose receiving a command from a user at said user premises; and responsive to said command, resizing said first portion and/or said second portion of said combined display screen. Reichardt discloses receiving a command from a user at said user premises; and responsive to said command, resizing said first portion and/or said second portion of said first display screen (paragraph [0096], a user selects an alert icon (corresponding to receiving a command from a user) and the programming may be resized for additional advertisements to be displayed).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Reichardt to resize a portion of the screen to make room for additional content to the system of Akiyama which discloses multiple portions of a screen with the expected results of the resizing of the panels of Akiyama in view of Butler in order to fit the additional content as taught by Reichardt.

With regard to claim 26, Akiyama in view of Butler discloses the method according to claim 19, however fails to disclose wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content. In an analogous art, Reichardt discloses a method of displaying interactive content while a user is viewing video content (abstract, figure 10D), the interactive content being distributed via any suitable link such as an internet link (paragraph [0055]). In figures 10c-d (corresponding paragraph [0096]), Reichardt discloses an icon 1000 which indicates that indicates that content is being displayed (the opportunity to purchase a CD), the icon indicates to the user that there is a product for sale. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Reichardt of providing an alert icon to the system of Akiyama in view of Butler which provides supplemental content to a user watching TV to provide the user the opportunity to make a purchase of a product related to what the user is watching as described by Reichardt in paragraph [0096]).

With regard to claim 28, Akiyama in view of Butler further fails to disclose wherein the image contains textual information advising the user to press a particular button on the remote unit. Reichardt discloses wherein the image contains textual information advising the user to press a particular button on the remote unit (figure 10C, item 1000, icon with textual information advising the user to invoke the icon which entails pressing a particular button on the remote control 40). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to further combine the teaching of Reichardt of advising the user to press a particular button on the remote control to the system of Akiyama in view of Butler with the predicted results of a user friendly interface which advises the user how to get the desired information.

Claim 31 is the system claim corresponding to method claim 21, and is analyzed and rejected accordingly.

Claim 34 is the system claim corresponding to method claim 26, and is analyzed and rejected accordingly.

Claim 36 is the system claim corresponding to method claim 28, and is analyzed and rejected accordingly.

4. Claims 27 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Akiyama in view of Butler in view of Reichardt in view of Aratani et al, US Patent # 7124430, hereinafter Aratani.

With regard to claim 27, Akiyama in view of Butler in view of Reichardt discloses the method according to claim 26 including selecting specific internet

content, however fails to disclose pressing a color-coded button on a remote control in accordance with a color of said icon. Aratani discloses an interface in which the color coded icons on the screen correspond to the color coded buttons on the remote controller (fig. 7A, item 701 and column 7, lines 17-25). Accordingly, it would have been obvious to combine this feature of Aratani to the system of Akiyama in view of Butler in view of Reichardt with the predicted results of icons that match the color buttons on the remote control for user friendliness.

Claim 35 is the system claim corresponding to method claim 27, and is analyzed and rejected accordingly.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571) 270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/MARK D FEATHERSTONE/

Primary Examiner, Art Unit 2423

Notice of References Cited	Application/Control No. 11/794,825	Applicant(s)/Patent Under Reexamination MERLIN, YAKKOV	
	Examiner MARK D. FEATHERSTONE	Art Unit 2423	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0007493 A1	01-2002	BUTLER et al.	725/109
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	474	overlay near2 (trigger $2 activat$3)	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:03
L2	42	L1 and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:03
L3	158	(overlay near3 (ad advertisement))and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:07
L4	7	(overlay near3 (click)) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:11
L5	35	(overlay near3 (supplemental)) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:17
S1	5	"2004107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:56
S2	2	"20040107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:57
S4	28	(supplement$4 adj2 content) with profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:20

S5	2086	725/32-36.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S6	0	S5 with (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S7	1101	S5 and(supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S8	1101	S5 and (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S9	1325	S5 and (enhance$3 supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S10	70308	S9 and (web near2 server) (internet near2 server)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S11	362	S9 and ((web near2 server) (internet near2 server))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S12	203	S11 and interactive	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:24

S14	191	color with (remote) with icon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 01:29
S15	22	US-20040107437-$.DID. OR US-6240555-$.DID. OR US-6351270-$.DID. OR US-6606746-$.DID. OR US-20020093594-$.DID. OR US-6130898-$.DID. OR US-20020088004-$.DID. OR US-6727918-$.DID. OR US-20040221308-$.DID. OR US-20040064835-$.DID. OR US-6501557-$.DID.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:39
S16	2	"7340457".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:41
S17	3	"0279869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:48
S18	0	wo adj "0279869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:48
S19	0	wo0279869	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S20	0	wo0219869	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49

S21	1	wo adj "0219869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S22	1	wo adj "0219689"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S23	3	"0219689"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/18 18:02
S25	109	(overlay with link) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/19 15:07
S26	15	(overlay with (hyperlink (hyper adj link))) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/19 15:09
S27	2	"US 20080046942"	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2010/10/21 13:39
S28	207	color with (remote) with icon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:40
S29	2495	725/32-36.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41

S30	1611	S29 and (enhance$3 supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S31	451	S30 and ((web near2 server) (internet near2 server))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S32	259	S31 and interactive	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S33	36	(supplement$4 adj2 content) with profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S35	2979	overlay and "725"/$. ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/01/06 12:33
S36	4009	(overlay overlaid overlay$4) and "725"/ $.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/01/06 12:33
S37	532	((overlay overlaid overlay$4) with interactive) and "725"/ $.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/01/06 12:33
S38	3168	overlay and "725"/$. ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 10:40

S39	129	(overlay with link) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 10:40
S40	8	((overlay with link) same (ad advertisement)) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 10:52
S41	2	"US 20080046942"	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/06/06 11:04
S42	54	(overlay with trigger) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 11:22
S43	6	((overlay with link) same trigger) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 11:23
S44	3	"20010044726"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 12:30
S46	2	"US 20070260708"	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/01 23:01
S47	2	"20020133545"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/07/01 23:16
S48	3	"20060247855"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/07/01 23:38

7/5/2011 5:13:57 PM
C:\Documents and Settings\mfeatherstone\My Documents\EAST\Workspaces\11794825.wsp

Samsung
Ex. 1006 - Page 241

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11794825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D FEATHERSTONE	2423

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

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

CLAIM		DATE								
Final	Original	11/04/2009	10/21/2010	07/05/2011						
	19	✓	✓	✓						
	20	✓	✓	✓						
	21	✓	✓	✓						
	22	✓	✓	✓						
	23	✓	✓	✓						
	24	✓	✓	✓						
	25	✓	✓	✓						
	26	✓	✓	✓						
	27	✓	✓	✓						
	28	✓	✓	✓						
	29	✓	✓	✓						
	30	✓	✓	✓						
	31	✓	✓	✓						
	32	✓	✓	✓						
	33	✓	✓	✓						
	34	✓	✓	✓						
	35	✓	✓	✓						
	36	✓	✓	✓						
	37		✓	✓						
	38		✓	✓						
	39		✓	✓						

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11794825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D FEATHERSTONE	2423

SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
East Text Search725/32-36	11/3/2009	MF
Updated East Text Search 725/32-36 - see notes	10/21/2010	MF
Inventor search	10/21/2010	MF
Updated East Text Search/Inventor Search	7/5/2011	MF

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 08/22/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
08/22/2011	PAPER

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

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

Applicant-Initiated Interview Summary	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK D. FEATHERSTONE	2423	

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

(1) *MARK D. FEATHERSTONE*.

