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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/563,112	11/05/2013	8577000	WB-019	5694

22200 7590 10/16/2013
PARK, VAUGHAN, FLEMING & DOWLER LLP
2820 FIFTH STREET
DAVIS, CA 95618

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 882 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):

Wendell Brown, Henderson, NV;

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

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
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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)

22200 7590 09/16/2013
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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/563,112	09/18/2009	Wendell Brown	WB-019	5694

TITLE OF INVENTION: METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$0	\$0	\$890	12/16/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
SING, SIMON P	2653	379-088130

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 Park, Vaughan, Fleming &
2 Dowler LLP
3 Daniel E. Vaughan

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)

WENDELL BROWN

HENDERSON, NV

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

4a. The following fee(s) are submitted:

- ☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☒ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

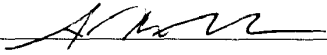
☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature 

Date 01 October 2013

Typed or printed name A. Richard Park

Registration No. 41,241

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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Electronic Patent Application Fee Transmittal				
Application Number:		12563112		
Filing Date:		18-Sep-2009		
Title of Invention:		METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		
First Named Inventor/Applicant Name:		Wendell Brown		
Filer:		A.Richard Park		
Attorney Docket Number:		WB-019		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	890	890
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				890

Electronic Acknowledgement Receipt	
EFS ID:	17012725
Application Number:	12563112
International Application Number:	
Confirmation Number:	5694
Title of Invention:	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL
First Named Inventor/Applicant Name:	Wendell Brown
Customer Number:	22200
Filer:	A.Richard Park
Filer Authorized By:	
Attorney Docket Number:	WB-019
Receipt Date:	01-OCT-2013
Filing Date:	18-SEP-2009
Time Stamp:	18:47:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 890
RAM confirmation Number	5863
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Miscellaneous Incoming Letter	Authorization-deposit-account.pdf	22256 63612c2bcd3913978f7c648062b08885e94c0b9	no	1
Warnings:					
Information:					
2	Issue Fee Payment (PTO-85B)	PTOL85.pdf	198079 bfd576acb26cf79e9c01c079d06874c5a094d4f6	no	2
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	30374 037b27f3f6733acbfb7414da5027b762ca929740	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			250709		
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.					

AUTHORIZATION TO DEDUCT ANY UNDERPAYMENTS
OR CREDIT ANY OVERPAYMENTS TO DEPOSIT
ACCOUNT 50-1003

Please deduct any underpayments, credit any overpayments, and charge all required extension of time fees associated with attached filing to Deposit Account Number 50-1003.

Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1661
Fax: (530) 759-1665
Email: richard@parklegal.com

Respectfully submitted,

By 

A. Richard Park
Registration No. 41,241



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/563,112	09/18/2009	Wendell Brown	WB-019	5694
22200 7590 09/25/2013 PARK, VAUGHAN, FLEMING & DOWLER LLP 2820 FIFTH STREET DAVIS, CA 95618			EXAMINER SING, SIMON P	
			ART UNIT 2653	PAPER NUMBER
			MAIL DATE 09/25/2013	DELIVERY MODE PAPER

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

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

Supplemental Notice of Allowability	Application No. 12/563,112	Applicant(s) BROWN, WENDELL	
	Examiner SIMON SING	Art Unit 2653	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to proposed amendment submitted on 09/12/2013.
 ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

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

3. ☒ The allowed claim(s) is/are 1-21 and 31-38. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
 a) ☐ All b) ☐ Some *c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 * Certified copies not received: _____.

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

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

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

Attachment(s)

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

/Simon Sing/ Primary Examiner, Art Unit 2653	
---	--

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

DETAILED ACTION

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

EXAMINER'S AMENDMENT

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

Authorization for this examiner's amendment was given in a telephone interview with MR. Daniel Vaughan on 09/12/2013.

2. The application has been amended as follows:

2.1 Claim 10 is amended as:

The method of claim 1, ~~wherein~~ wherein:

the pre-ring set of content is transmitted to the first communication device and comprises a status of a transaction between operators of the first communication device and the second communication device; and

wherein the status of a transaction is not a recording of the transaction.

2.2 Claim 21, line 1, before “computer-readable”, insert -- non-transitory --.

2.3 Cancel claims 22-30.

2.4 Add new claims 31-38:

31. (New) A system for controlling presentation of content on a communication device, comprising:
one or more processors; and
memory for storing instructions that, when executed by the one or more processors, cause the system to:

receive electronic notification of initiation of a call from a first communication device to a second communication device;
transmit a signal to the first communication device to delay dialing the call without soliciting action by an operator of the first communication device; and
transmit to one or both of the first communication device and the second communication device a pre-ring set of content to be displayed after receiving the electronic notification and before the call rings at the second communication device.

32. (New) The method of claim 1, further comprising:
transmitting to one or both of the first communication device and the second communication device an in-call set of content to be displayed during the call.

33. (New) The method of claim 1, further comprising:
transmitting to one or both of the first communication device and the second communication device a post-call set of content to be displayed after the call.

34. (New) The method of claim 1, wherein:
the pre-ring set of content is transmitted to the first communication device and comprises a control actuatable to reroute the call to a third communication device instead of the second communication device; and
the control identifies one of:
the third communication device; and
a party associated with the third communication device.
35. (New) The method of claim 1, wherein the pre-ring set of content is transmitted to the second communication device and comprises a notification of the call.
36. (New) The method of claim 1, wherein the pre-ring set of content comprises a commercial offer.
37. (New) The method of claim 1, wherein the pre-ring set of content served to one of the first communication device and the second communication device comprises a custom page of content associated with an operator of the other communication device.
38. (New) The method of claim 1, wherein the pre-ring set of content is selected by an operator of the second communication device.

Allowable Subject Matter

3. Claims 1-21 and 31-38 are allowed.

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

The applicant's amendment filed on 07/25/2013 in combination with the remarks has been reviewed, and it is agreed that the prior art on record does not teach the amended limitations.

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."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) US 8,081,751 (Martin et al).
- b) US 8,234,167 (Civanlar et al).

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Thursday from 9:30 AM to 5:30

Art Unit: 2653

PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

/Simon Sing/

Primary Examiner, Art Unit 2653

Issue Classification 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

CPC		
Symbol	Type	Version

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
(Assistant Examiner)		29	
(Date)			
/SIMON SING/ Primary Examiner.Art Unit 2653	09/13/2013	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Issue Classification 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION														
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED									
379		114.13				H	0	4	M	15 / 00										
CROSS REFERENCE(S)																				
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																			
379	88.13																			

NONE		Total Claims Allowed:	
		29	
(Assistant Examiner)	(Date)		
/SIMON SING/ Primary Examiner.Art Unit 2653	09/13/2013	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Issue Classification 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

☐ 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	1	17	17	22	33										
2	2	18	18	23	34										
3	3	19	19	24	35										
4	4	20	20	25	36										
5	5	28	21	26	37										
6	6	-	22	27	38										
7	7	-	23												
8	8	-	24												
9	9	-	25												
10	10	-	26												
11	11	-	27												
12	12	-	28												
13	13	-	29												
14	14	-	30												
15	15	29	31												
16	16	21	32												

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 29	
/SIMON SING/ Primary Examiner.Art Unit 2653 (Primary Examiner) _____ (Date) _____		O.G. Print Claim(s) 1	O.G. Print Figure 1



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NOTICE OF ALLOWANCE AND FEE(S) DUE

22200 7590 09/16/2013
PARK, VAUGHAN, FLEMING & DOWLER LLP
2820 FIFTH STREET
DAVIS, CA 95618

EXAMINER

SING, SIMON P

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 09/16/2013

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/563,112	09/18/2009	Wendell Brown	WB-019	5694

TITLE OF INVENTION: METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$0	\$0	\$890	12/16/2013

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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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.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/563,112	09/18/2009	Wendell Brown	WB-019	5694

TITLE OF INVENTION: METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$0	\$0	\$890	12/16/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
SING, SIMON P	2653	379-088130

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

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

2. For printing on the patent front page, list

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

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

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

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

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

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/563,112	09/18/2009	Wendell Brown	WB-019	5694

22200	7590	09/16/2013
PARK, VAUGHAN, FLEMING & DOWLER LLP		
2820 FIFTH STREET		
DAVIS, CA 95618		

EXAMINER	
SING, SIMON P	

ART UNIT	PAPER NUMBER
2653	

DATE MAILED: 09/16/2013

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

The Patent Term Adjustment to date is 637 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 637 day(s).

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

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

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

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 12/563,112	Applicant(s) BROWN, WENDELL	
	Examiner SIMON SING	Art Unit 2653	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to RCE with amendment filed on 07/25/2013.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

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

3. ☒ The allowed claim(s) is/are 1-21 and 31-38. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

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

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

* Certified copies not received: _____.

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

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

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

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

Attachment(s)

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

/Simon Sing/ Primary Examiner, Art Unit 2653	
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DETAILED ACTION

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

EXAMINER'S AMENDMENT

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

Authorization for this examiner's amendment was given in a telephone interview with MR. Daniel Vaughan on 09/12/2013.

2. The application has been amended as follows:

- 2.1 Claim 10 is amended as:

The method of claim **Error! Reference source not found.**, ~~wherein~~ wherein:
the pre-ring set of content is transmitted to the first communication device and comprises a status of a transaction between operators of the first communication device and the second communication device; and
wherein the status of a transaction is not a recording of the transaction.

- 2.2 Claim 21, line 1, before "computer-readable", insert -- non-transitory --.

2.3 Cancel claims 22-30.

2.4 Add new claims 31-38:

31. (New) A system for controlling presentation of content on a communication device, comprising:
one or more processors; and
memory for storing instructions that, when executed by the one or more processors, cause the system to:

receive electronic notification of initiation of a call from a first communication device to a second communication device;

transmit a signal to the first communication device to delay dialing the call without soliciting action by an operator of the first communication device; and

transmit to one or both of the first communication device and the second communication device a pre-ring set of content to be displayed after receiving the electronic notification and before the call rings at the second communication device.

32. (New) The method of claim **Error! Reference source not found.**, further comprising:

transmitting to one or both of the first communication device and the second communication device an in-call set of content to be displayed during the call.

33. (New) The method of claim **Error! Reference source not found.**, further comprising:

transmitting to one or both of the first communication device and the second communication device a post-call set of content to be displayed after the call.

34. (New) The method of claim **Error! Reference source not found.**,
wherein:

the pre-ring set of content is transmitted to the first communication device and comprises
a control actuable to reroute the call to a third communication device instead of the second
communication device; and

the control identifies one of:

the third communication device; and

a party associated with the third communication device.

35. (New) The method of claim **Error! Reference source not found.**,
wherein the pre-ring set of content is transmitted to the second communication device and
comprises a notification of the call.

36. (New) The method of claim **Error! Reference source not found.**,
wherein the pre-ring set of content comprises a commercial offer.

37. (New) The method of claim **Error! Reference source not found.**,
wherein the pre-ring set of content served to one of the first communication device and the
second communication device comprises a custom page of content associated with an operator of
the other communication device.

38. (New) The method of claim **Error! Reference source not found.**,
wherein the pre-ring set of content is selected by an operator of the second communication
device.

Allowable Subject Matter

3. Claims 1-21 and 31-38 are allowed.

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

The applicant's amendment filed on 07/25/2013 in combination with the remarks has been reviewed, and it is agreed that the prior art on record does not teach the amended limitations.

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."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a) US 8,081,751 (Martin et al).
- b) US 8,234,167 (Civanlar et al).

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Thursday from 9:30 AM to 5:30

Application/Control Number: 12/563,112
Art Unit: 2653

Page 6

PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

/Simon Sing/
Primary Examiner, Art Unit 2653

Notice of References Cited	Application/Control No. 12/563,112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL	
	Examiner SIMON SING	Art Unit 2653	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-8,081,751	12-2011	Martin et al.	379/373.01
*	B	US-8,234,167	07-2012	Civanlar et al.	705/14.64
	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.

Search Notes 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
379	114.13	10/12/2012	SS
379	114.13	09/11/2013	SS

SEARCH NOTES		
Search Notes	Date	Examiner
EAST	10/12/2012	SS
EAST	09/11/2013	SS

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
379	114.13	09/11/2013	SS

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S57	995	"455"/\$.ccls. and (display\$3 with (advertising or advertisement))	USPAT; USOCR	OR	ON	2013/09/09 17:18
S58	5	"455"/\$.ccls. and (display\$3 with (advertising or advertisement) with ring)	USPAT; USOCR	OR	ON	2013/09/09 17:19
S60	276	379/114.13 and display\$3	USPAT; USOCR	OR	ON	2013/09/10 15:50
S76	315	379/114.13 and display\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 16:22
S78	891	((advertising or advertisement or promot\$4) with display\$3) same call	USPAT; USOCR	OR	ON	2013/09/10 16:24
S79	50	379/114.13 and S78	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/10 16:24
S80	0	((advertising or advertisement or promot\$4) near5 display\$3 near5 (caller or (calling adj party))) same call same ((identif\$4 or select\$3) with (callee or (called adj party)))	USPAT; USOCR	OR	ON	2013/09/10 16:27
S81	1	((advertising or advertisement or promot\$4) near5 display\$3 near5 (caller or (calling adj party))) same ((identif\$4 or select\$3) with (callee or (called adj party)))	USPAT; USOCR	OR	ON	2013/09/10 16:28
S82	0	((advertising or advertisement or promot\$4) near5 display\$3 near5 (caller or (calling adj party))) same ((identif\$4 or select\$3) with (operator or agent))	USPAT; USOCR	OR	ON	2013/09/10 16:50
S89	869	"379"/\$.ccls. and (delay\$3 near3 dial\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:18
S90	0	"379"/\$.ccls. and ((delay\$3 near3 dial\$3) with ((caller or (calling adj party)) near3 device))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:19
S91	3	"379"/114.13 and (delay\$3 near3 dial\$3)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:20

EAST Search History

S92	2	"379"/\$.ccls. and ((delay\$3 near3 dial\$3) same ((caller or (calling adj party)) near3 device))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:20
S93	531	S89 and @PN<"6000000"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:22
S94	412	S89 and @PN<"5000000"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:22
S95	119	S93 not S94	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:22
S96	107	S89 and @PN>"6000000" and @PN<"7000000"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:25
S97	11	"379"/\$.ccls. and ((delay\$3 near3 dial\$3) with server)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2013/09/11 10:26

9/ 13/ 2013 10:43:32 AM

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Issue Classification 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL	
	Examiner SIMON SING	Art Unit 2653	

CPC						
Symbol				Type	Version	
				</		

CPC Combination Sets					
Symbol		Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	29	
/SIMON SING/ Primary Examiner.Art Unit 2653	09/13/2013	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Issue Classification 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

US ORIGINAL CLASSIFICATION						INTERNATIONAL CLASSIFICATION												
CLASS		SUBCLASS				CLAIMED					NON-CLAIMED							
379		114.13				H	0	4	M	15 / 00 (2006.01.01)								
CROSS REFERENCE(S)																		
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																	
379	88.13																	

NONE		Total Claims Allowed:	
		29	
(Assistant Examiner)	(Date)		
/SIMON SING/ Primary Examiner.Art Unit 2653	09/13/2013	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

Issue Classification 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

☐ 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	1	17	17	22	33										
2	2	18	18	23	34										
3	3	19	19	24	35										
4	4	20	20	25	36										
5	5	28	21	26	37										
6	6	-	22	27	38										
7	7	-	23												
8	8	-	24												
9	9	-	25												
10	10	-	26												
11	11	-	27												
12	12	-	28												
13	13	-	29												
14	14	-	30												
15	15	29	31												
16	16	21	32												

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 29	
/SIMON SING/ Primary Examiner.Art Unit 2653 (Primary Examiner) _____ (Date) _____		O.G. Print Claim(s) 1	O.G. Print Figure 1

Doc code: RCEX

PTO/SB/30EFS (07-09)

Doc description: Request for Continued Examination (RCE)

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

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**REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)**

Application Number	12/563,112	Filing Date	2009-09-18	Docket Number (if applicable)	WB-019	Art Unit	2653
First Named Inventor	Wendell Brown			Examiner Name	Sing, Simon P.		