(2) *William Klima*.

(3) *Yakkov Merlin*.

(4) *Eliot Harary*.

Date of Interview: *18 August 2011*.

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: *19*.

Identification of prior art discussed: *Akiyama, Butler*.

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...)

Applicant discussed the claimed invention with respect to receiving an overlay activation criterion and video TV signals from two separate unrelated sources. Examiner agreed that neither Akiyama or Butler teaches receiving the overlay activation criterion and the video TV signal from two separate sources. The applicant will file a formal reply to the pending office action and the examiner will conduct a further search for this feature. Examiner will telephone applicant prior to issuing a further office action to advance prosecution.

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

/MARK D FEATHERSTONE/ Primary Examiner, Art Unit 2423	

Summary of Record of Interview Requirements

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

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

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

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

———

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

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

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

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

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

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

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

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

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

Examiner to Check for Accuracy

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: 11/794,825	Examiner: FEATHERSTONE, MARK D.
Filed: July 6, 2007	Group Art Unit: 2423

For: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS

RESPONSE

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

Dear Commissioner:

This paper is submitted responsive to the non-final Official Action dated July 14, 2011, making a response due on or before October 14, 2011. Accordingly, this response is timely filed.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

A **Conclusion** appears at page 17 of this paper.

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions of claims in this application.

1-18. (Canceled)

19. (Previously presented) A method for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the method comprising:

(a) providing a combiner unit at the user's premises, wherein:

the combiner unit is coupled to a TV set and connected to a TV tuner at the user's premises, and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and wherein

said overlay-enabling digital data includes at least:

a Web link indicating a website where content that is associated with said overlay-enabling digital data is stored,

an image indicative of the content associated with said overlay-enabling digital data, and

an overlay activation criterion; and

(b) processing at the user's premises said overlay-enabling digital data and generating at the user's premises a corresponding overlay only if said activation criterion is met, wherein generating an overlay includes:

generating at the user's premises a first display screen including at least a first portion corresponding to said video signals and a second portion overlaid over said first portion and corresponding at least to said image, and

associating the Web link with said second portion of the first display screen thereby allowing a user to cause the combiner unit to retrieve said content, generate a second video display screen including at least a portion which corresponds to said content, and input the second display screen to said TV set.

20. (Previously presented) The method according to claim 19, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored user profile.

21. (Previously presented) The method according to claim 19, further including:

receiving a command from a user at said user premises; and

responsive to said command, resizing said first portion and/or said second portion of said first display screen.

22. (Previously Presented) The method according to claim 19, wherein the content stored at said website enables streaming of digital data over the Internet; and

said method further including: pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

23. (Previously presented) The method according to claim 19, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored, and wherein said generating an overlay further includes within said first display said one or more second images.

24. (Previously presented) The method according to claim 23, further including:

periodically accessing a web server for downloading said overlay-enabling digital data;

extracting from the overlay-enabling digital data said one or more second images and the respective web sites corresponding to each of said second images;

retrieving and storing digital content from said web sites; and

if the overlay activation criterion is met and a user command that is associated with an image from amongst said one or more second images is identified, displaying the respective image from amongst the second images, accessing the respective web site associated with the displayed image and extracting and buffering content from the website.

25. (Previously presented) The method according to claim 19, wherein the overlay-enabling digital data is supplementary or complementary to the video signals.

26. (Previously presented) The method according to claim 19, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

27. (Previously presented) The method according to claim 26, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

28. (Previously presented) The method according to claim 19, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

29. (Previously presented) A TV-Internet Integration Box for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the TV-Internet Integration Box comprising:

a combiner unit at a user's premises coupled to a TV tuner and connected to a TV set, wherein

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and

wherein said overlay-enabling digital data includes at least:

a Web link indicating a website where content that is associated with said overlay-enabling digital data is stored;

an image indicative of the content associated with said overlay-enabling digital data; and

an overlay activation criterion, wherein

the combiner unit is responsive to an overlay activation criterion being met for generating a corresponding overlay, including:

generating at the user's premises a first display screen including at least a first portion corresponding to said video signals and a second portion overlaid over said first portion and corresponding at least to said image, and

associating the Web link with said second portion of the first display screen thereby allowing a user to cause the combiner unit to retrieve said content, and generate a second video display screen including at least a portion which corresponds to said content; and

a video output interface, coupled to or integrated within the combiner unit and configured to be coupled to a video input of said TV set and to display said first display screen or said second video display screen.

30. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored user-profile.

31. (Previously presented) The TV-Internet Integration Box according to claim 29, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said first portion and/or said second portion of said first display screen in response to said command.

32. (Previously presented) The TV-Internet Integration Box according to claim 29, further including:

a receiver for receiving a digital data stream, wherein the stream of the digital data is enabled by the content stored at said website; and

a processing unit for pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

33. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored,

and wherein the combiner unit is configured to:

periodically access a web server for downloading said overlay-enabling digital data;

extract from the overlay-enabling digital data said one or more second images and the respective web sites corresponding to each of said second images;

retrieve and store digital content from said web sites; and

if the overlay activation criterion is met, and a user command that is associated with an image from amongst said one or more second images is identified, display the

respective image from amongst the second images, access the respective web site associated with the displayed image and extract and buffer content from the website.

34. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

35. (Previously presented) The TV-Internet Integration Box according to claim 34, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

36. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

37. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

38. (Previously presented) The method according to claim 19, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

39. (Previously presented) The method according to claim 23, further comprising displaying a respective IP content when a corresponding one of said one or more second images is selected.

REMARKS

Claims 19-39 are pending in the subject application. Claims 19-39 are rejected.

Applicant thanks the Examiner for his time and consideration during the in-person interview held at the United States Patent and Trademark Office on Thursday, August 18, 2011.

As per the Interview Summary resulting from the in-person interview, "neither Akiyama or Butler teaches receiving the overlay activation criterion and the video TV signal from two separate sources" according to the claimed subject matter, overcoming the outstanding rejection of the claims.

Applicant looks forward to the results of a final search of the claimed subject matter by the Examiner, and the Examiner then allowing the subject application or contacting Applicant's below-signed representative depending on the outcome of this final search.

Accordingly, Applicant respectfully requests withdrawal of the outstanding rejections set forth in the non-final Official Action dated July 14, 2011.

I. Claims 19-20, 22-25-, 29-30, 32-33, and 37-39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Akiyama et al. (WO 02/19689) in view of Butler (US 2002/0007493), as set forth in paragraph 2 on page 3 of the Official Action.