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 order 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 _____☒ 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 501003**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**☒ Patent Practitioner Signature☐ Applicant Signature

Doc code: RCEX

Doc description: Request for Continued Examination (RCE)

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

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Signature of Registered U.S. Patent Practitioner			
Signature	/Daniel E. Vaughan/	Date (YYYY-MM-DD)	2013-07-25
Name	Daniel E. Vaughan	Registration Number	42199

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8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Wendell Brown
Application No. : 12/563,112
Confirmation No. : 5694
Filed : 18 September 2009
Docket : WB-019
Title : Method and Apparatus for Content Presentation in
Association with a Telephone Call

Group/Art Unit : 2653
Examiner : Sing, Simon P.

REPLY UNDER 37 C.F.R. § 1.116

Amendment after Final Rejection
Via Electronic Filing

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

Sir:

In response to the final Office Action mailed February 25, 2013, please
amend the subject application as follows.

Amendments to the Specification begin on page 2 of this paper.

A list of Claims begins on page 3 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Amendments to the Specification

Please amend paragraph [0010] as follows:

[0010] Such a search may be conducted via keyword, so that as the person enters characters describing the target destination (e.g., by name, by category), the search is automatically updated and narrowed as the characters are entered. Results of a search may be filtered or prioritized based on the person's profile (e.g., with contacts known to that person having relatively high priority) and/or by a general profile (e.g., based on which numbers/contacts have been used most often by other people that conducted similar searches).

Claims

2 1. (Currently Amended) A method of controlling presentation
of content on a communication device, the method comprising:
4 receiving electronic notification of initiation of a call from a first
communication device to a second communication device;
6 transmitting a signal to the first communication device to delay dialing the
call without soliciting action by an operator of the first communication device;
8 and
 transmitting to one or both of the first communication device and the
10 second communication device a pre-ring set of content to be displayed after
receiving the electronic notification and before the call rings at the second
12 communication device.

2 2. (Original) The method of claim 1, further comprising:
 transmitting to one or both of the first communication device and the
4 second communication device an in-call set of content to be displayed during the
call.

2 3. (Original) The method of claim 1, further comprising:
 transmitting to one or both of the first communication device and the
4 second communication device a post-call set of content to be displayed after the
call.

2 4. (Original) The method of claim 1, wherein the pre-ring set of
content is transmitted to the first communication device and comprises a control
4 actuable to route the call to the second communication device via a
telecommunication service provider identified in the pre-ring set of content.

- 2 5. (Currently Amended) The method of claim 1, ~~wherein~~
 wherein:
4 the pre-ring set of content is transmitted to the first communication device
 and comprises a control actuatable to reroute the call to a third communication
6 device instead of the second communication device; and
 the control identifies one of:
8 the third communication device; and
 a party associated with the third communication device.
- 2 6. (Original) The method of claim 1, wherein the pre-ring set of
 content is transmitted to the second communication device and comprises a
4 notification of the call.
- 2 7. (Original) The method of claim 6, wherein the notification
 identifies a purpose of the call.
- 2 8. (Original) The method of claim 1, wherein the pre-ring set of
 content comprises a commercial offer.
- 2 9. (Original) The method of claim 8, wherein the commercial
 offer comprises a coupon.
- 2 10. (Currently Amended) The method of claim 1, wherein the
 pre-ring set of content is transmitted to the first communication device and
4 comprises a status of a transaction between operators of the first communication
 device and the second communication device;
6 wherein the status of a transaction is not a recording of the transaction.
- 2 11. (Original) The method of claim 1, wherein the pre-ring set of

content served to one of the first communication device and the second
4 communication device comprises a custom page of content associated with an
operator of the other communication device.

2 12. (Original) The method of claim 11, wherein said custom page
of content is identifiable by a telephone number of the other communication
4 device.

2 13. (Original) The method of claim 11, wherein said custom page
of content comprises a status of the operator.

2 14. (Original) The method of claim 11, wherein said custom page
of content comprises an excerpt from a socially oriented web site, comprising
4 content posted to the web site by the operator.

2 15. (Original) The method of claim 11, wherein said custom page
of content comprises a guide to an interactive voice response menu of the operator
4 of the other communication device.

2 16. (Original) The method of claim 11, further comprising, prior
to said transmitting the pre-ring set of content:
4 hosting a tool operable to assemble a custom page of content configured
for presentation on a portable communication device.

2 17. (Original) The method of claim 1, further comprising, prior to
said receiving electronic notification:
4 receiving a character string from the first communication device;
in parallel with a search conducted on the first communication device,
6 searching a repository of contacts for a list of contacts matching the character

string, wherein the repository is maintained external to the first communication
8 device; and
transmitting the list of contacts toward the first communication device.

2 18. (Original) The method of claim 1, further comprising, prior to
said receiving electronic notification:
4 auctioning opportunities to present content to operators of communication
device.

2 19. (Original) The method of claim 18, wherein the pre-ring set of
content is provided by a winner of the auction.

2 20. (Original) The method of claim 1, wherein the pre-ring set of
content is selected by an operator of the second communication device.

2 21. (Currently Amended) A computer-readable medium
storing instructions that, when executed by a computer, cause the computer to
4 perform a method of controlling presentation of content on a communication
device, the method comprising:
6 receiving electronic notification of initiation of a call from a first
communication device to a second communication device;
8 transmitting a signal to the first communication device to delay dialing the
call without soliciting action by an operator of the first communication device;
10 and
transmitting to one or both of the first communication device and the
12 second communication device a pre-ring set of content to be displayed after
receiving the electronic notification and before the call rings at the second
14 communication device.

2 22. (Currently Amended) A method of controlling presentation
of content on a communication device, the method comprising:
4 receiving, at a called party, ~~electronic notification of initiation of a call~~
from a first communication device operated by a caller to a second
6 ~~communication device; and~~
establishing a voice connection between the caller and a human agent
8 representing the called party; and
during a conversation between the agent and the caller;
10 identifying an in-call set of multimedia content related to a topic of
the conversation; and
12 transmitting to ~~one or both of~~ the first communication device ~~and~~
~~the second communication device an~~ the in-call set of multimedia content
14 to be displayed during the call.

2 23. (Cancelled)

2 24. (New) The method of claim 22, wherein the in-call set of
multimedia content is identified by the agent.

2 25. (New) The method of claim 22, wherein the in-call set of
multimedia content is not a recording of a transaction between the caller and the
4 called party.

2 26. (New) The method of claim 22, wherein:
the called party is a commercial organization; and
4 the in-call set of multimedia content graphically depicts a current
transaction between the caller and the commercial organization.

2 27. (New) The method of claim 22, wherein:

the called party is a commercial organization; and
4 the in-call set of multimedia content comprises an illustration of a product
offered to the caller by the commercial organization.

2 28. (New) The method of claim 22, wherein:
the called party is a commercial organization; and
4 the in-call set of multimedia content comprises one or more illustrations of
configuration options for a product offered to the caller by the commercial
6 organization.

2 29. (New) The method of claim 22, further comprising, during
the conversation:
4 prompting the caller for payment information; and
receiving at the called party, from the first communication device, a
6 second in-call set of multimedia content comprising the payment information,
wherein the second in-call set of multimedia content is not conveyed via the voice
8 connection.

2 30. (New) The method of claim 22, further comprising, after
establishing the voice connection:
4 maintaining the voice connection until one of the caller and the human
agent hangs up; and
6 maintaining a data connection, separate from the voice connection, at least
until the one of the caller and the human agent hangs up.

REMARKS

In the final office action mailed February 25, 2013, the Examiner reviewed claims 1-23, and:

1. Claims 22-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,493,437 (Olshansky);
2. Claims 1-5, 8, 17 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olshansky, in view of U.S. Patent No. 6,947,531 (Lewis);
3. Claim 9 was rejected under 35 U.S.C. § 103(a) based on Olshansky, in view of Lewis, and further in view of U.S. Patent No. 8,086,488 (Liu);
4. Claims 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olshansky, in view of Lewis, and further in view of U.S. Patent No. 7,120,235 (Altberg);
5. Claims 1, 6-7, 10 and 21 were rejected under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,977,993 (Starbuck), in view of U.S. Patent No. 7,991,894 (Koskelainen); and
6. Claims 11-16 and 20 were rejected under 35 U.S.C. § 103(a) based on Starbuck, in view of Koskelainen, and further in view of U.S. Patent No. 7,450,704 (Lund).

I Rejections under 35 U.S.C. § 103(a)

A. Transmitting a Signal to a First Communication Device to Delay Dialing a Call

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices.

These embodiments of the invention, as recited in claims 1 and 21, were rejected over two different combinations of references.

1. Olshansky and Lewis

Olshansky and Lewis were cited as disclosing the aspect of Applicant's invention in which the first device is instructed to delay dialing the call (paragraph 2.1 of the office action), as recited in claims 1 and 21. Although the rejection of these claims indicates that Olshansky does not explicitly teach this aspect, portions of Olshansky that deal with billing and call duration were identified.

At column 5, lines 11-23, Olshansky describes a billing status of a present call. Via billing information button 326 (of FIG. 3), Olshansky offers a party access to information such as call origination time, current time, duration of call and current cost of the call. Nothing described in this portion of Olshansky teaches one to transmit a signal to a device to have it delay dialing a call. In fact, Olshansky teaches away from this aspect of Applicant's invention, because the data offered via the billing information button is only available after a voice connection has been connected to its destination party. Olshansky could not function in the described manner if a call was in fact delayed, because no billing status information would exist until the delay ended and the call was connected. If it is the act of displaying or viewing billing information that is supposedly comparable to Applicant's dialing delay, this conflicts with claims 1 and 21 as amended, which specify that no interaction with the caller is involved in the delay.

At column 2, lines 4-13, Olshansky indicates that the price of a call may be reduced based on a party's acceptance of advertising or by free minutes that the party has accumulated. Nothing in this portion of Olshansky indicates that a call can or should be delayed; to the contrary, the advertisements are only displayed after a voice connection is completed to the destination terminal (column 2, lines 16-18). Thus, this portion of Olshansky also appears to lead one away from the presently discussed aspect of Applicant's invention. If it is the act of displaying or viewing an advertisement that is supposedly comparable to Applicant's dialing delay, this conflicts with claims 1 and 21 as amended, which specify that no interaction with the caller is involved in the delay.

At column 5, lines 26-29, Olshansky discusses setting a duration alarm based on a desired maximum length of the call or on a maximum cost of the call. Far from teaching one to transmit a signal to a communication device to have it delay dialing a call, this teaches one to proceed with a call, but to possibly determine ahead of time how long it

should last or how much to pay for the call. If it is the act of eliciting or specifying a call duration that is supposedly comparable to Applicant's dialing delay, this conflicts with claims 1 and 21 as amended, which specify that no interaction with the caller is involved in the delay.

Portions of Lewis were also cited, but Lewis does not cure the shortcoming of Olshansky.

At column 11, lines 12-15, Lewis teaches one to query a caller for a desired duration of a call, in order to plan a number of advertisements to display to the caller. Like Olshansky, this would impel one to not delay placement of a call, but rather to proceed expeditiously with the call in order to begin displaying advertisements. Also, requesting a call duration from the caller involves interaction with the caller and thus conflicts with claims 1 and 21 as amended.

At column 12, line 64 to column 13, line 7, Lewis discloses awarding a subscriber free calling time, based on a number of advertisements provided to the subscriber. Once again, this disclosure does not appear related to Applicant's instructions to a communication device to delay dialing a call and, to the contrary, would urge one *not* to delay a call. If it is the act of displaying or viewing an advertisement that is supposedly comparable to Applicant's dialing delay, this conflicts with claims 1 and 21 as amended, which specify that no interaction with the caller is involved in the delay.

In summary, neither of Olshansky and Lewis teaches one to instruct a communication device to delay dialing a call to another device, certainly not without interaction with an operator of the calling device.

2. Starbuck and Koskelainen

Starbuck (Fig. 4; column 6, lines 14-24) and Koskelainen were also cited as disclosing this aspect of Applicant's invention (paragraph 5.1 of the office action), wherein the first device is instructed to delay dialing the call.

The cited portions of Starbuck discuss fields of a user interface that a user may populate or configure to indicate an anticipated subject of a telephone call, an importance of the call and a nature of the call. None of these appear comparable to Applicant's transmission of a signal to a communication device to make it delay placement of a call

to another device. Further, configuration of the fields requires interaction with the user, and thus conflicts with claims 1 and 21 as amended.

3. Other

Applicant appreciates the Examiner's detailed response to some of the Remarks entered in response to the previous office action, provided on pages 10-11 of the current final office action, but wishes to rebut that response.

As the Examiner is surely aware, some telephone technologies (e.g., CDMA) do not support simultaneous voice and data communications during a call. However, others do (e.g., GSM). In some embodiments of the invention in which a first communication device (e.g., a caller's telephone) is signaled to delay dialing a call, it is the voice channel that is delayed, which may be done so that the specified "pre-ring set of content" may be fetched/retrieved/sent/received/etc.

As but one possible implementation, a custom dialer application (e.g., call processor 114 of FIG. 1) could send a notification (via a data channel) to a call server, call center or other entity that a call is being placed; this could occur, for example, when an operator of the first communication device (e.g., the caller) begins to dial a call (e.g., as the caller enters digits), and could provide the digits as they are entered or immediately thereafter. Thus, contrary to paragraph 7.1 of the final office action, the delay is not implemented "after the call has been place (dialed)," and the cited paragraphs of the present application support this interpretation. Also, therefore, it is not necessarily true that "the delaying must be for the connection between two communication devices after the call has been placed (dialed)" as opined in the carry-over paragraph between pages 10 and 11 of the final office action.

Thus, by leveraging the parallel/simultaneous data and voice channels of a telephony protocol, a telephone number that is being dialed can be identified to an external entity (e.g., a call server, a call center) via a data channel before the voice connection is actually placed to/through the caller's telecommunication service provider

B. An Actuable Control for Routing a Call via an Identified Provider

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices. The pre-ring content may include a control that is actuable to route the call via a service provider identified in the content (e.g., instead of a default provider), as recited in claim 4.

Applicant has re-reviewed the cited portions of Olshansky, but can find no disclosure comparable to the limitation that recites “... a control actuable to route the call to the second communication device via a telecommunication service provider identified in the pre-ring set of content” (emphasis added).

The Examiner is requested to withdraw the rejection of claim 4 or to identify where the limitation highlighted above is disclosed in Olshansky.

C. Parallel Contact Searches Internal to and External to a Device

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices. Further, a character string may be received from the first device and used to conduct a search for contacts in a repository external to the device, but in parallel with a search conducted on the device, as recited in claim 17.

Claim 17 was rejected over Fig. 3 and column 4, lines 34-44 of Olshansky. However, the rejection does not address all three elements of the claim, and the cited portions of Olshansky do not appear to relate to the subject matter of claim 17.

Applicant has re-reviewed the cited portions of Olshansky but can find no disclosure comparable to the limitation that recites “searching a repository of contacts for a list of contacts matching the character string” (emphasis added), and the term “a list of contacts” is believed to be fundamentally different from a URL of a web site.

D. Status of a Transaction between Operators of the Communication Devices

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices. The content may comprise a status of a transaction between operators of the two devices, as recited in claim 10. This aspect of Applicant's invention is described, for example, at paragraph 50 of the present application.

Claim 10 was rejected with the simple statement that "it would have been obvious for a caller to enter any subject regarding the call" (paragraph 5.3 of the office action). However, an embodiment of the invention reflected in claim 10 does not involve simply entering "any subject" regarding the call, but rather specific information regarding a specific transaction between the parties.

In addition, claim 1 specifies that the pre-ring set of content is transmitted to the first communication device, and therefore is not entered by the caller and cannot be "any subject regarding the call."

The Examiner is requested to withdraw the rejection of claim 10 or, alternatively, identify with specificity where the prior art teaches this aspect of Applicant's invention.

II Selected Claims

A. Claims 1-20, 21

Claims 1 and 21 recite "transmitting a signal to the first communication device to delay dialing the call." As described above in Section I.A, neither the combination of Olshansky and Lewis nor the combination of Starbuck and Koskelainen disclose this aspect of Applicant's invention. Also as described in Section I.A, the recited dialing delay can be implemented as recited in claim 1 without a voice connection being placed.

Claim 4 recites "a control actuable to route the call to the second communication device via a telecommunication service provider identified in the pre-ring set of content." As discussed in Section I.B above, Olshansky does not disclose this aspect of Applicant's invention.

Claim 10 recites "wherein the pre-ring set of content comprises a status of a transaction between operators of the first communication device and the second

communication device.” As discussed in Section I.D, the Examiner is requested to withdraw the rejection of claim 10 or, alternatively, identify with specificity where the prior art teaches this aspect of Applicant’s invention.

Claim 17 recites a parallel search for contacts, both on the first device and external to the first device. As discussed above in Section I.C, Olshansky does not disclose such a search.

Lack of objection to rejection of a given claim is not intended to signal acquiescence or agreement with the rejection

B. Claims 22, 24-30

Claim 22 has been amended to reflect embodiments of the invention in which a call is placed to a call center, call server or other central entity and handled by a human agent. The human agent selects an in-call set of content to display to the caller, with the content being related to (e.g., representing or illustrating) a current transaction being conducted between the caller and the agent.

Claims 24-30 are new and depend from claim 22.

C. Claim 23

Claim 23 has been cancelled without prejudice.

CONCLUSION

No new matter has been added with the preceding amendments, and lack of objection or response to rejection of a given claim is not intended to signal acquiescence to or agreement with the rejection. It is submitted that the application is in suitable condition for allowance. Such action is respectfully requested. If prosecution of this application may be facilitated through a telephone interview, the Examiner is invited to contact Applicant's attorney identified below.

Respectfully submitted,

Date: July 25, 2013

By: /Daniel Vaughan/ 42,199
Daniel E. Vaughan (Registration No.)

Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
(530) 759-1660: voice
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Electronic Patent Application Fee Transmittal				
Application Number:		12563112		
Filing Date:		18-Sep-2009		
Title of Invention:		Method and Apparatus for Content Presentation in Association with a Telephone Call		
First Named Inventor/Applicant Name:		Wendell Brown		
Filer:		A.Richard Park		
Attorney Docket Number:		WB-019		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Independent Claims in Excess of 3	2201	6	210	1260
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension - 2 months with \$0 paid	2252	1	300	300
Miscellaneous:				
Request for Continued Examination	2801	1	600	600
Total in USD (\$)				2160

Electronic Acknowledgement Receipt	
EFS ID:	16415445
Application Number:	12563112
International Application Number:	
Confirmation Number:	5694
Title of Invention:	Method and Apparatus for Content Presentation in Association with a Telephone Call
First Named Inventor/Applicant Name:	Wendell Brown
Customer Number:	22200
Filer:	A.Richard Park
Filer Authorized By:	
Attorney Docket Number:	WB-019
Receipt Date:	25-JUL-2013
Filing Date:	18-SEP-2009
Time Stamp:	14:35:46
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$2160
RAM confirmation Number	1028
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Request for Continued Examination (RCE)	RCEe_fill.pdf	697355 b294b25c8e760107b849733eb778f3c48d99c41	no	3
Warnings:					
Information:					
2		WB-019_Amendment_B.pdf	153391 a8081f0246c51facf360693efb30a6758b24xa9ac	yes	16
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Response After Final Action		1	1	
	Specification		2	2	
	Claims		3	8	
	Applicant Arguments/Remarks Made in an Amendment		9	16	
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	33505 6c93ba76738b34cea0d930c0615ba20a97c2c72d	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			884251		
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.					

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 12/563,112		Filing Date 09/18/2009		☒ To be Mailed		
ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO										
APPLICATION AS FILED – PART I										
		(Column 1)		(Column 2)						
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)		
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A		N/A		N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A		N/A		N/A				
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =		*		X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =		*		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 \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.						TOTAL				
APPLICATION AS AMENDED – PART II										
		(Column 1)		(Column 2)		(Column 3)				
AMENDMENT	07/25/2013		CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		* 29		Minus	** 23	= 6	X \$40 =	240	
	Independent (37 CFR 1.16(h))		* 3		Minus	***4	= 0	X \$210 =	0	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
	TOTAL ADD'L FEE								240	
		(Column 1)		(Column 2)		(Column 3)				
AMENDMENT			CLAIMS REMAINING AFTER AMENDMENT			HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))		*		Minus	**	=	X \$ =		
	Independent (37 CFR 1.16(h))		*		Minus	***	=	X \$ =		
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
	TOTAL ADD'L FEE									
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

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

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

Document code: WFEE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
12/563,112	09/18/2009	Wendell Brown	WB-019	5694

22200 7590 02/25/2013
PARK, VAUGHAN, FLEMING & DOWLER LLP
2820 FIFTH STREET
DAVIS, CA 95618

EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
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2653

MAIL DATE	DELIVERY MODE
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02/25/2013

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)	
	12/563,112		BROWN, WENDELL	
	Examiner		Art Unit	
SIMON SING		2653		

-- 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 15 January 2013.

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

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

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

Disposition of Claims

5) ☒ Claim(s) 1-23 is/are pending in the application.

5a) Of the above claim(s) ____ is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-23 is/are rejected.

8) ☐ Claim(s) ____ is/are objected to.

9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

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

Application Papers

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

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

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

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

Priority under 35 U.S.C. § 119

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

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

3) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.

4) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

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.

1. Claims 22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Olshansky, US 6,493,437.

Olshansky teaches:

receiving electronic notification of initiation of a call from a first communication device to a second communication device (column 5, line 59 - column 6, line 30); and transmitting to one or both the of the first communication device and the second communication device an in-call or post-call set of multimedia content to be displayed during the call or after the call (column 5, lines 39-43; column 6, lines 20-30).

Claim Rejections - 35 USC § 103

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

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

2. Claims 1-5, 8, 17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olshansky, US 6,493,437 in view of Lewis et al. US 6,947,531.

2.1 Regarding claims 1 and 21, Olshansky teaches:

receiving electronic notification of initiation of a call from a first communication device to a second communication device (column 5, line 59 - column 6, line 4);

transmitting a graphical user interface (GUI) to the first communication device to display a pre-call multimedia content (advertisement; column 5, lines 39-43; column 6, lines 20-24; figure 3); and

transmitting to one or both the of the first communication device and the second communication device a pre-ring set of multimedia content to be displayed before call rings at the second communication device (column 5, lines 39-43; column 6, lines 20-30).

Olshansky teaches transmitting multimedia content to a first (calling) communication device as pre-call advertisement (column 5, lines 39-43), but does not explicitly teach transmitting a signal to the first communication device to inform the calling party of the first communication device the delay of a call connection (claimed delay dialing the call).

However, Olshansky further teaches billing the caller, granting free minutes to the caller (column 5, lines 11-23), and the free minutes are obtained by viewing a number of advertisements prior making a call (column 2, lines 4-13). Olshansky also teaches that prior of the call, the caller sets the duration of the call (column 5, lines 26-

29). In addition, Lewis teaches prompting the subscriber to specify a number of minutes that the subscriber wish to talk, and a subscriber (caller) receives free calling time by listening or viewing advertisements before a call is connected (column 11, lines 12-28, 35-37,59-67; column 12, lines 1-12, 64-67; column 13, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Olshansky reference with the teaching of Lewis, so that the system in Olshansky would have transmitted a prompt in the GUI (transmitting a signal to the caller device) prompting the calling party to enter the duration (minutes) before connecting a call (claimed delay dialing the call) in order to receive enough credit/free-minutes for the call, by combining known prior art elements by known methods the yield predictable results.

2.2 Regarding claim 2, Olshansky teaches in-call (during a call) advertisement (column 5, lines 41-43).

2.3 Regarding claim 3, Olshansky teaches post-call (after a call) advertisement (column 5, lines 41-43).

2.4 Regarding claim 4, Olshanky teaches a pre-ring set on content (GUI) is transmitted to the first communication device and comprises a control actuatable (keypad 324 for dialing the telephone number of the second communication device) to route the

call to the second communication device (column 6, lines 20-24; column 4, lines 50-52; figure 3).

2.5 Regarding claim 5, Olshanky teaches a pre-ring set on content (GUI) is transmitted to the first communication device and comprises a control actuable (keypad 324 for dialing the telephone number of a third communication device) to route the call to a third communication device (column 6, lines 20-24; column 4, lines 50-52; figure 3).

2.6 Regarding claim 8, Olshansky teaches advertisement (commercial) as stated above.

2.7 Regarding claim 17, Olshansky teaches entering a web address: "http://www.telephone.com", searching (obviousness) the web for a match, and transmitting the web page to the caller (figure 3; column 4, lines 34-44).

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olshansky, US 6,493,437 in view of Lewis et al. US 6,947,531 and further in view of Liu US 8,086,488.

Olshansky teaches displaying an advertisement with a discount offer in figure 3, but does not explicitly teach that the display includes a coupon (although, the middle of display 350 looks like a coupon).

However, Liu teaches displaying an advertisement with a coupon (column 5, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Olshansky reference with the teaching of Liu, so that the display would have included a coupon, by combining known prior art elements by known methods the yield predictable results.

4. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olshansky, US 6,493,437 in view of Lewis et al. US 6,947,531 and further in view of Altberg et al. US 7,120,235.

Olshansky teaches displaying an advertisement to a caller, but does not teach that the advertisement is from a service provider with the highest bid for the displaying the advertisement.

However, Altberg teaches that advertisements are from highest bidders (column 6, lines 15-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Olshansky reference with the teaching of Altberg, so that the advertisement is from a highest bidder, by combining known prior art elements by known methods the yield predictable results.

5. Claims 1, 6, 7, 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Starbuck et al. US 6,977,993 in view of Lewis Koskelainen US 7,991,894.

5.1 Regarding claim 1 and 21, Starbuck teaches:

receiving electronic notification of initiation of a call from a first communication device (caller activates a call graphical user interface, or GUI 400; figure 4; column 6, lines 4-10);

transmitting a signal to the first communication device to delay dial the call (prompting the caller to enter a subject and priority of the call before click on a call button; figure 4; column 6, lines 14-24); and

transmitting a pre-call set of multimedia content to be displayed at the second communication device (figure 5; column 6, lines 43-60).

Starbuck teaches transmitting call information including a subject, as a SIP message (obviously an INVITE message) during an initial negotiation of a call setup (column 7, lines 47-54), for display at the second communication device. Starbuck does not explicitly teach displaying the call information before ringing at the second (called party) communication device.

However, Koskelainen teaches that a SIP INVITE message is transmitted and received before a callee's phone start ringing (column 4, lines 16-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Starbuck reference with the teaching of

Koskelainen, so that the call information would have been displayed at the second communication device before ringing, by combining known prior art elements by known methods the yield predictable results.

5.2 Regarding claims 6 and 7, Starbuck teaches a notification of the call including importance and subject of the call (figure 5).