The Examiner asserts that "[It] would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Butler of overlaying a hyperlink which indicates additional content that can be activated by the user to the system of Akiyama which displays links to supplemental content that can be activated by the user

by displaying the links on the screen along side the video content as shown in figure 6 in order to provide the user in order to advertise program-related merchandise during a program (Butler, paragraph [0006], and provide this data as an overlay on the primary video stream (Butler, paragraph [0008])." This rejection is respectfully traversed.

To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741 (2007). Furthermore, even if the prior art may be combined, there must be a reasonable expectation of success, and the reference or references, when combined, must disclose or suggest all of the claim limitations. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Again, as per the interview, "neither Akiyama or Butler teaches receiving the overlay activation criterion and the video TV signal from two separate sources" according to the claimed subject matter.

Thus, nothing in Akiyama and Butler, taken alone or in combination, render the claimed subject matter of claims 19-20, 22-25-, 29-30, 32-33, and 37-39 obvious within the meaning of 35 U.S.C. §103. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

II. Claims 21, 26, 28, 31, 34, and 36 stand rejected under 35 U.S.C. §103(a)as being unpatentable over Akiyama et al. (WO 02/19689) in view of Butler (US 2002/0007493) in view of Reichardt et al. ("Reichardt", US 2004/0107437), as set forth in paragraph 3 on page 10 of the Official Action.

The Examiner asserts that "it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Reichardt to resize a portion of the screen to make room for additional content to the system of Akiyama which discloses multiple portions of a screen with the expected results of the resizing of the panels of Akiyama in view of Butler in order to fit the additional content as taught by Reichardt."

The Examiner further asserts that "it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Reichardt of providing an alert icon to the system of Akiyama in view of Butler which provides supplemental content to a user watching TV to provide the user the opportunity to make a purchase of a product related to what the user is watching as described by Reichardt in paragraph [0096]."

The Examiner even further asserts that "it would have been obvious to one of ordinary skill in the art at the time of the invention to further combine the teachings of Reichardt of advising the user to press a particular button on the remote control to the

system of Akiyama in view of Butler with the predicted results of a user friendly interface which advised the user how to get the desired information." These rejections are respectfully traversed.

To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741 (2007). Furthermore, even if the prior art may be combined, there must be a reasonable expectation of success, and the reference or references, when combined, must disclose or suggest all of the claim limitations. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Again, as per the interview, "neither Akiyama or Butler teaches receiving the overlay activation criterion and the video TV signal from two separate sources" according to the claimed subject matter. Further, Reichardt also does ***not*** teach receiving the overlay activation criterion and the video TV signal from two separate sources according to the claimed subject matter.

Thus, nothing in Akiyama, Butler, and Reichardt, taken alone or in combination, render the claimed subject matter of claims 21, 26, 28, 31, 34, and 36 obvious within the meaning of 35 U.S.C. §103. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

III. Claims 27 and 35 stand rejected under 35 U.S.C. §103(a)as being unpatentable over Akiyama et al. (WO 02/19689) in view of Butler (US 2002/0007493) in view of Reichardt et al. ("Reichardt", US 2004/0107437) in view of Aratani et al. ("Aratani", US 7,124,430), as set forth in paragraph 4 on page 12 of the Official Action.

The Examiner contends that "it would have been obvious to combine this feature of Aratani to the system of Akiyama in view of Butler in view of Reichardt with the predicted results of icons that match the color buttons on the remote control for user friendliness." This rejection is respectfully traversed.

To establish an obviousness rejection under 35 U.S.C. § 103(a), four factual inquiries must be examined. The four factual inquiries include (a) determining the scope and contents of the prior art; (b) ascertaining the differences between the prior art and the claims in issue; (c) resolving the level of ordinary skill in the pertinent art; and (d) evaluating evidence of secondary consideration. *Graham v. John Deere*, 383 U.S. 1, 17-18 (1966). In view of these four factors, the analysis supporting a rejection under 35 U.S.C. 103(a) should be made explicit, and should "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *KSR Int'l. Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741 (2007). Furthermore, even

if the prior art may be combined, there must be a reasonable expectation of success, and the reference or references, when combined, must disclose or suggest all of the claim limitations. *See In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Again, as per the interview, "neither Akiyama or Butler teaches receiving the overlay activation criterion and the video TV signal from two separate sources" according to the claimed subject matter. Further, Reichardt and Aratani also do ***not*** teach receiving the overlay activation criterion and the video TV signal from two separate sources according to the claimed subject matter.

Thus, nothing in Akiyama, Butler, Reichardt, and Aratani, taken alone or in combination, render the claimed subject matter of claims 27 and 35 obvious within the meaning of 35 U.S.C. §103. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

CONCLUSION

Applicant asserts that the claims are in condition for immediate allowance and early notice to that effect is earnestly solicited. Should the Examiner deem that any further action by Applicant's undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

/William L. Klima/
Susanne M. Hopkins
Reg. No. 33,247
William L. Klima
Registration No. 32,422
Customer No. 20529

August 23, 2011
THE NATH LAW GROUP
112 S. West Street
Alexandria, VA 22314
Tel. No. 703-548-6284

Electronic Acknowledgement Receipt

EFS ID:	10794726
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	Method and Apparatus for Facilitating Toggling Between Internet and Tv Broadcasts
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Susanne M. Hopkins/William Klima
Filer Authorized By:	Susanne M. Hopkins
Attorney Docket Number:	28462U
Receipt Date:	23-AUG-2011
Filing Date:	06-JUL-2007
Time Stamp:	15:17:17
Application Type:	U.S. National Stage under 35 USC 371

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		2011_08_23_RNFOA.pdf	126997 bc663e599f5eb1e5176d42d8565587e8aa8e0f3d	yes	17

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	10
	Applicant Arguments/Remarks Made in an Amendment	11	17
Warnings:			
Information:			
	Total Files Size (in bytes):	126997	

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

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

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

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NOTICE OF ALLOWANCE AND FEE(S) DUE

20529 7590 09/23/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER
FEATHERSTONE, MARK D

ART UNIT	PAPER NUMBER
2423	

DATE MAILED: 09/23/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

TITLE OF INVENTION: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	12/23/2011

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

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

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

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

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

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

If the SMALL ENTITY is shown as NO:

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

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

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

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

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

PTOL-85 (Rev. 02/11)

Samsung
Ex. 1006 - Page 266

PART B - FEE(S) TRANSMITTAL

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

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

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

20529 7590 09/23/2011
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

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.

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

TITLE OF INVENTION: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$300	$0	$1055	12/23/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
FEATHERSTONE, MARK D	2423	725-087000

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

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

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

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

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

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

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

4a. The following fee(s) are submitted:

❑ Issue Fee

❑ Publication Fee (No small entity discount permitted)

❑ Advance Order - # of Copies _____

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❑ A check is enclosed.

❑ Payment by credit card. Form PTO-2038 is attached.

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

❑ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

❑ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

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

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 09/23/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	

ART UNIT	PAPER NUMBER
2423	

DATE MAILED: 09/23/2011

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 522 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 522 day(s).