5.3 Regarding claim 10, it would have been obvious for a caller to enter any subject regarding the call.

6. Claims 11-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Starbuck et al. US 6,977,993 in view of Lewis Koskelainen US 7,991,894 and further in view of Lund US 7,450,704.

6.1 Regarding claim 11, Starbuck teaches displaying call information on the second communication device, but does not teach displaying on the first communication device a custom page of content associated with an operator of the second communication device.

However, Lund teaches displaying a web page of a called party on a calling party device when the called party's telephone number is identified (figure 4; column 3, lines 27-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Starbuck reference with the teaching of Lund, so that a called party's web page would have been displayed on the first communication device, by combining known prior art elements by known methods the yield predictable results.

6.2 Regarding claim 12, the modified Starbuck reference teaches identifying the web page by a called party's telephone number (Lund: figure 4).

6.3 Regarding claim 13, it would have been obvious that a personal web page can have any content as its operator like to post, including the status of is operator, such as he/she is on vacation or at work.

6.4 Regarding claims 14-16, it would have been obvious that a personal web page can have any content as its operator likes to post.

6.5 Regarding claim 20, the modified Starbuck reference teaches that the content (a called party's web page) is selected by the operator of the second communication device (obviously the called party selects the content of his personal web page).

Response to Arguments

7. Applicant's arguments filed 01/15/2013 have been fully considered but they are not persuasive.

7.1 Claims 1-22:

Applicant argues that the prior does not teach the claimed limitation in independent claims 1 and 21 of: transmitting a signal to the first communication device to delay dialing the call, because prior art of Olashansky and Lewis only teaches displaying contents after a call has been placed.

Examiner respectfully disagrees, according to the Specification submitted by the applicant, the delay is for the connection of the voice portion of the call, i.e. after the call has been place (dialed), see paragraph 30, 31, 64, 93, 114-116. Also in the first page of the Remarks, applicant admits the notification is received when of a call being placed (dialed), see below:

I Rejections under 35 U.S.C. § 103(a)

A. Transmitting a Signal to a First Communication Device to Delay Dialing a Call

In some embodiments of the invention, **notification is received of a call being placed from a first communication device to a second communication device.** In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices.

If a call is not being placed or dialed, there is no way to identify the second communication device (called part's device), so the delaying must be for the connection

between two communication devices after the call has been placed (dialed) as disclosed in the Specification. Olshansky and Lewis teach these claimed limitations of:

receiving a notification of a call from a first communication device to a second communication device;

transmitting a signal to the first communication device to inform the first communication device a delay of ***a connection between the first and the second devices***; and

transmitting to one or both the of the first communication device and the second communication device a pre-ring set of multimedia content to be displayed before call rings at the second communication device.

The only way that the delay of dialing can be realized is that the call has not been placed (dialed), i.e. the second communication device identification has not been identified to a communication network, and Starbuck and Koskelainen teach the limitations of:

receiving a notification from a first communication device to initiate a call;

instructing the first communication device to delaying the dialing by prompting the user of the first communication device to a content (subject and priority) for the call; and

transmitting to one or both the of the first communication device and the second communication device a pre-ring set of multimedia content to be displayed before call rings at the second communication device.

7.2 Claims 22-23: no argument presented.

Conclusion

8. **THIS ACTION IS MADE FINAL.** 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 mailing date of this final action.

9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Thursday from 9:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Application/Control Number: 12/563,112
Art Unit: 2653

Page 13

/Simon Sing/

Primary Examiner, Art Unit 2653

<i>Index of Claims</i> 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

✓	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	10/13/2012	02/15/2013							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							
	21	✓	✓							
	22	✓	✓							
	23	✓	✓							

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Wendell Brown
Application No. : 12/563,112
Confirmation No. : 5694
Filed : 18 September 2009
Docket : WB-019
Title : Method and Apparatus for Content Presentation in
Association with a Telephone Call

Group/Art Unit : 2653
Examiner : Sing, Simon P.

REPLY UNDER 37 C.F.R. § 1.111

Amendment after Non-Final Rejection
Via Electronic Filing

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

Sir:

In response to the Office Action mailed October 16, 2012, please amend
the subject application as follows.

Amendments to the Specification begin on page 2 of this paper.

A list of Claims begins on page 4 of this paper.

Remarks/Arguments begin on page 9 of this paper.

Amendments to the Specification

Please amend paragraph [0003] as follows:

[0003] Calls from or to a mobile telephone are typically accompanied by minimal display content. For example, when placing a call, the caller may simply ~~see~~ sees a dialer screen used to enter a telephone number, or to select a number or contact to be dialed. When receiving a call, a called party may see the caller's telephone number (or some other display if the number is blocked or unknown) or a name of the caller (if the caller's telephone number is stored in the called party's contacts), but little else.

Please amend paragraph [0024] as follows:

[0024] For example, a commercial message (e.g., an advertisement) may be pre-selected for presentation to some number of callers to a particular telephone number. Merchants or other organizations ~~organization~~ may pay for the opportunity to have their selected content presented to a caller or called party, even if the paying organization is not a party to the call.

Please amend paragraph [0066] as follows:

[0066] Illustrative content that may be presented to a party during a call includes any or all types of content that may be presented pre-ring. In-call content may also or instead relate to the parties' voice connection, perhaps to provide visual description of a subject of the parties' conversation, to graphically show different products ~~product~~ or product options, to show a transcript of the conversation in real-time or near real-time (or provide other assistance to a hearing-impaired party), to guide a party through an IVR (Interactive Voice Response) menu, to provide customer assistance graphically (instead of or in addition to verbally), to exchange information textually/graphically instead of having to speak it or punch it in via a keypad, to promote an up-sell, to guide a

party through an organization's ~~organizations'~~ telephone directory to find a desired person, etc.

Please amend paragraph [0067] as follows:

[0067] Illustrative post-call content includes content that may be presented pre-ring and/or in-call. Post-call content may also or instead summarize ~~summary~~ the parties' ~~parties~~ conversation or transaction, provide a receipt, identify follow-on actions, confirm a later appointment or other scheduled event, etc.

Claims

2 1. (Original) A method of controlling presentation of content on
a communication device, the method comprising:
4 receiving electronic notification of initiation of a call from a first
communication device to a second communication device;
6 transmitting a signal to the first communication device to delay dialing the
call; and
8 transmitting to one or both of the first communication device and the
second communication device a pre-ring set of content to be displayed before the
10 call rings at the second communication device.

2 2. (Original) The method of claim 1, further comprising:
transmitting to one or both of the first communication device and the
4 second communication device an in-call set of content to be displayed during the
call.

2 3. (Original) The method of claim 1, further comprising:
transmitting to one or both of the first communication device and the
4 second communication device a post-call set of content to be displayed after the
call.

2 4. (Original) The method of claim 1, wherein the pre-ring set of
content is transmitted to the first communication device and comprises a control
4 actuable to route the call to the second communication device via a
telecommunication service provider identified in the pre-ring set of content.

2 5. (Original) The method of claim 1, wherein the pre-ring set of
content is transmitted to the first communication device and comprises a control

4 actuable to reroute the call to a third communication device instead of the second
communication device.

2 6. (Original) The method of claim 1, wherein the pre-ring set of
content is transmitted to the second communication device and comprises a
4 notification of the call.

2 7. (Original) The method of claim 6, wherein the notification
identifies a purpose of the call.

2 8. (Original) The method of claim 1, wherein the pre-ring set of
content comprises a commercial offer.

2 9. (Original) The method of claim 8, wherein the commercial
offer comprises a coupon.

2 10. (Original) The method of claim 1, wherein the pre-ring set of
content comprises a status of a transaction between operators of the first
4 communication device and the second communication device.

2 11. (Original) The method of claim 1, wherein the pre-ring set of
content served to one of the first communication device and the second
4 communication device comprises a custom page of content associated with an
operator of the other communication device.

2 12. (Original) The method of claim 11, wherein said custom page
of content is identifiable by a telephone number of the other communication
4 device.

- 2 13. (Original) The method of claim 11, wherein said custom page
of content comprises a status of the operator.
- 2 14. (Original) The method of claim 11, wherein said custom page
of content comprises an excerpt from a socially oriented web site, comprising
4 content posted to the web site by the operator.
- 2 15. (Original) The method of claim 11, wherein said custom page
of content comprises a guide to an interactive voice response menu of the operator
4 of the other communication device.
- 2 16. (Original) The method of claim 11, further comprising, prior
to said transmitting the pre-ring set of content:
4 hosting a tool operable to assemble a custom page of content configured
for presentation on a portable communication device.
- 2 17. (Original) The method of claim 1, further comprising, prior to
said receiving electronic notification:
4 receiving a character string from the first communication device;
in parallel with a search conducted on the first communication device,
6 searching a repository of contacts for a list of contacts matching the character
string, wherein the repository is maintained external to the first communication
8 device; and
transmitting the list of contacts toward the first communication device.
- 2 18. (Original) The method of claim 1, further comprising, prior to
said receiving electronic notification:
4 auctioning opportunities to present content to operators of communication
device.

6

19. (Original) The method of claim 18, wherein the pre-ring set of
8 content is provided by a winner of the auction.

2

20. (Original) The method of claim 1, wherein the pre-ring set of
content is selected by an operator of the second communication device.

2

21. (Original) A computer-readable medium storing instructions
that, when executed by a computer, cause the computer to perform a method of
4 controlling presentation of content on a communication device, the method
comprising:

6

receiving electronic notification of initiation of a call from a first
communication device to a second communication device;

8

transmitting a signal to the first communication device to delay dialing the
call; and

10

transmitting to one or both of the first communication device and the
second communication device a pre-ring set of content to be displayed before the
12 call rings at the second communication device.

2

22. (Original) A method of controlling presentation of content on
a communication device, the method comprising:

4

receiving electronic notification of initiation of a call from a first
communication device to a second communication device; and

6

transmitting to one or both of the first communication device and the
second communication device an in-call set of multimedia content to be displayed
8 during the call.

2

23. (Original) A method of controlling presentation of content on
a communication device, the method comprising:

- 4 receiving electronic notification of initiation of a call from a first
communication device to a second communication device; and
- 6 transmitting to one or both of the first communication device and the
second communication device a post-call set of multimedia content to be
- 8 displayed after termination of the call.

REMARKS

In the Official Action mailed on **16 October 2012**, the Examiner reviewed claims 1-23, and:

1. Claims 22-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,493,437 (Olshansky);
2. Claims 1-5, 8, 17 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olshansky, in view of U.S. Patent No. 6,947,531 (Lewis);
3. Claim 9 was rejected under 35 U.S.C. § 103(a) based on Olshansky, in view of Lewis, and further in view of U.S. Patent No. 8,086,488 (Liu);
4. Claims 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Olshansky, in view of Lewis, and further in view of U.S. Patent No. 7,120,235 (Altberg);
5. Claims 1, 6-7, 10 and 21 were rejected under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,977,993 (Starbuck), in view of U.S. Patent No. 7,991,894 (Koskelainen); and
6. Claims 11-16 and 20 were rejected under 35 U.S.C. § 103(a) based on Starbuck, in view of Koskelainen, and further in view of U.S. Patent No. 7,450,704 (Lund).

I Rejections under 35 U.S.C. § 103(a)

A. Transmitting a Signal to a First Communication Device to Delay Dialing a Call

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices.

These embodiments of the invention, as recited in claims 1 and 21, were rejected over two different combinations of references.

1. Olshansky and Lewis

Olshansky and Lewis were cited as disclosing the aspect of Applicant's invention in which the first device is instructed to delay dialing the call (paragraph 2.1 of the office action), as recited in claims 1 and 21. Although the rejection of these claims indicates that Olshansky does not explicitly teach this aspect, portions of Olshansky that deal with billing and call duration were identified.

At column 5, lines 11-23, Olshansky describes a billing status of a present call. Via billing information button 326 (of FIG. 3), Olshansky offers a party access to information such as call origination time, current time, duration of call and current cost of the call. Nothing described in this portion of Olshansky teaches one to transmit a signal to a device to have it delay dialing a call. In fact, Olshansky teaches away from this aspect of Applicant's invention, because the data offered via the billing information button is only available *after* a call has been placed. Thus, Olshansky's billing information button would not provide any useful information if a call were somehow delayed.

At column 2, lines 4-13, Olshansky indicates that the price of a call may be reduced based on a party's acceptance of advertising or by free minutes that the party has accumulated. Nothing in this portion of Olshansky indicates that a call can or should be delayed; if a call were delayed, no charges would presumably be assessed and hence there is no cost that could be reduced or subsidized. Thus, this portion of Olshansky also appears to lead one away from the presently discussed aspect of Applicant's invention.

At column 5, lines 26-29, Olshansky discusses setting a duration alarm based on a desired maximum length of the call or on a maximum cost of the call. Far from teaching one to transmit a signal to a communication device to have it delay dialing a call, this teaches one to proceed with a call, but to possibly determine ahead of time how long it should last or how much to pay for the call.

Portions of Lewis were also cited, but Lewis does not cure the shortcoming of Olshansky.

At column 11, lines 12-15, Lewis teaches one to query a caller for a desired duration of a call, in order to plan a number of advertisements to display to the caller.

Like Olshansky, this would impel one to not delay dialing a call, but rather to proceed expeditiously with a call in order to begin displaying advertisements.

At column 12, line 64 to column 13, line 7, Lewis discloses awarding a subscriber free calling time, based on a number of advertisements provided to the subscriber. Once again, this disclosure does not appear related to Applicant's instructions to a communication device to delay dialing a call and, to the contrary, would urge one *not* to delay a call.

In summary, neither of Olshansky and Lewis teaches one to instruct a communication device to delay dialing a call to another device.

2. Starbuck and Koskelainen

Starbuck (Fig. 4; column 6, lines 14-24) and Koskelainen were also cited as disclosing this aspect of Applicant's invention (paragraph 5.1 of the office action), wherein the first device is instructed to delay dialing the call.

The cited portions of Starbuck discuss fields of a user interface that a user may populate or configure to indicate an anticipated subject of a telephone call, an importance of the call and a nature of the call. None of these appear comparable to Applicant's transmission of a signal to a communication device to make it delay placement of a call to another device.

B. An Actuable Control for Routing a Call via an Identified Provider

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices. The pre-ring content may include a control that is actuable to route the call via a service provider identified in the content (e.g., instead of a default provider), as recited in claim 4.