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

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

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

PTOL-85 (Rev. 02/11)

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Privacy Act Statement

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

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

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

Notice of Allowability	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK D. FEATHERSTONE	2423	

-- 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 *amendment filed 08/23/2011*.

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 *19-39*.

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

   * Certified copies not received: _____.

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

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

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

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

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

Attachment(s)

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

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	11/794,825	MERLIN, YAKKOV	
	Examiner	Art Unit	
	MARK D. FEATHERSTONE	2423	

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

(1) *MARK D. FEATHERSTONE*. (3)_____.

(2) *William Klima*. (4)_____.

Date of Interview: *19 September 2011*.

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: *19 and 29*.

Identification of prior art discussed: *N/A*.

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...)

Examiner telephoned applicant's representative to discuss clarifying claim language to put the application in condition for allowance. Applicant's representative gave examiner authorization to initiate an examiner's amendment. Examiner will mail a notice of allowability..

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.

☐ Attachment

DETAILED ACTION

Examiner's Amendment

Please amend the claims as follows:

- In claim 19, line 5, replace --connected to a TV tuner-- with --connected to a separate TV tuner box or TV tuner in the TV set--
- In claim 19, line 8, replace --providing video signals-- with --providing video signals through the TV tuner box or TV tuner in the TV set--
- In claim 29, line 4, replace --coupled to a TV tuner and connected to a TV set, wherein-- with --coupled to a separate TV tuner box or TV tuner in the TV set, wherein--
- In claim 29, line 7, replace --providing video signals-- with --providing video signals through the TV tuner box or TV tuner in the TV set--

Authorization for the examiner's amendment was given during a telephone interview with attorney William Klima on Monday, September 19th.

Allowable Subject Matter

Claims 19-39 are allowed.

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

With regard to independent claims 19 and 29, the prior art fails to disclose or reasonably suggest the invention taken as a whole with respect to a combiner unit at the user's premises separate from a TV tuner box or TV tuner in the TV set that receives video and overlay enabling digital data from mutually distinct, unrelated sources and inputs, wherein the unrelated sources are a video source and the internet, wherein the overlay enabling digital data comprise a web link indicating a website where content that is associated with the overlay-enabling digital data is

stored, an image indicative of the content associated with the overlaying digital data, and overlay activation criterion.

The closest prior art (Akiyama (WO 02/19689) and Butler (US 20020007493)) discloses receiving both video and overlay activation criteria from the same source (Butler, paragraph [0055], [0058]) and receiving the supplemental content from a different source such as the Internet (Akiyama, page 16-18), however fails to disclose that the source of the video content and the overlay activation criteria are unrelated and received via mutually distinct and independent inputs.

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

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571)270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/MARK D FEATHERSTONE/
Primary Examiner, Art Unit 2423

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	11794825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D FEATHERSTONE	2423

SEARCHED

Class	Subclass	Date	Examiner

SEARCH NOTES

Search Notes	Date	Examiner
East Text Search725/32-36	11/3/2009	MF
Updated East Text Search 725/32-36 - see notes	10/21/2010	MF
Inventor search	10/21/2010	MF
Updated East Text Search/Inventor Search	7/5/2011	MF
Consulted Son Huynh, Hai Tran, Hunter Lonsberry	9/7/2011	MF
Updated East Search	9/20/2011	MF
Consulted Namitha Pillai, Class 715	9/20/2011	MF
Searched 715/717, 768, 345/629	9/20/2011	MF

INTERFERENCE SEARCH

Class	Subclass	Date	Examiner
Searched Claim language in patent/pgpub database		9/20/2011	MF

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	5	"2004107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:56
S2	2	"20040107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/03 15:57
S4	28	(supplement$4 adj2 content) with profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:20
S5	2086	725/32-36.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S6	0	S5 with (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S7	1101	S5 and(supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22
S8	1101	S5 and (supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:22

S9	1325	S5 and (enhance$3 supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S10	70308	S9 and (web near2 server) (internet near2 server)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S11	362	S9 and ((web near2 server) (internet near2 server))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:23
S12	203	S11 and interactive	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 00:24
S14	191	color with (remote) with icon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 01:29
S15	22	US-20040107437-$.DID. OR US-6240555-$.DID. OR US-6351270-$.DID. OR US-6606746-$.DID. OR US-20020093594-$.DID. OR US-6130898-$.DID. OR US-20020088004-$.DID. OR US-6727918-$.DID. OR US-20040221308-$.DID. OR US-20040064835-$.DID. OR US-6501557-$.DID.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:39
S16	2	"7340457".pn.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:41

S17	3	"0279869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:48
S18	0	wo adj "0279869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:48
S19	0	wo0279869	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S20	0	wo0219869	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S21	1	wo adj "0219869"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S22	1	wo adj "0219689"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2009/11/04 14:49
S23	3	"0219689"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/18 18:02
S25	109	(overlay with link) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/19 15:07

S26	15	(overlay with (hyperlink (hyper adj link))) and "725"/$. ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/19 15:09
S27	2	"US 20080046942"	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2010/10/21 13:39
S28	207	color with (remote) with icon	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:40
S29	2495	725/32-36.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S30	1611	S29 and (enhance$3 supplement$4 complement$4 interent web)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S31	451	S30 and ((web near2 server) (internet near2 server))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S32	259	S31 and interactive	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41
S33	36	(supplement$4 adj2 content) with profile	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2010/10/21 17:41

S35	2979	overlay and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/01/06 12:33
S36	4009	(overlay overlaid overlay$4) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/01/06 12:33
S37	532	((overlay overlaid overlay$4) with interactive) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/01/06 12:33
S38	3168	overlay and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 10:40
S39	129	(overlay with link) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 10:40
S40	8	((overlay with link) same (ad advertisement)) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 10:52
S41	2	"US 20080046942"	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/06/06 11:04
S42	54	(overlay with trigger) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 11:22

S43	6	((overlay with link) same trigger) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 11:23
S44	3	"20010044726"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/06/06 12:30
S46	2	"US 20070260708"	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/01 23:01
S47	2	"20020133545"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/07/01 23:16
S48	3	"20060247855"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/07/01 23:38
S49	474	overlay near2 (trigger $2 activat$3)	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:03
S50	42	S49 and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:03
S51	158	(overlay near3 (ad advertisement))and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:07
S52	7	(overlay near3 (click)) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:11
S53	35	(overlay near3 (supplemental)) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; DERWENT	OR	ON	2011/07/05 14:17

S54	2	"20060120385"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/07/05 19:59
S55	21834	(public near2 network) same (private adj network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/07/05 20:05
S56	38190	(public near2 network) same (private near2 network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/07/05 20:05
S57	10290	(overlay (over adj lay) over-lay) and (separate different) near2 (source provider)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/17 23:48
S58	544	(overlay (over adj lay) over-lay) same (separate different) near2 (source provider)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/17 23:49
S59	34	(overlay (over adj lay) over-lay) same (separate different) near2 (source provider) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/17 23:49
S60	8	((overlay (over adj lay) over-lay) near provider) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/17 23:54
S61	10	((overlay (over adj lay) over-lay) near server) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/17 23:56

S62	392	((overlay (over adj lay) over-lay) with combin $4) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/17 23:58
S63	123	((overlay (over adj lay) over-lay) with internet) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 00:12
S64	0	((overlay (over adj lay) over-lay) with internet near port) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 00:13
S65	4	((overlay (over adj lay) over-lay) with source) same trigger and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 00:51
S66	57	((overlay (over adj lay) over-lay) with trigger) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 00:52
S67	2	"20100114434"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 01:20
S68	356	trigger with (different separate) near2 source	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 16:49
S69	356	trigger with ((different separate) near2 source)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 16:49

S70	77	trigger with ((different separate) near2 source) and (tv television video)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 16:50
S71	16	trigger adj source and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 16:59
S72	1646	monitor near4 (user) same trigger	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:15
S73	40	monitor near4 (user) same trigger and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:15
S74	45	monitor near4 (user) same (overlay overlaid) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:31
S75	2	"20040107437"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:36
S76	68	(monitor near2 watching) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:40
S77	2	(monitor near2 watching) same (overlay overlaid) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:40

S78	9	monitor same (advertisement ad) with (overlay overlaid) and "725"/$.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:41
S79	230	(store$1 near trigger) and (overlay$4 overlaid)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:48
S80	187	(store$1 near trigger) and (overlay$4 overlaid) and (video tv television)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/18 17:49
S81	123	trigger with ((different separate) near4 source) and (tv television video)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2011/09/19 13:51

9/20/2011 5:23:50 PM
C:\Documents and Settings\mfeatherstone\My Documents\EAST\Workspaces\11794825.wsp

Issue Classification

Application/Control No.	Applicant(s)/Patent Under Reexamination
11794825	MERLIN, YAKKOV
Examiner	**Art Unit**
MARK D FEATHERSTONE	2423

ORIGINAL	
CLASS	SUBCLASS
725	109

CROSS REFERENCE(S)

CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)				
715	717				
345	629				

INTERNATIONAL CLASSIFICATION					
CLAIMED					NON-CLAIMED
H	0	4	N	7 / 173 (2011.0)	
G	0	6	F	3 / 00 (2006.0)	
G	0	9	G	5 / 00 (2006.01.01)	

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	19	21	35												
2	20	19	36												
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15	31														
16	32														
17	33														
18	34														

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 21
/MARK D FEATHERSTONE/ Primary Examiner.Art Unit 2423 09/20/2011 (Primary Examiner) (Date)	O.G. Print Claim(s): 1 O.G. Print Figure: 1

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

TITLE OF INVENTION: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	~~$755~~ $870	$300	$0	~~$1055~~ $1170	12/23/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
FEATHERSTONE, MARK D	2423	725-087000

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1 The Nath Law Group
2 William L. Klima
3 Susanne M. Hopkins

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(A) NAME OF ASSIGNEE: TVNGO LTD.
(B) RESIDENCE: (CITY and STATE OR COUNTRY): Raanana, ISRAEL

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

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Typed or printed name William L. Klima Registration No. 32,422

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: 11/794,825	Examiner: FEATHERSTONE, MARK D.
Filed: July 6, 2007	Group Art Unit: 2423

For: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS

AMENDMENT UNDER 37 CFR §1.312

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

Dear Commissioner:

This paper is submitted after issuance of the Notice of Allowance dated September 23, 2011, making a response due on or before December 23, 2011. Accordingly, this response is timely filed.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

A **Conclusion** appears at page 12 of this paper.

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions of claims in this application.

The claims have been amended to reflect the Examiner's amendments accompanying the Notice of Allowance dated September 23, 2011.

1-18. (Canceled)

19. (Previously presented) A method for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the method comprising:

(a) providing a combiner unit at the user's premises, wherein:

the combiner unit is coupled to a TV set and connected to a separate TV tuner box or TV tuner in the TV at the user's premises, and

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals through the TV tuner box or TV tuner in the TV set, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and wherein

said overlay-enabling digital data includes at least:

a Web link indicating a website where content that is associated with said overlay-enabling digital data is stored,

an image indicative of the content associated with said overlay-enabling digital data, and

an overlay activation criterion; and

(b) processing at the user's premises said overlay-enabling digital data and generating at the user's premises a corresponding overlay only if said activation criterion is met, wherein generating an overlay includes:

generating at the user's premises a first display screen including at least a first portion corresponding to said video signals and a second portion overlaid over said first portion and corresponding at least to said image, and

associating the Web link with said second portion of the first display screen thereby allowing a user to cause the combiner unit to retrieve said content, generate a second video display screen including at least a portion which corresponds to said content, and input the second display screen to said TV set.

20. (Previously presented) The method according to claim 19, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored user profile.

21. (Previously presented) The method according to claim 19, further including:

receiving a command from a user at said user premises; and

responsive to said command, resizing said first portion and/or said second portion of said first display screen.

22. (Previously Presented) The method according to claim 19, wherein the content stored at said website enables streaming of digital data over the Internet; and

said method further including: pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

23. (Previously presented) The method according to claim 19, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored, and wherein said generating an overlay further includes within said first display said one or more second images.

24. (Previously presented) The method according to claim 23, further including:

periodically accessing a web server for downloading said overlay-enabling digital data;

extracting from the overlay-enabling digital data said one or more second images and the respective web sites corresponding to each of said second images;

retrieving and storing digital content from said web sites; and

if the overlay activation criterion is met and a user command that is associated with an image from amongst said one or more second images is identified, displaying the respective image from amongst the second images, accessing the respective web site associated with the displayed image and extracting and buffering content from the website.

25. (Previously presented) The method according to claim 19, wherein the overlay-enabling digital data is supplementary or complementary to the video signals.

26. (Previously presented) The method according to claim 19, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

27. (Previously presented) The method according to claim 26, including selecting specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

28. (Previously presented) The method according to claim 19, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

29. (Currently amended) A TV-Internet Integration Box for generating at a user's premises an overlay using video signals constituting a first data and overlay-enabling digital data constituting a second data, the TV-Internet Integration Box comprising:

a combiner unit at a user's premises coupled to a separate TV tuner box or TV tuner ~~in the TV set~~, wherein

the combiner unit is also connected through distinct networks to each of a video signal source providing video signals through the TV tuner box or TV tuner ~~in the TV set~~, and an Internet data source providing overlay-enabling digital data over the Internet, wherein

said video signals and said overlay-enabling digital data originate from unrelated sources and are transmitted to the user's premises by different resources as mutually distinct and independent inputs, and

wherein said overlay-enabling digital data includes at least:

a Web link indicating a website where content that is associated with said overlay-enabling digital data is stored;

an image indicative of the content associated with said overlay-enabling digital data; and

an overlay activation criterion, wherein

the combiner unit is responsive to an overlay activation criterion being met for generating a corresponding overlay, including:

generating at the user's premises a first display screen including at least a first portion corresponding to said video signals and a second portion overlaid over said first portion and corresponding at least to said image, and

associating the Web link with said second portion of the first display screen thereby allowing a user to cause the combiner unit to retrieve said content, and generate a second video display screen including at least a portion which corresponds to said content; and

a video output interface, coupled to or integrated within the combiner unit and configured to be coupled to a video input of said TV set and to display said first display screen or said second video display screen.

30. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein said overlay-enabling digital data is received at the user premises according to a pre-stored user-profile.

31. (Previously presented) The TV-Internet Integration Box according to claim 29, further including:

a command input for receiving a command from a user at said user premises; and

a frame adjuster for resizing said first portion and/or said second portion of said first display screen in response to said command.

32. (Previously presented) The TV-Internet Integration Box according to claim 29, further including:

a receiver for receiving a digital data stream, wherein the stream of the digital data is enabled by the content stored at said website; and

a processing unit for pre-fetching and buffering said digital data stream from said website, thereby allowing said digital data stream to be displayed substantially without delay upon redirection by the user.

33. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein the overlay-enabling digital data comprises data representative of one or more second images, and for each of said one or more second images said overlay-enabling data comprises respective web site addresses where IP content associated with the respective second image is stored,

and wherein the combiner unit is configured to:

periodically access a web server for downloading said overlay-enabling digital data;

extract from the overlay-enabling digital data said one or more second images and the respective web sites corresponding to each of said second images;

retrieve and store digital content from said web sites; and

if the overlay activation criterion is met, and a user command that is associated with an image from amongst said one or more second images is identified, display the respective image from amongst the second images, access the respective web site associated with the displayed image and extract and buffer content from the website.

34. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein the image includes an icon that indicates to the user that digital data from Internet content is currently being displayed and which provides an indication of a nature of said Internet content.

35. (Previously presented) The TV-Internet Integration Box according to claim 34, wherein the icon is colored so as to allow user selection of a specific Internet content by pressing a color-coded button on a remote control in accordance with a color of said icon.

36. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein the image contains textual information advising the user to press a particular button on the remote control unit.

37. (Previously presented) The TV-Internet Integration Box according to claim 29, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

38. (Previously presented) The method according to claim 19, wherein said overlay activation criterion includes at least one of the following: a timing information, data specifying one or more TV subscriber channels, a user command information.

39. (Previously presented) The method according to claim 23, further comprising displaying a respective IP content when a corresponding one of said one or more second images is selected.

REMARKS

Claims 19-39 are allowed. Claim 29 is amended above.

Claim 29 was previously amendment by Examiner's Amendment accompanying the Notice of Allowance dated September 23, 2011.

Claim 29 is now amended to delet the words "in the TV set" on lines 5 and 7.

The basis for this amendment is that the TV tuner in a conventional TV set is configured to only send a signal to the TV screen, and is not configured to send a signal out of the TV set to the TV-Integration Box.

CONCLUSION

Applicant asserts that claim 29 is allowable as amended. Should the Examiner have any questions or comments regarding this amendment after allowance, the Examiner is invited to telephone applicant's undersigned representative at the telephone number set forth below.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

/William L. Klima/
Susanne M. Hopkins
Reg. No. 33,247
William L. Klima
Registration No. 32,422
Customer No. 20529

December 23, 2011
THE NATH LAW GROUP
112 S. West Street
Alexandria, VA 22314
Tel. No. 703-548-6284

PTO/SB/08a (01-10)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	11794825
Filing Date	2007-07-06
First Named Inventor	Yaakov MERLIN
Art Unit	2423
Examiner Name	FEATHERSTONE, MARK D
Attorney Docket Number	28462U

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	1	2003-18575	JP	A	2003-01-17	MATSUSHITA ELECTRIC IND CO LTD	English Abstract attached separately	☒
	2	2000-217090	JP	A	2000-08-04	INFOCITY INC	English Abstract attached separately; corresponds to US 6,778,559 B2	☒
	3	2004-7323	JP	A	2004-01-08	MATSUSHITA ELECTRIC IND CO LTD	English Abstract attached separately	☒

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	11794825
	Filing Date	2007-07-06
	First Named Inventor	Yaakov MERLIN
	Art Unit	2423
	Examiner Name	FEATHERSTONE, MARK D
	Attorney Docket Number	28462U

	4	2003-323370	JP	A	2003-11-14	HITACHI SOFTWARE ENG	English Abstract attached separately	☒

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	11794825
Filing Date	2007-07-06
First Named Inventor	Yaakov MERLIN
Art Unit	2423
Examiner Name	FEATHERSTONE, MARK D
Attorney Docket Number	28462U

CERTIFICATION STATEMENT

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

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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	/William L. Klima/	Date (YYYY-MM-DD)	2011-12-23
Name/Print	William L. Klima	Registration Number	32422

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

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

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

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 Patent Application Fee Transmittal

Application Number:	11794825
Filing Date:	06-Jul-2007
Title of Invention:	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS
First Named Inventor/Applicant Name:	Yakkov Merlin
Filer:	Susanne M. Hopkins/Lisa Elliott
Attorney Docket Number:	28462U

Filed as Small Entity

U.S. National Stage under 35 USC 371 Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	870	870
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Extension-of-Time:				
Miscellaneous:				
Printed copy of patent - no color	8001	10	3	30
		Total in USD ($)		**1200**

Electronic Acknowledgement Receipt

EFS ID:	11697882
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Susanne M. Hopkins/Lisa Elliott
Filer Authorized By:	Susanne M. Hopkins
Attorney Docket Number:	28462U
Receipt Date:	23-DEC-2011
Filing Date:	06-JUL-2007
Time Stamp:	13:19:18
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$1200
RAM confirmation Number	382
Deposit Account	
Authorized User	

File Listing:

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

1	Issue Fee Payment (PTO-85B)	PTOL-85B.pdf	538840 a8ed6a1aa2c07b6db0fe5a2e592cc63e7bf5c807	no	1
Warnings:					
Information:					
2		2011_12_23_312amendment.pdf	96098 f350ae57f1b0dfbc2c8f18b66803911088fbb359	yes	12

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment after Notice of Allowance (Rule 312)	1	1
	Claims	2	10
	Applicant Arguments/Remarks Made in an Amendment	11	12

Warnings:					
Information:					
3	Information Disclosure Statement (IDS) Form (SB08)	IDS.pdf	612075 21417dc9a8276209f9c3c3822e99f67f574dddc5	no	4
Warnings:					
Information:					
4	Foreign Reference	JP200332370A.pdf	923284 e9539333e6a674d0647406ff1bd3583ff901a3c9	no	15
Warnings:					
Information:					
5	Abstract	JP200332370A_Abstract.pdf	116217 572133b31da83a43ce0535c03d85f2537d4e3840	no	1
Warnings:					
Information:					
6	Foreign Reference	JP2000217090A.pdf	1043471 0f79924bccbe27fb63057984ebe6be61db4ba3a2	no	31
Warnings:					
Information:					
7	Abstract	JP2000217090A_Abstract.pdf	128846 bb03819bfb5a2d19cbc62d585cd193bcd7a539d2	no	1
Warnings:					
Information:					