Claim 4 was rejected over Olshansky (column 6, lines 20-24; column 4, lines 50-52; Fig. 3) in paragraph 2.4 of the office action, but paragraph 2.4 does not recite the entirety of claim 4, particularly not the portion that reads "... a control actuable to route the call to the second communication device via a telecommunication service provider

identified in the pre-ring set of content.” In addition, the cited portions of Olshansky do not teach this aspect of Applicant’s invention.

Column 6, lines 20-24 of Olshansky discloses display of a graphical user interface (GUI), featured in FIG. 3, on a calling terminal. Column 4, lines 50-52 reports that the GUI includes a set of buttons, memory keys, a keypad and a billing information button. Paragraph 2.4 of the office action reports that the keypad could be used to dial a telephone number of a destination device.

However, Olshansky does not appear to teach or suggest that one should or could also identify (e.g., via the calling terminal) a service provider for routing the call and provide a control for selecting that provider. The present application describes this aspect of Applicant’s invention at, for example, paragraph 54.

C. Parallel Contact Searches Internal to and External to a Device

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices. Further, a character string may be received from the first device and used to conduct a search for contacts in a repository external to the device, but in parallel with a search conducted on the device, as recited in claim 17.

Claim 17 was rejected over Fig. 3 and column 4, lines 34-44 of Olshansky. However, the rejection does not address all three elements of the claim, and the cited portions of Olshansky do not appear to relate to the subject matter of claim 17.

D. Status of a Transaction between Operators of the Communication Devices

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices. The content may comprise a status of a transaction between operators of the two devices, as recited in claim 10. This aspect of Applicant’s invention is described, for example, at paragraph 50 of the present application.

Claim 10 was rejected with the simple statement that “it would have been obvious for a caller to enter any subject regarding the call” (paragraph 5.3 of the office action). However, an embodiment of the invention reflected in claim 10 does not involve simply entering “any subject” regarding the call, but rather specific information regarding a specific transaction between the parties.

The Examiner is requested to withdraw the rejection of claim 10 or, alternatively, identify with specificity where the prior art teaches this aspect of Applicant’s invention.

E. A Guide to an IVR Menu

In some embodiments of the invention, notification is received of a call being placed from a first communication device to a second communication device. In response, the first device is instructed to delay dialing the call and pre-ring content is transmitted to one or both devices. The content may comprise a custom page associated with an operator of a device, and in particular an interactive voice response menu of the operator, as recited in claim 15. This aspect of Applicant’s invention is described, for example, at paragraph 66 of the present application.

Claim 15 was rejected with the simple statement that “it would have been obvious that a personal web page can have any content as its operator likes to post” (paragraph 6.4 of the office action). However, an embodiment of the invention reflected in claim 15 involves specific information that an operator of a device posts to assist another party with navigating an IVR menu associated with the operator or the operator’s organization.

The Examiner is requested to withdraw the rejection of claim 15 or, alternatively, identify with specificity where the prior art teaches this aspect of Applicant’s invention.

II Selected Claims

A. Claims 1-20, 21

Claims 1 and 21 recite “transmitting a signal to the first communication device to delay dialing the call.” As described above in Section I.A, neither the combination of Olshansky and Lewis nor the combination of Starbuck and Koskelainen disclose this aspect of Applicant’s invention.

Claim 4 recites “a control actuable to route the call to the second communication device via a telecommunication service provider identified in the pre-ring set of content.” As discussed in Section I.B above, Olshansky does not disclose this aspect of Applicant’s invention.

Claim 10 recites “wherein the pre-ring set of content comprises a status of a transaction between operators of the first communication device and the second communication device.” As discussed in Section I.D, the Examiner is requested to withdraw the rejection of claim 10 or, alternatively, identify with specificity where the prior art teaches this aspect of Applicant’s invention.

Claim 15 recites “wherein said custom page of content comprises a guide to an interactive voice response menu of the operator of the other communication device.” As discussed in Section I.E, the Examiner is requested to withdraw the rejection of claim 15 or, alternatively, identify with specificity where the prior art teaches this aspect of Applicant’s invention.

Claim 17 recites a parallel search for contacts, both on the first device and external to the first device. As discussed above in Section I.C, Olshansky does not disclose such a search.

CONCLUSION

No new matter has been added with the preceding amendments. It is submitted that the application is in suitable condition for allowance. Such action is respectfully requested. If prosecution of this application may be facilitated through a telephone interview, the Examiner is invited to contact Applicant's attorney identified below.

Respectfully submitted,

Date: January 15, 2013

By: /Daniel Vaughan/ 42,199
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AUTHORIZATION TO DEDUCT ANY UNDERPAYMENTS
OR CREDIT ANY OVERPAYMENTS TO DEPOSIT
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Please deduct any underpayments, credit any overpayments, and charge all required extension of time fees associated with attached filing to Deposit Account Number 50-1003.

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Respectfully submitted,

By 

A. Richard Park
Registration No. 41,241

Electronic Acknowledgement Receipt	
EFS ID:	14700490
Application Number:	12563112
International Application Number:	
Confirmation Number:	5694
Title of Invention:	Method and Apparatus for Content Presentation in Association with a Telephone Call
First Named Inventor/Applicant Name:	Wendell Brown
Customer Number:	22200
Filer:	A.Richard Park
Filer Authorized By:	
Attorney Docket Number:	WB-019
Receipt Date:	15-JAN-2013
Filing Date:	18-SEP-2009
Time Stamp:	11:47:46
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		WB-019_Amendment_A.pdf	159247 6b33ab1f840125c1b0169f8c4acd7189a2a1ff54	yes	15

Multipart Description/PDF files in .zip description					
Document Description			Start	End	
Amendment/Req. Reconsideration-After Non-Final Reject			1	1	
Specification			2	3	
Claims			4	8	
Applicant Arguments/Remarks Made in an Amendment			9	15	
Warnings:					
Information:					
2	Miscellaneous Incoming Letter	Authorization-deposit-account.pdf	22256 63612c2bcd3913978f7c648062b088855e94c0b9	no	1
Warnings:					
Information:					
Total Files Size (in bytes):			181503		
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.					

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 12/563,112		Filing Date 09/18/2009		☐ To be Mailed			
APPLICATION AS FILED – PART I												
(Column 1)			(Column 2)			SMALL ENTITY ☒ OR		OTHER THAN SMALL ENTITY				
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)			
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A			N/A				
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))		N/A	N/A		N/A			N/A				
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A		N/A			N/A				
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =	*		X \$ =		OR	X \$ =				
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*		X \$ =			X \$ =				
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).										
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))												
* If the difference in column 1 is less than zero, enter "0" in column 2.												
APPLICATION AS AMENDED – PART II												
(Column 1)			(Column 2)			(Column 3)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY	
AMENDMENT	01/15/2013	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	* 23	Minus	** 23	= 0	X \$31 =	0	OR	X \$ =			
	Independent (37 CFR 1.16(h))	* 4	Minus	***4	= 0	X \$125 =	0	OR	X \$ =			
	☐ Application Size Fee (37 CFR 1.16(s))											
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
	TOTAL ADD'L FEE 0											
(Column 1)			(Column 2)			(Column 3)			SMALL ENTITY OR		OTHER THAN SMALL ENTITY	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR	X \$ =			
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR	X \$ =			
	☐ Application Size Fee (37 CFR 1.16(s))											
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
	TOTAL ADD'L FEE											
* 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:
/PAULA MCCRAY STANLEY/

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.
12/563,112	09/18/2009	Wendell Brown	WB-019	5694
22200 7590 10/16/2012 PARK, VAUGHAN, FLEMING & DOWLER LLP 2820 FIFTH STREET DAVIS, CA 95618			EXAMINER SING, SIMON P	
			ART UNIT 2653	PAPER NUMBER
			MAIL DATE 10/16/2012	DELIVERY MODE PAPER

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

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

Office Action Summary	Application No. 12/563,112	Applicant(s) BROWN, WENDELL	
	Examiner SIMON SING	Art Unit 2653	
	-- 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 18 September 2009.

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

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

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

Disposition of Claims

5) ☒ Claim(s) 1-23 is/are pending in the application.

5a) Of the above claim(s) ____ is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-23 is/are rejected.

8) ☐ Claim(s) ____ is/are objected to.

9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

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

11) ☒ The drawing(s) filed on 13 October 2009 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).

12) ☐ 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

13) ☐ 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: ____
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DETAILED ACTION

Claim Rejections - 35 USC § 102

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.

1. Claims 22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Olshansky, US 6,493,437.

Olshansky teaches:

receiving electronic notification of initiation of a call from a first communication device to a second communication device (column 5, line 59 - column 6, line 4); and transmitting to one or both the of the first communication device and the second communication device an in-call or post-call set of multimedia content to be displayed during the call or after the call (column 5, lines 39-43; column 6, lines 20-24).

Claim Rejections - 35 USC § 103

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

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

2. Claims 1-5, 8, 17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olshansky, US 6,493,437 in view of Lewis et al. US 6,947,531.

2.1 Regarding claims 1 and 21, Olshansky teaches:

receiving electronic notification of initiation of a call from a first communication device to a second communication device (column 5, line 59 - column 6, line 4);

transmitting a graphical user interface (GUI) to the first communication device to display a pre-call multimedia content (advertisement; column 5, lines 39-43; column 6, lines 20-24; figure 3); and

transmitting to one or both the of the first communication device and the second communication device a pre-ring set of multimedia content to be displayed before call rings at the second communication device (column 5, lines 39-43; column 6, lines 20-24).

Olshansky teaches transmitting multimedia content to a first (calling) communication device as pre-call advertisement (column 5, lines 39-43), but does not explicitly teach transmitting a signal to the first communication device to delay dialing the call.

However, Olshansky further teaches billing the caller, granting free minutes to the caller (column 5, lines 11-23), and the free minutes are obtained by viewing a number of advertisements prior making a call (column 2, lines 4-13). Olshansky also teaches that prior of the call, the caller sets the duration of the call (column 5, lines 26-29). In addition, Lewis teaches prompting the subscriber to specify a number of minutes

that the subscriber wish to talk (column 11, lines 12-15), and a subscriber (caller) receives free calling time by listening or viewing advertisements (column 12, line 64 - column 13, line 7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Olshansky reference with the teaching of Lewis, so that the system in Olshansky would have transmitted a prompt in the GUI (transmitting a signal to the caller device) prompting the caller to enter the duration (minutes) before dialing the call (to delay dialing the call, i.e. entering the duration first) in order to listening/viewing a number of advertisements for receiving enough free minutes for the call, by combining known prior art elements by known methods the yield predictable results.

2.2 Regarding claim 2, Olshansky teaches in-call (during a call) advertisement (column 5, lines 41-43).

2.3 Regarding claim 3, Olshansky teaches post-call (after a call) advertisement (column 5, lines 41-43).

2.4 Regarding claim 4, Olshanky teaches a pre-ring set on content (GUI) is transmitted to the first communication device and comprises a control actuatable (keypad 324 for dialing the telephone number of the second communication device) to route the

call to the second communication device (column 6, lines 20-24; column 4, lines 50-52; figure 3).

2.5 Regarding claim 5, Olshanky teaches a pre-ring set on content (GUI) is transmitted to the first communication device and comprises a control actuable (keypad 324 for dialing the telephone number of a third communication device) to route the call to a third communication device (column 6, lines 20-24; column 4, lines 50-52; figure 3).

2.6 Regarding claim 8, Olshansky teaches advertisement (commercial) as stated above.

2.7 Regarding claim 17, Olshansky teaches entering a web address: "http://www.telephone.com", searching (obviousness) the web for a match, and transmitting the web page to the caller (figure 3; column 4, lines 34-44).

3. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olshansky, US 6,493,437 in view of Lewis et al. US 6,947,531 and further in view of Liu US 8,086,488.

Olshansky teaches displaying an advertisement with a discount offer in figure 3, but does not explicitly teach that the display includes a coupon (although, the middle of display 350 looks like a coupon).

However, Liu teaches displaying an advertisement with a coupon (column 5, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Olshansky reference with the teaching of Liu, so that the display would have included a coupon, by combining known prior art elements by known methods the yield predictable results.

4. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olshansky, US 6,493,437 in view of Lewis et al. US 6,947,531 and further in view of Altberg et al. US 7,120,235.

Olshansky teaches displaying an advertisement to a caller, but does not teach that the advertisement is from a service provider with the highest bid for the displaying the advertisement.

However, Altberg teaches that advertisements are from highest bidders (column 6, lines 15-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Olshansky reference with the teaching of Altberg, so that the advertisement is from a highest bidder, by combining known prior art elements by known methods the yield predictable results.

5. Claims 1, 6, 7, 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Starbuck et al. US 6,977,993 in view of Lewis Koskelainen US 7,991,894.

5.1 Regarding claim 1 and 21, Starbuck teaches:

receiving electronic notification of initiation of a call from a first communication device to a second communication device (caller activates a call graphical user interface, or GUI 400; figure 4; column 6, lines 4-10);

transmitting a signal to the first communication device to delay dial the call (prompting the caller to enter a subject and priority of the call before click on a call button; figure 4; column 6, lines 14-24); and

transmitting to one or both the of the first communication device and the second communication device a pre-call set of multimedia content to be displayed at the second communication device (figure 5; column 6, lines 43-60).

Starbuck teaches transmitting call information including a subject, as a SIP message (obviously an INVITE message) during an initial negotiation of a call setup (column 7, lines 47-54), for display at the second communication device. Starbuck does not explicitly teach displaying the call information before ringing at the second (called party) communication device.

However, Koskelainen teaches that a SIP INVITE message is transmitted and received before a callee's phone start ringing (column 4, lines 16-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Starbuck reference with the teaching of Koskelainen, so that the call information would have been displayed at the second communication device before ringing, by combining known prior art elements by known methods the yield predictable results.

5.2 Regarding claims 6 and 7, Starbuck teaches a notification of the call including importance and subject of the call (figure 5).

5.3 Regarding claim 10, it would have been obvious for a caller to enter any subject regarding the call.

6. Claims 11-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Starbuck et al. US 6,977,993 in view of Lewis Koskelainen US 7,991,894 and further in view of Lund US 7,450,704.

6.1 Regarding claim 11, Starbuck teaches displaying call information on the second communication device, but does not teach displaying on the first communication device a custom page of content associated with an operator of the second communication device.

However, Lund teaches displaying a web page of a called party on a calling party device when the called party's telephone number is identified (figure 4; column 3, lines 27-36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Starbucks reference with the teaching of Lund, so that a called party's web page would have been displayed on the first communication device, by combining known prior art elements by known methods to yield predictable results.

6.2 Regarding claim 12, the modified Starbucks reference teaches identifying the web page by a called party's telephone number (Lund: figure 4).

6.3 Regarding claim 13, it would have been obvious that a personal web page can have any content as its operator likes to post, including the status of its operator, such as he/she is on vacation or at work.

6.4 Regarding claims 14-16, it would have been obvious that a personal web page can have any content as its operator likes to post.

6.5 Regarding claim 20, the modified Starbucks reference teaches that the content (a called party's web page) is selected by the operator of the second communication device (obviously the called party selects the content of his personal web page).

Conclusion

7. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Thursday from 9:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

/Simon Sing/
Primary Examiner, Art Unit 2653

Notice of References Cited	Application/Control No. 12/563,112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL	
	Examiner SIMON SING	Art Unit 2653	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,493,437	12-2002	Olshansky, Robert	379/114.13
*	B	US-6,947,531	09-2005	Lewis et al.	379/114.13
*	C	US-8,086,488	12-2011	Liu, David Wanqian	705/14.4
*	D	US-7,120,235	10-2006	Altberg et al.	379/114.13
*	E	US-6,977,993	12-2005	Starbuck et al.	379/88.21
*	F	US-7,991,894	08-2011	Koskelainen, Petri	709/227
*	G	US-7,450,704	11-2008	Lund, Arnold M.	379/201.02
	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
S55	105	379/114.13 and (display\$3 with (advertising or advertisement))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 13:47
S56	62	379/114.13 and (call same (display\$3 with (advertising or advertisement)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 13:49
S58	2646	delay\$3 near5 dial\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 14:09
S59	5	379/114.13 and S58	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 14:09
S60	0	379/114.13 and (post-call same (display\$3 with (advertising or advertisement)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 14:13
S62	0	379/114.13 and ((post adj call) same (display\$3 with (advertising or advertisement)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 14:14
S63	0	(post adj call) same (display\$3 with (advertising or advertisement))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 14:14
S64	5	379/114.13 and (post adj call)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 14:15
S65	3	379/114.13 and (post-call)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 14:19
S68	6	before with dial\$3 with display\$3 with (advertising or advertisement)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 17:21
S69	0	(delay\$3 near5 dial\$3) same (display\$3 with (advertising or advertisement))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 17:25
S70	1	379/114.13 and (credit same pre-call)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 17:27

S71	0	379/114.13 and ((long adj distance) same pre-call)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 17:27
S72	4	379/114.13 and ((long adj distance) same listen\$3 same (advertising or advertisement))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 17:28
S73	11	379/114.13 and (credit same listen\$3 same (advertising or advertisement))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/11 17:32
S74	36	379/114.13 and (multimedia same (advertising or advertisement))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 10:31
S75	19	379/114.13 and (credit same (display\$3 with (advertising or advertisement)))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 10:45
S76	29	379/114.13 and (credit with (advertising or advertisement))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 10:47
S77	2	379/114.13 and (display\$3 with (advertising or advertisement) with coupon)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 12:01
S79	771	sip same invite same ring	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 12:52
S80	513	invite with ring	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 12:53
S81	178	sip with S80	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 12:53
S83	42	invite with before with ring\$4	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 17:08
S84	2	(invite with display\$3) same (before with ring\$4)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 17:09
S92	25250	display\$3 with (URL or URI)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 17:58
S99	50	S92 with (called adj party)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 18:17
S100	62	display\$3 with (web adj page) with (called adj party)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	OR	ON	2012/10/12 18:20

EAST Search History

			IBM_TDB			
S101	82	display\$3 with (web adj page) with (calling adj party)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	ON	2012/10/12 18:46

10/ 14/ 2012 10:56:21 AM

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BIB DATA SHEET

CONFIRMATION NO. 5694

SERIAL NUMBER 12/563,112	FILING or 371(c) DATE 09/18/2009 RULE	CLASS 379	GROUP ART UNIT 2653	ATTORNEY DOCKET NO. WB-019		
APPLICANTS Wendell Brown, Henderson, NV; ** CONTINUING DATA ***** This appln claims benefit of 61/167,105 04/06/2009 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 09/30/2009						
Foreign Priority claimed ☐ Yes ☒ No 35 USC 119(a-d) conditions met ☐ Yes ☒ No Verified and /SIMON P SING/ Acknowledged Examiner's Signature		☐ Met after Allowance Initials	STATE OR COUNTRY NV	SHEETS DRAWINGS 12	TOTAL CLAIMS 23	INDEPENDENT CLAIMS 4
ADDRESS PARK, VAUGHAN, FLEMING & DOWLER LLP 2820 FIFTH STREET DAVIS, CA 95618 UNITED STATES						
TITLE Method and Apparatus for Content Presentation in Association with a Telephone Call						
FILING FEE RECEIVED 650	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			

<i>Index of Claims</i> 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

✓	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	10/13/2012									
	1	✓									
	2	✓									
	3	✓									
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	21	✓									
	22	✓									
	23	✓									

<i>Search Notes</i> 	Application/Control No. 12563112	Applicant(s)/Patent Under Reexamination BROWN, WENDELL
	Examiner SIMON SING	Art Unit 2653

SEARCHED			
Class	Subclass	Date	Examiner
379	114.13	10/12/2012	SS

SEARCH NOTES		
Search Notes	Date	Examiner
EAST	10/12/2012	SS

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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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
12/563,112	09/18/2009	2614	650	WB-019	23	4

CONFIRMATION NO. 5694

UPDATED FILING RECEIPT



OC000000038357049

22200
PARK, VAUGHAN & FLEMING LLP
2820 FIFTH STREET
DAVIS, CA 95618

Date Mailed: 10/22/2009

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Wendell Brown, Henderson, NV;

Power of Attorney: The patent practitioners associated with Customer Number 22200

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/167,105 04/06/2009

Foreign Applications

If Required, Foreign Filing License Granted: 09/30/2009

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/563,112**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

**** SMALL ENTITY ****

Title

Method and Apparatus for Content Presentation in Association with a Telephone Call

Preliminary Class

379

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	12/563,112	
	Filing Date	September 18, 2009	
	First Named Inventor	Wendell Brown	
	Art Unit	2614	
	Examiner Name		
Total Number of Pages in This Submission	9	Attorney Docket Number	WB-019

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form ☐ Fee Attached ☐ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☒ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☒ Other Enclosure(s) (please identify below): Copy of Notice to File Corrected Application Papers (Filing Date Granted)
Remarks As requested in the Notice to File Corrected Application Papers, enclosed are replacement Figures 4-8.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Park, Vaughan & Fleming LLP	
Signature	/Daniel Vaughan/	
Printed name	Daniel Eric Vaughan	
Date	October 13, 2009	Reg. No. 42,199

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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.



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/563,112	09/18/2009	Wendell Brown	WB-019

CONFIRMATION NO. 5694

FORMALITIES LETTER

22200
PARK, VAUGHAN & FLEMING LLP
2820 FIFTH STREET
DAVIS, CA 95618



Date Mailed: 10/05/2009

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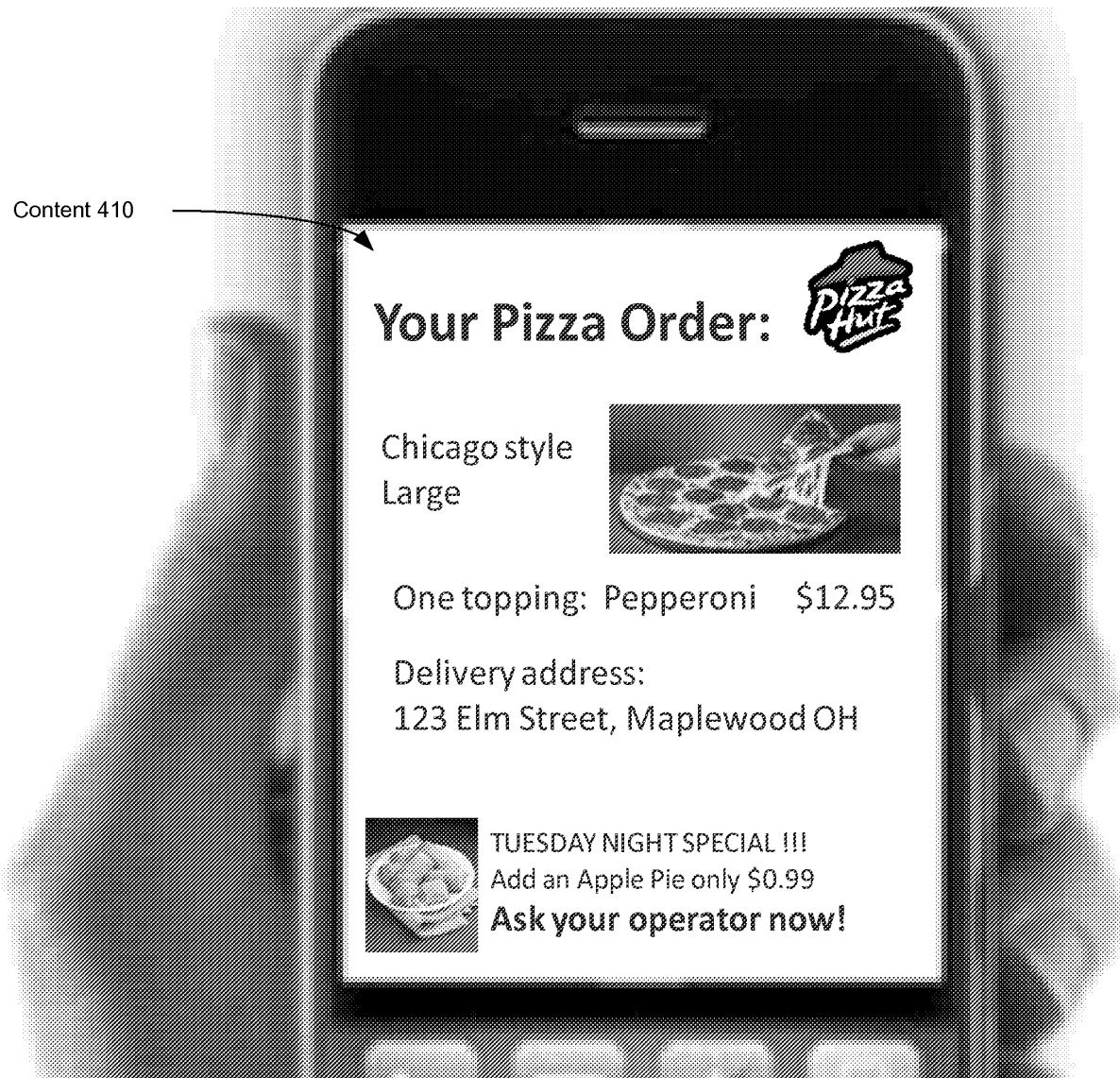