8	Foreign Reference	JP2003018575A.pdf	1489608 a34f802449a00335b6950659185e452fe42be473	no	23
Warnings:					
Information:					
9	Abstract	JP2003018575A_Abstract.pdf	110449 a6acb9500bbf7c6cf8dd62c6347b6519ce46a9a8	no	1
Warnings:					
Information:					
10	Foreign Reference	JP2004007323A.pdf	1784856 3e0d3ae926b2f16f04c79d9bee623be8e7424cc8	no	41
Warnings:					
Information:					
11	Abstract	JP2004007323A_Abstract.pdf	100638 923e4b4c75b96008d11121911430cd034220edf2	no	1
Warnings:					
Information:					
12	Fee Worksheet (SB06)	fee-info.pdf	33820 1c4bbd6508cd4690a6828946c4b71eb381da11bd	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	6978202		

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
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

7590 12/28/2011

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
12/28/2011	PAPER

NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) filed 12/23/11 in the above-identified application fails to meet the requirements of 37 CFR 1.97(d) for the reason(s) specified below. Accordingly, the IDS will be placed in the file, but the information referred to therein has not been considered.

The IDS is not compliant with 37 CFR 1.97(d) because:

☒ The IDS lacks a statement as specified in 37 CFR 1.97(e).

☐ The IDS lacks the fee set forth in 37 CFR 1.17(p).

☐ The IDS was filed after the issue fee was paid. Applicant may wish to consider filing a petition to withdraw the application from issue under 37 CFR 1.313(c) to have the IDS considered. See MPEP 1308.

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

FORM PTOM327-B (Rev. 02/08)

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/794,825	07/06/2007	Yakkov Merlin	28462U	5316

20529 7590 01/09/2012

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

EXAMINER	
FEATHERSTONE, MARK D	
ART UNIT	PAPER NUMBER
2423	
MAIL DATE	DELIVERY MODE
01/09/2012	PAPER

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

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

Response to Rule 312 Communication	Application No.	Applicant(s)
	11/794,825	MERLIN, YAKKOV
	Examiner	Art Unit
	MARK D. FEATHERSTONE	2423

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

1. ☒ The amendment filed on *23 December 2011* under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

Examiner has entered applicant's amendments to claim 29.

/FARZANA HOSSAIN/
Primary Examiner, Art Unit 2424

Please Enter - /MF/

AMENDMENT
Attorney Docket No. 28462U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yakkov Merlin	Conf. No.: 5316
Application No.: 11/794,825	Examiner: FEATHERSTONE, MARK D.
Filed: July 6, 2007	Group Art Unit: 2423

For: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS

AMENDMENT UNDER 37 CFR §1.312

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

Dear Commissioner:

This paper is submitted after issuance of the Notice of Allowance dated September 23, 2011, making a response due on or before December 23, 2011. Accordingly, this response is timely filed.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

A **Conclusion** appears at page 12 of this paper.

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.
11/794,825	03/06/2012	8132220	28462U	5316

20529 7590 02/15/2012

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314

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 700 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):

Yakkov Merlin, Raanana, ISRAEL;

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):

23432

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		Date	April 16 2015
Name	MERLIN YAKOBSON Authorized Officer of Assignee	Telephone	052-3227693
Title and Company	TVNSC Ltd., 264 Keppelburger Straat, 1011 MN Amsterdam, the Netherlands		

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 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 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.

Electronic Acknowledgement Receipt

EFS ID:	22098245
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	20529
Filer:	Ivan Kavrukov/Maria arap
Filer Authorized By:	Ivan Kavrukov
Attorney Docket Number:	28462U
Receipt Date:	17-APR-2015
Filing Date:	06-JUL-2007
Time Stamp:	16:30:52
Application Type:	U.S. National Stage under 35 USC 371

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		220-373Statement_POA.pdf	535155 92341db80a546a21f64a06086cd24f313a3af2be	yes	2

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Assignee showing of ownership per 37 CFR 3.73	1	1
	Power of Attorney	2	2
Warnings:			
Information:			
	Total Files Size (in bytes):	535155	

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

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

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

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

PTO/SB/96 (07-09)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: YAKKOV MERLIN

Application No./Patent No.: 8,132,220 Filed/Issue Date: March 06, 2012

Titled: METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS

TV n GO Ltd., a Limited Liability Company
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. [X] the assignee of the entire right, title, and interest in;

2. [ ] an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or

3. [ ] the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached.

OR

B. [X] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Inventor Yakkov Merlin To: TVn Go Ltd. (office in Israel)

The document was recorded in the United States Patent and Trademark Office at
Reel 19574, Frame 0092, or for which a copy thereof is attached.

2. From: TVn Go Ltd. (Israel) To: TVnGo Ltd. (BVI)

The document was recorded in the United States Patent and Trademark Office at
Reel 035417, Frame 0667, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

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

[X] As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (*i.e.*, a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

_____ April 6, 2015
Signature Date

YAKKOV MERLIN, Authorized Officer of TVnGO LTD (BVI) CEO
Printed or Typed Name Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/794,825	07/06/2007	Yakkov Merlin	28462U

CONFIRMATION NO. 5316

POA ACCEPTANCE LETTER

23432
COOPER & DUNHAM, LLP
30 Rockefeller Plaza
20th Floor
NEW YORK, NY 10112

OC000000074815875

Date Mailed: 04/24/2015

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/17/2015.

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

/mmasfaw/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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P.O. Box 1450
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/794,825	07/06/2007	Yakkov Merlin	28462U

CONFIRMATION NO. 5316

POWER OF ATTORNEY NOTICE

20529
NATH, GOLDBERG & MEYER
Joshua Goldberg
112 South West Street
Alexandria, VA 22314

OC000000074815830

Date Mailed: 04/24/2015

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/17/2015.

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

/mmasfaw/

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

PTO/AIA/80 (07-17)
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 person is required to respond to a collection of information unless it displays a valid OMB control number

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

[X] Practitioners associated with Customer Number: 24392

OR

[ ] Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

[X] The address associated with Customer Number: 24392

OR

[ ]

Firm or individual name		
Address		
City	State	Zip
Country		
Telephone	Email	

Assignee name and address: TVnGO Ltd.
912 1st Court
Brooklyn, NY 11223

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of the practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee.

Signature	Date 09-30-2021
Name Eliot Harary	Telephone 7185511751
Title CEO/Chairman	

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 update (and by the USPTO to process) the file of a patent or reexamination proceeding. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 18 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.

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:	44000521
Application Number:	11794825
International Application Number:	
Confirmation Number:	5316
Title of Invention:	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	23432
Filer:	Robert Fish/Tammy Lightman
Filer Authorized By:	Robert Fish
Attorney Docket Number:	28462U
Receipt Date:	11-OCT-2021
Filing Date:	06-JUL-2007
Time Stamp:	19:34:33
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Assignee showing of ownership per 37 CFR 3.73	373_Statement_TVNGO1US1.pdf	119608 b22109bb77576d14ce9c72d9990bed764cee3fbf	no	3

Warnings:

Information:					
2	Power of Attorney	POA-signed.pdf	513514 7c1099d311eb09027e77d21f5b84f99eb10bd829	no	2
Warnings:					
Information:					
			Total Files Size (in bytes):	633122	

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/96 (08-12)
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.

STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: TVNGO LTD. (BVI)

Application No./Patent No.: 8132220 Filed/Issue Date: March 6, 2012

Titled: Method and Apparatus for Facilitating Toggling Between Internet and TV Broadcasts

TVNGO LTD. (BVI), a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

A. ☑ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 035417, Frame 0667, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

   1. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

   2. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

PTO/AIA/96 (08-12)
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.

STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

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

☑ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Robert D. Fish/	October 11, 2021
Signature	Date
Robert D. Fish	33880
Printed or Typed Name	Title or Registration 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).
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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.

PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Patent Number	Issue Date	Application Number	Filing Date	Docket Number (if applicable)
8132220	06-Mar-2012	11794825	06-Jul-2007	

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number and (2) the application number of the actual U.S. application leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Applicants claims the following fee status:

- (◉) Small Entity
- ( ) Micro Entity
- ( ) Regular Undiscounted

Applicants selects the following :

( ) 3 1/2	(◉) 7 1/2	( ) 11 1/2

PETITION FEE
The petition fee required by 37 CFR 1.17(m) (Fee Code 1558/2558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

MAINTENANCE FEE (37 CFR 1.20(e)-(g))
The appropriate maintenance fee must be submitted with this petition.

STATEMENT

The delay in payment of the maintenance fee for this patent was unintentional.

Petitioner is reminded that a delay resulting from a deliberately chosen course of action or a change in circumstance is not an unintentional delay.

Petitioner is further reminded that a person seeking reinstatement of an expired patent should not make a statement that the delay in payment of the maintenance fee was unintentional unless the entire delay was unintentional, including the period from discovery that the maintenance fee was not timely paid until payment of the maintenance fee. For example, a statement that the delay in payment of the maintenance fee was unintentional would not be proper when the patentee becomes aware of an unintentional failure to timely pay the maintenance fee and then intentionally delays filing a petition for reinstatement of the patent under 37 CFR 1.378. See MPEP 2590.

NOTE: Where the petition under 37 CFR 1.378 is filed more than two years after the date the patent expired for nonpayment of the maintenance fee, the United States Patent and Trademark Office requires an additional explanation of the circumstances surrounding the delay that establishes the entire delay was unintentional. This requirement is in addition to the requirement to provide a statement that the entire delay was unintentional. See *Clarification of the Practice for Requiring Additional Information in Petitions Filed in Patent Applications and Patents Based on Unintentional Delay*, 85 FR 12222 (March 2, 2020). See MPEP 711.03(c)(II)(C)-(F) for additional guidance on the information required to establish that the entire delay was unintentional.

PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

37 CFR 1.378(c) states: "Any petition under this section must be signed in compliance with 37 CFR 1.33(b) ."

I certify, in accordance with 37 CFR 1.4(d)(4) that I am

- (●) An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.
- ( ) An attorney or agent registered to practice before the Patent and Trademark Office
- ( ) A sole patentee
- ( ) A joint patentee; I certify that I am authorized to sign this submission on behalf of all the other patentees as evidenced by the power of attorney in the application
- ( ) A joint patentee; all of whom are signing this e-petition
- ( ) The assignee of record of the entire interest that qualifies as an authorized party under 37 CFR 1.33(b)

Attorney			
A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature			
Signature	/Robert D. Fish/		
Name	Robert D. Fish	Registration Number	33880

Electronic Patent Application Fee Transmittal

Application Number:	11794825
Filing Date:	06-Jul-2007
Title of Invention:	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS
First Named Inventor/Applicant Name:	Yakkov Merlin
Filer:	Robert Fish/Tammy Lightman
Attorney Docket Number:	103692.0001US1

Filed as Small Entity

Filing Fees for U.S. National Stage under 35 USC 371

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
MAINTENANCE FEE DUE AT 7.5 YEARS	2552	1	1880	1880
PET. DELAY PYMT MAINTAIN PATENT IN FORCE	2558	1	1050	1050
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
			Total in USD ($)	**2930**

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

In re Patent No. 8132220
Issue Date: March 6,2012
Application No. 11794825
Filed: July 6,2007
Attorney Docket No. 103692.0001US1

:
:DECISION GRANTING PETITION
:UNDER 37 CFR 1.378(b)
:

This is a decision on the electronic petition, filed October 18,2021 ,under 37 CFR 1.378(b) to accept the unintentionally delayed payment of the 7.5 year maintenance fee for the above-identified patent.

The petition is **GRANTED**.

The maintenance fee is accepted, and the above-identified patent reinstated as of October 18,2021 . This decision also constitutes notice that the fee has been accepted. An electronic copy of the petition and this decision has been created as an entry in the Image File Wrapper. Nevertheless, petitioner should print and retain an independent copy.

Telephone inquiries related to this electronic decision should be directed to the Electronic Business Center at 1-866-217-9197.

Electronic Acknowledgement Receipt

EFS ID:	44053890
Application Number:	11794825
Patent Number:	8132220
Confirmation Number:	5316
Petition Issued Date:	October 18,2021
Title of Invention:	METHOD AND APPARATUS FOR FACILITATING TOGGLING BETWEEN INTERNET AND TV BROADCASTS
First Named Inventor/Applicant Name:	Yakkov Merlin
Customer Number:	24392
Filer:	Robert Fish/Tammy Lightman
Filer Authorized By:	Robert Fish
Attorney Docket Number:	103692.0001US1
Receipt Date:	18-OCT-2021
Filing Date:	06-JUL-2007
Time Stamp:	14:30:48
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	DA
Payment was successfully received in RAM	$2930
RAM confirmation Number	E20210HE30444068
Deposit Account	500341
Authorized User	Tammy Lightman
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

37 CFR 1.21 (Miscellaneous fees and charges)

37 CFR 1.20 (Post Issuance fees)

37 CFR 1.19 (Document supply fees)

37 CFR 1.17 (Patent application and reexamination processing fees)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	ePetition Request Form	petition-request.pdf	47976 53e1453f572aeef825fe739f62ca3c1725d940f7	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	40732 74e306abcff3540165429a6d27f7a59809a4fd41	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	88708		

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.

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
11/794,825	07/06/2007	Yakkov Merlin	28462U

CONFIRMATION NO. 5316

POA ACCEPTANCE LETTER

24392
FISH IP LAW, LLP
2603 Main Street
Suite 1000
Irvine, CA 92614

OC000000129156376

Date Mailed: 10/18/2021

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/11/2021.

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

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**.

/tmwilliams/

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
11/794,825	07/06/2007	Yakkov Merlin	28462U

CONFIRMATION NO. 5316

POWER OF ATTORNEY NOTICE

23432
c/o COOPER & DUNHAM LLP
90 PARK AVENUE, 21st Fl
NEW YORK, NY 10016

OC00000129156373

Date Mailed: 10/18/2021

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/11/2021.

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

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**.

/tmwilliams/