FIG. 4

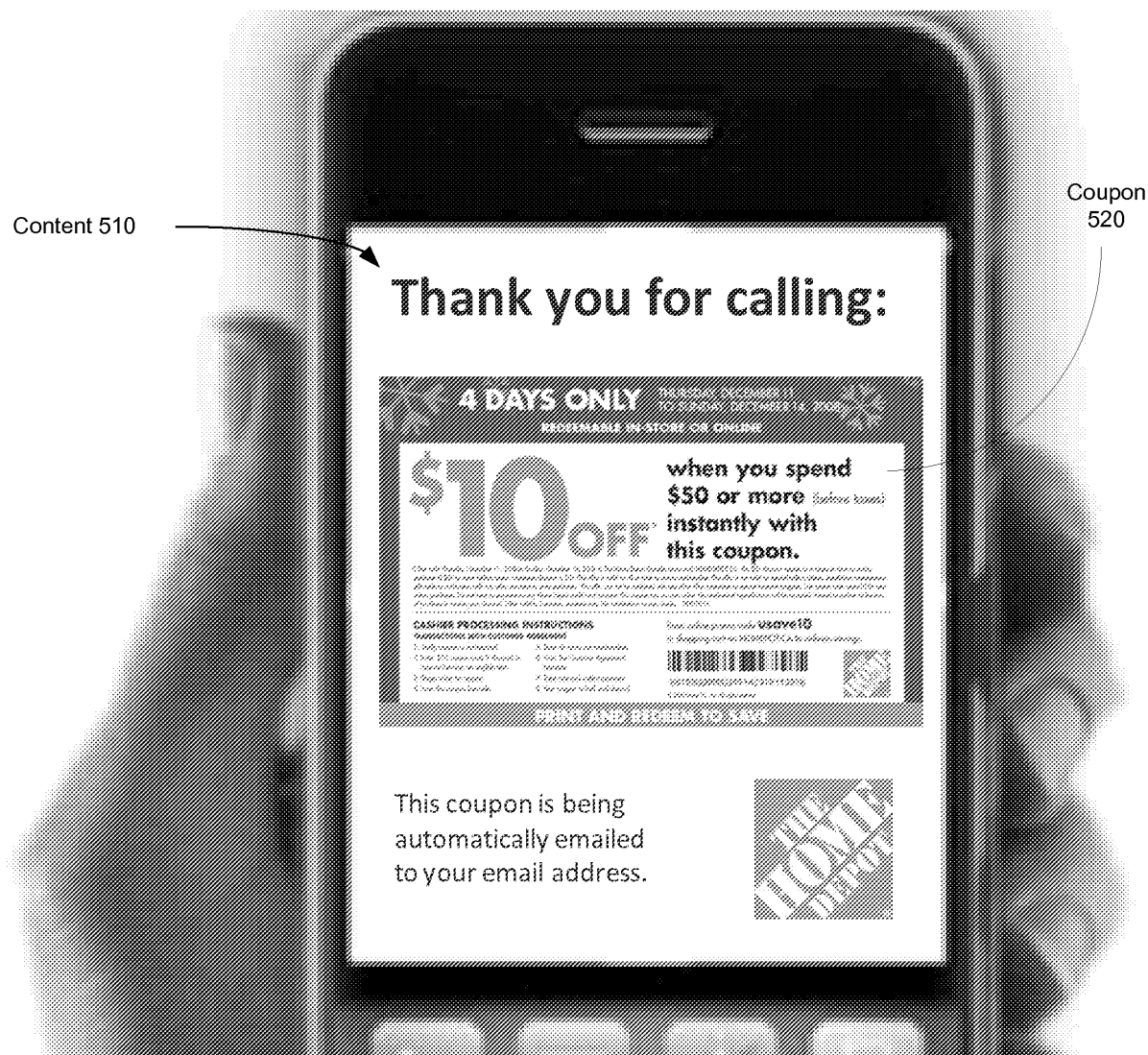


FIG. 5

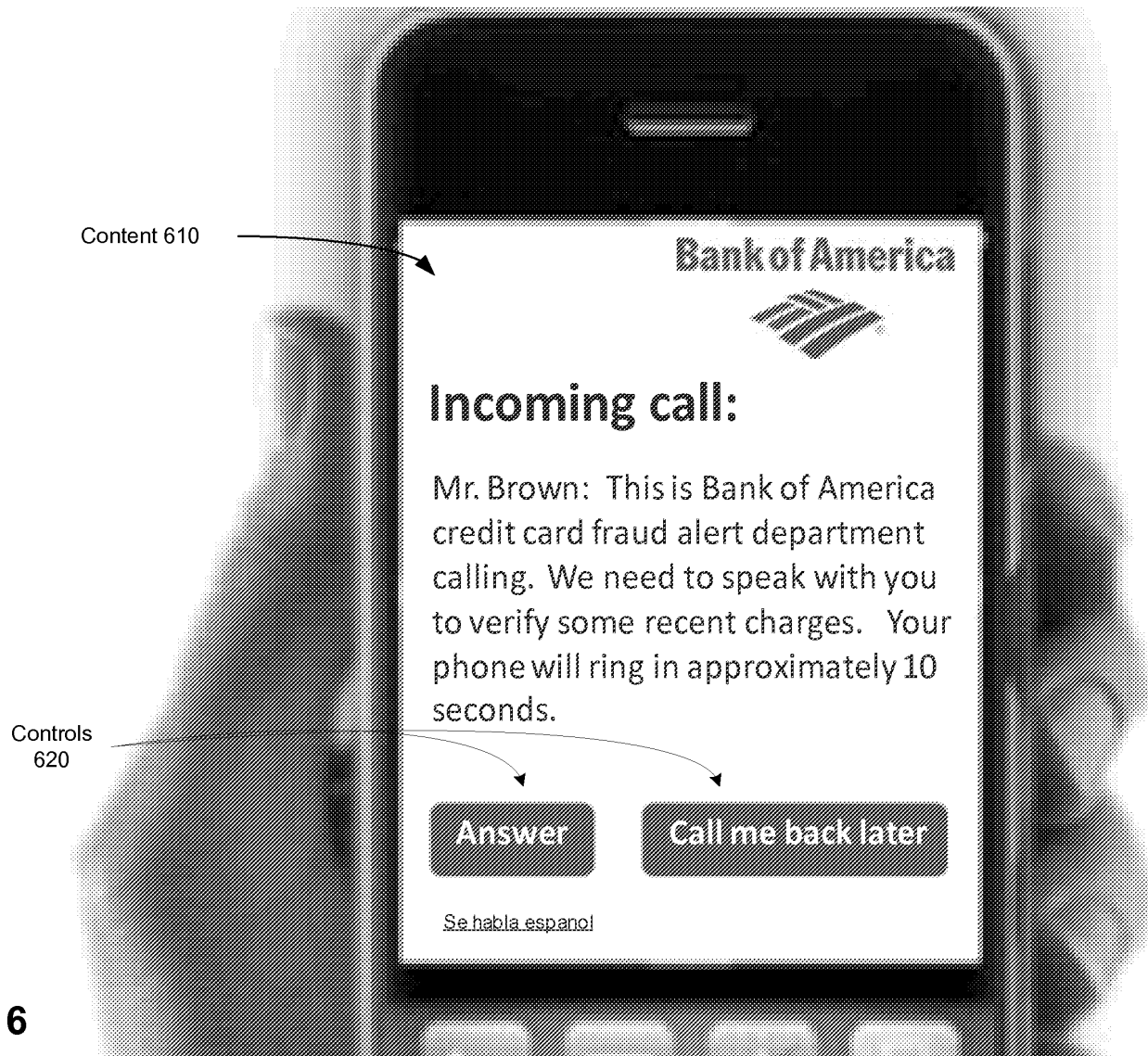


FIG. 6

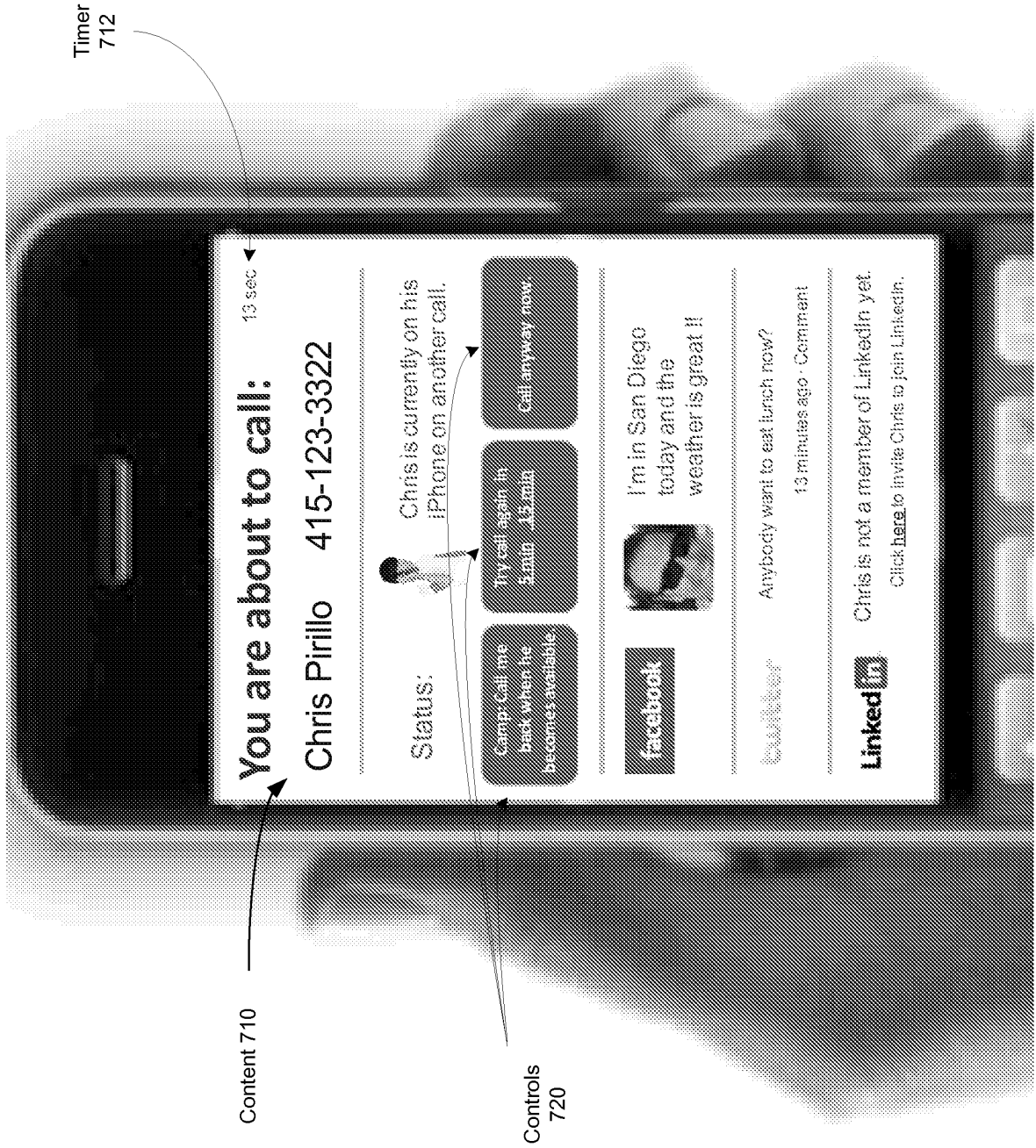


FIG. 7



FIG. 8

Electronic Acknowledgement Receipt	
EFS ID:	6248444
Application Number:	12563112
International Application Number:	
Confirmation Number:	5694
Title of Invention:	Method and Apparatus for Content Presentation in Association with a Telephone Call
First Named Inventor/Applicant Name:	Wendell Brown
Customer Number:	22200
Filer:	Daniel Eric Vaughan
Filer Authorized By:	
Attorney Docket Number:	WB-019
Receipt Date:	13-OCT-2009
Filing Date:	18-SEP-2009
Time Stamp:	11:15:21
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	Transmittal_Figs4-8_WB-019.pdf	101464 edddcc507912ebc28797b4d8478c31333be3dc6d	no	4

Warnings:

Information:

2	Drawings-only black and white line drawings	WB-019_Figures4-8.pdf	284035 de7f3854ac3e749f9499f7ff06449ce5dea5c143	no	5
Warnings:					
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	12/563,112	
	Filing Date	September 18, 2009	
	First Named Inventor	Wendell Brown	
	Art Unit	2614	
	Examiner Name		
Total Number of Pages in This Submission	9	Attorney Docket Number	WB-019

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form ☐ Fee Attached ☐ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☐ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☒ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☒ Other Enclosure(s) (please identify below): Copy of Notice to File Corrected Application Papers (Filing Date Granted)
Remarks As requested in the Notice to File Corrected Application Papers, enclosed are replacement Figures 4-8.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Park, Vaughan & Fleming LLP	
Signature	/Daniel Vaughan/	
Printed name	Daniel Eric Vaughan	
Date	October 13, 2009	Reg. No. 42,199

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Application Number: 12563112 Document Date: 10/13/2009

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12/563,112	09/18/2009	Wendell Brown	WB-019

CONFIRMATION NO. 5694

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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
12/563,112	09/18/2009	2614	650	WB-019	23	4

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Applicant(s)

Wendell Brown, Henderson, NV;

Power of Attorney: The patent practitioners associated with Customer Number 22200

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/167,105 04/06/2009

Foreign Applications

If Required, Foreign Filing License Granted: 09/30/2009

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 12/563,112**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

**** SMALL ENTITY ****

Title

Method and Apparatus for Content Presentation in Association with a Telephone Call

Preliminary Class

379

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PATENT APPLICATION

**METHOD AND APPARATUS FOR CONTENT
PRESENTATION IN ASSOCIATION WITH A
TELEPHONE CALL**

5

Inventor: Wendell D. Brown

Related Application

10 **[0001]** This application claims priority to U.S. Provisional Application
No. 61/167,105, filed April 6, 2009, which is hereby incorporated by reference,
and is related to U.S. Patent Application Serial Nos. 12/563,108, 12/563,102 and
12/563,099, all of which were filed September 18, 2009.

15

BACKGROUND

[0002] This invention relates to the fields of telecommunications and
computer systems. More particularly, a method and apparatus are provided for
presenting multimedia content to a caller and/or a called party before, during
and/or after a telephone call between the parties.

20 **[0003]** Calls from or to a mobile telephone are typically accompanied by
minimal display content. For example, when placing a call, the caller may simply
sees a dialer screen used to enter a telephone number, or to select a number or
contact to be dialed. When receiving a call, a called party may see the caller's
telephone number (or some other display if the number is blocked or unknown) or
25 a name of the caller (if the caller's telephone number is stored in the called party's
contacts), but little else.

[0004] Although this information display may be sufficient for the basic
purpose of identifying who is being called or who has originated a call, it fails to

deliver the type of multimedia experience many people have come to expect in the electronic age. Just as computer systems have evolved from textual operating systems (e.g., DOS or Disk Operating System) to complex graphical operating systems (e.g., Mac OS®, Microsoft Windows®), the display capabilities of mobile telephones have evolved in a similar manner.

[0005] Although mobile telephone applications that operate independently of telephone calls have been developed to take advantage of the telephones' richer display capabilities, such as offline games, photography and GPS (Global Positioning System) navigation, applications that make and receive calls or that operate during a call have not. Therefore, there is a need for methods and apparatus for enriching the experience of a person making or receiving a call.

SUMMARY

[0006] In some embodiments of the invention, a method and apparatus are provided for presenting multimedia content to a caller and/or a called party in association with a telephone call. In these embodiments, content may be presented pre-ring (before the called party's telephone rings), in-call (during the call) and/or post-call (after one or both parties have hung up).

[0007] Content presented to a party may be related to another party participating in the call or may be related to a third party (e.g., an advertiser that paid to have its content presented). Thus, rights to present content to parties engaging in a call may be auctioned to various advertisers and other organizations, and a party to a call may receive content that is or is not associated with any purpose or party to the call.

[0008] In some embodiments, presented content may be actuatable (i.e., include one or more actuatable controls), to allow a caller to change the destination or routing of a call, take advantage of an offer presented to him in the content, redeem a coupon, schedule or queue a subsequent call, etc.

5 [0009] In some embodiments of the invention, a person's ability to search for a desired destination party's contact information (e.g., telephone number) or to initiate a call to the party without knowing its number is greatly enhanced. In these embodiments, the person may initiate a search of any number of contact lists and/or telephone directories, including lists maintained on his device and/or off his device – such as at a central call server or a third party repository.

10 [0010] Such a search may be conducted via keyword, so that as the person enters characters describing the target destination (e.g., by name, by category), the search is automatically updated and narrowed as the characters are entered. Results of a search may be filtered or prioritized based on the person's profile (e.g., with contacts known to that person having relatively high priority) and/or by a general profile (e.g., based on which numbers/contacts have been used most often by other people that conducted similar searches).

15 **DESCRIPTION OF THE FIGURES**

 [0011] FIG. 1 is a block diagram of a communication environment in which some embodiments of the present invention may be implemented.

20 [0012] FIG. 2 is a block diagram demonstrating establishment of a telephone call and associated presentation of content, according to some embodiments of the invention.

 [0013] FIGs. 3-8 demonstrate content that may be presented on a communication device of a caller and/or a called party before, during and/or after a telephone call, according to some embodiments of the invention.

25 [0014] FIG. 9 is a flow diagram demonstrating the presentation of multimedia content to a caller and/or a called party in association with a telephone call, according to some embodiments of the present invention.

 [0015] FIG. 10 is a flow diagram demonstrating the presentation of multimedia content to a caller in association with a telephone call, according to some embodiments of the present invention.

[0016] FIG. 11 is a block diagram of hardware apparatus for facilitating presentation of multimedia content in association with a telephone call, according to some embodiments of the invention.

[0017] FIG. 12 is a block diagram of a call server for facilitating presentation of multimedia content in association with a telephone call, according to some embodiments of the invention.

DETAILED DESCRIPTION

[0018] The following description is presented to enable any person skilled in the art to make and use the invention, and is provided in the context of a particular application and its requirements. Various modifications to the disclosed embodiments will be readily apparent to those skilled in the art, and the general principles defined herein may be applied to other embodiments and applications without departing from the scope of the present invention. Thus, the present invention is not intended to be limited to the embodiments shown, but is to be accorded the widest scope consistent with the principles and features disclosed herein.

[0019] In some embodiments of the invention, a method and apparatus are provided for presenting multimedia content before, during and/or after a telephone call. The content is displayed on a communication device that initiates or receives the call, if the telephone's display is capable of displaying rich content; otherwise, it may be displayed on an associated computing device. In these embodiments, the displayed content may be selected based on an identity or a characteristic of the caller or the called party, may be relevant to a purpose or nature of the call, or may be selected by an entity that paid to have the selected content presented.

[0020] For example, for a telephone call between friends or acquaintances, a caller or called party may be presented with content drawn from an electronic presence of the other party (e.g., MySpace™, Facebook, hi5,

Flickr®) or from private storage (e.g., the friend's computing device). Or, he may be shown recent electronic mail, other communication(s) involving the friend (e.g., his or her latest tweet on Twitter®), or other multimedia content the friend is willing to share. In some embodiments, people may assemble content for the specific purpose of being presented to another party in association with a telephone call.

[0021] For a telephone call with an organization (e.g., a merchant, a business), an advertisement or special offer from that entity (or from an associate or a competitor of that entity) may be presented (e.g., a video ad, a yellow page ad), or a menu or list of services, directions or location information, information regarding a current or recent transaction, etc.

[0022] Multimedia content presented before, during and/or after a telephone call may be accompanied by one or more controls for taking action, such as seeing more content, navigating to a particular web page or web site, downloading content, ordering a good or service, adding another party to the call, re-routing or aborting the call in favor of a different destination, or initiating other action enabled by the content.

[0023] Determination of what content to present to a party is made by a call controller. In embodiments of the invention described herein, a controller for a particular telephone call may be the caller, the called party, a call center configured to process content in association with a telephone call, or some other third party. The decision of what to present may be made in real-time, or may be pre-determined.

[0024] For example, a commercial message (e.g., an advertisement) may be pre-selected for presentation to some number of callers to a particular telephone number. Merchants or other organization may pay for the opportunity to have their selected content presented to a caller or called party, even if the paying organization is not a party to the call.

[0025] FIG. 1 is a diagram of a communication environment in which multimedia content may be presented in association with a telephone call, according to some embodiments of the invention. In FIG. 1, caller telephone 110 is used to place a call to a called party at called party telephone 150. Call server 130 acts as a call controller to manage the presentation of multimedia content on the caller's telephone and/or the called party's telephone in association with the call.

[0026] In FIG. 1, each telephone is capable of supporting parallel data and voice channels. A voice channel between caller telephone 110 and called party telephone 150 may be established through the PSTN (Public Switched Telephone Network), one or more telephone carrier's networks, other public/private networks such as the Internet (e.g., for VoIP calls), etc.

[0027] Data channels to/from a party's telephone may be established using EvDO (Evolution Data Optimized or Evolution Data Only), UMTS (Universal Mobile Telecommunications System), HSDPA (High-Speed Downlink Packet Access or High-Speed Downlink Protocol Access), LTE (Long Term Evolution) and/or other communication protocols and links capable of carrying digital data. The data channels are routed via call server 130, and are used to convey content to the telephones and to convey other data to the call server as necessary (e.g., to upload data from a telephone, activate a control within presented content).

[0028] Caller telephone 110 hosts any number of applications, applets, plug-ins or other collections of executable program code. Illustrative code that may be installed on the caller telephone includes browser 112 for presenting and navigating multimedia content, call processor 114 (e.g., a dialer application) for processing an outgoing or incoming call, and optional block/allow list 116.

[0029] Call processor 114 comprises logic for detecting and/or controlling telephone events (e.g., dialing of a number, outgoing call ringing, incoming call ringing, outgoing or incoming call connected) and for using the data channel to

receive content to be presented and to submit data to the call server. Call processor 114 may comprise logic that hooks into a telephone dialer application and can control how a call is handled. Or, the call processor may comprise logic that replaces or supersedes a telephone's native dialer application.

5 **[0030]** In some embodiments of the invention, call processor 114 may delay signaling of a voice call from caller telephone 110 to the caller's telephone service provider, in order to delay establishment of the voice channel. The call processor may do this automatically or based on instructions from the call server. Similarly, ringing at a called party's telephone may be delayed.

10 **[0031]** For example, calls placed to certain numbers or to certain types of parties (e.g., merchants, other organizations) may be delayed while content is selected and transmitted to the caller's telephone. A timer may be displayed on the telephone and/or the caller may be able to terminate the delay and make the call proceed immediately. Thus, a delay may be fixed or may be aborted by the
15 affected party.

[0032] A call processor may also comprise logic for performing keyword-based lookups, or may be configured to invoke similar logic that executes separate from the call processor. For example, when a caller enters part (or all) of the name of a person or organization that she wishes to call (or a partial telephone
20 number), the keyword logic will search the called party's telephone for matching contacts.

[0033] The call processor, or other logic, may also contact a central location (e.g., call server 130) to initiate a keyword-based search on a larger telephone directory. Thus, a search for a destination party may be automatically
25 conducted on the caller's telephone and/or off the device at a central location (e.g., call server 130) or a third party directory. As the caller enters additional characters, the search results are narrowed accordingly, and may be prioritized based on the caller's previous interaction with some of the contacts, based on

which destination parties other callers selected in similar searches, based on the caller's present location, based on fees paid by merchants for priority listing, etc.

5 **[0034]** Other software may be installed on a party's communication device to alter or enhance the presentation of media. For example, a set of APIs (Application Programming Interfaces) may be provided to allow injection of particular types of content. The APIs may be used to facilitate presentation of content in association with a telephone call and/or without any association with a telephone call. However, in some embodiments of the invention, a person's communication device need not be modified in any way in order to receive and display content before, during and/or after a call.

10 **[0035]** In the illustrated embodiments of the invention, caller telephone 110 (and/or call server 130) automatically blocks or rejects calls attempted between telephone 110 and telephone numbers (and/or people and organizations) identified in a block list. Additionally, or alternatively, an allow list may be maintained to specifically identify telephone numbers with which caller telephone 110 may be connected (e.g., all entries in a contact list or telephone directory maintained on a party's telephone). In yet other embodiments, a single combined block/allow list may be maintained to identify target telephone numbers and indicate whether calls with those numbers are blocked or allowed.

15 **[0036]** Block/allow lists may be maintained on a user's telephone and/or at a call controller or call server. A block/allow list maintained on telephone 110 (i.e., block/allow list 116) may be considered a "local" list, while a list maintained on a call controller (e.g., block/allow list 132) may be considered a "central" or "global" list.

20 **[0037]** In some embodiments of the invention, a block/allow list (or other filter) may be used to screen calls to/from malicious telephone numbers or entities. For example, calls received from telephone numbers known to be associated with telemarketers, spammers (e.g., entities that spam via SMS or Short Messaging Service), pranksters and/or other undesirables may be blocked

automatically (or after querying the called party to identify the call as possibly or certainly being from an undesired party).

[0038] Illustratively, a global list may be maintained to identify telemarketers and spammers, especially those that call nationally or regionally. A
5 local list may be maintained to block calls from pranksters, people who have made harassing calls and/or other parties from whom calls are not desired.

[0039] A called party may identify a caller as malicious (or, alternatively, not malicious) during or after a telephone call from that caller, by activating a control on her telephone. For example, during or after a call from a previously
10 unknown caller, content may be presented to the called party to ask her if the caller is a telemarketer or harasser (or should otherwise be blocked), or if the caller should be added to her contact list. Choosing to add a previously unknown party or number to her contact list may cause the call server to interrogate the caller's telephone or other data source to retrieve a contact card, if one has been
15 prepared for sharing.

[0040] In some embodiments of the invention, caller telephone 110 may include additional components or executable code for performing other functions, without exceeding the scope of the present invention. For example, a telephone may also include one or more storage components for storing, among other things,
20 contacts, user preferences, multimedia content to be presented on the telephone or to be transmitted to another party for presentation on their device, etc.

[0041] Locally stored content may be quickly presented to a user without having to wait for receipt of the content from call controller 130. Such stored content may be selected for storage and/or presentation randomly, based on an
25 identity of the a party or parties within a contact list stored on the telephone, according to an agreement with a third party (e.g., an advertiser) and the call server or call controller, etc.

[0042] Called party telephone 150 may be configured similarly to caller telephone 110 (e.g., with a browser, a call processor, a block/allow list). In some

embodiments, when a call is being initiated from caller telephone 110 to called party telephone 150, call server 130 may query the called party's telephone to determine if it possesses any content that the called party would like to have presented to the caller. Such content may then be transferred before, during
5 and/or after the call. Similarly, content from caller telephone 110 may be copied to called party telephone 150.

[0043] When a user's telephone is unable to display content chosen for presentation to that user in association with a telephone call, the content may instead be presented via a different device.

10 [0044] For example, and as shown in FIG. 1, a called party (or a caller) may operate an associated computing device (e.g., a desktop computer, a laptop computer, a personal digital assistant, a netbook computer). The computing device may be registered with a call controller (e.g., call server 130) before or during a call (e.g., by IP address or other network address).

15 [0045] When the call controller determines that it cannot present multimedia content on called party telephone 150, it will instead transmit it to the associated computing device. The call controller may determine that it cannot send content to telephone 150 based on the type of telephone or the telephone number (e.g., a landline), because the telephone connection lacks a data channel,
20 because the device is registered in the called party's user profile, etc.

[0046] A party's associated computing device may be coupled to call server 130 by a network connection that traverses one or more public or private data networks (e.g., the Internet, an intranet). To register a computing device, a party may operate the computing device to navigate a browser to a registration
25 site or page. There, the party may identify one or more telephone numbers and associate them with the computing device so that when a call is placed to or from one of the telephone numbers, content will be delivered to the computing device instead of the telephone.

5 **[0047]** Call server 130 comprises central or global block/allow list 132 for screening a call to determine whether it should be placed and/or whether multimedia content should be presented in association with the call. The call server also includes media selection logic 134 for selecting content to be displayed on a caller's or called party's communication or computing device. Call processor 136 is configured to receive or establish data (and/or voice) channels with caller telephone 110 and/or called party telephone 150 via virtually any data protocol and media.

10 **[0048]** Database(s) 140 are configured to store data regarding subscribers and their communication/computing devices, content that may be presented on such devices, information regarding advertisers and/or other third parties that may provide content, factors for determining or selecting content to be presented for a particular call, etc. Call server 130 may also expose various APIs (Application Programming Interfaces) to allow third parties to provide media for presentation
15 in association with a telephone call, and/or other logic for retrieving such content from a third party.

20 **[0049]** A call server or call controller according to other embodiments of the invention may be configured to perform a subset or a superset of the operations described herein, and therefore may include fewer or additional components. Call server 130 is an example of a third party call controller – that is, a controller that is not operated by the caller or the called party. Illustratively, call server 130 may be operated by a telephone service provider, a data management service, a directory service or other entity with which the caller and/or called party (or their service providers) have established agreements.

25 **[0050]** In other embodiments of the invention, a call controller may be operated by a caller or called party, particularly when that party represents an organization. Thus, a call to or from a commercial enterprise may be controlled by an agent of that enterprise (e.g., a telephone agent or operator, a sales agent). That agent can select content for presentation on the other party's communication

device based on a purpose of the call, a previous or current transaction between the parties, an offer being made to the other party, etc. Or, such content may be selected automatically, based on whether the organization has a pre-existing relationship with the caller (e.g., whether the caller's telephone number is
5 known), which of multiple telephone numbers of the organization the caller called, etc.

[0051] In some embodiments of the invention, a call controller or call server may auction or directly sell a right to have content presented to callers and/or called parties. For example, a call server may auction the right to present
10 content to callers that dial a particular organization (e.g., a commercial company) or that are called by the organization. The winner may be the same organization, a competitor or an unrelated party.

[0052] Or, a call server may auction content presentation rights based on identities or demographics of private callers and calling parties. Thus, content
15 presented to a caller may be selected based on his current location, as reported by a GPS (Global Positioning System) element of his telephone, his area code, his city, his type of communication device, his telephone service provider, and so on. For example, a content provider may be a vendor of goods or services and may have purchased the ability to have content presented to callers who place calls
20 while they are within some predetermined distance of the content provider.

[0053] Content presented on a communication device may fill the area of the target party's telephone display screen, or only a portion thereof. For example, when a call is placed to a commercial organization, content from a single source may cover the caller's entire telephone display. But, when a call is
25 placed to one private party from another private party, some or all of the display area may be used to present content associated with one or both parties (e.g., from Facebook, MySpace, Slide, Flickr), and only a small area may be filled with content (e.g., an advertisement) from a third party. Thus, content displayed on a

party's telephone may comprise multiple content components from the same or different sources or providers.

5 **[0054]** When content is presented to a caller pre-ring (before a destination party's telephone rings), the caller may activate a control embedded in the content to take some action offered by the content. For example, if he activates a control to re-route the call to a different destination (e.g., based on an offer or advertisement in the presented content), the call controller or the call processor logic on the caller's telephone will cancel the attempted call and initiate a call to the new destination. Or, a caller may be presented with content that offers to
10 route the voice channel differently (e.g., via a different carrier for a cheaper rate).

[0055] In some embodiments of the invention, a call server and a separate call controller may cooperate to control the presentation of content to a caller and/or a called party. For example, and as shown in FIG. 1, data channels may be established between the parties and a call server, and the call server may be
15 responsible for actually transmitting content to the parties and receiving any data they submit.

[0056] The separate call controller, however, may be a third-party content provider (or other third party) and may determine (and/or dynamically provide) content to be provided to a particular party. Thus, a call server may participate in
20 many calls, and connect to different call controllers for different calls (or at different times during one call) to receive content to be presented to a party. Even when a call server and a call controller are co-located, content to be served to callers and/or called parties may be retrieved from other parties.

[0057] As one alternative, a call may be initially handled by a call server,
25 perhaps to facilitate presentation of appropriate pre-ring content to a caller or called party. However, at some point (e.g., when the called party's telephone rings), control of content presentation may be passed to a call controller associated with or employed by the called party. As yet another alternative,

control of content presentation may be passed immediately to an organizational call controller when a call destined for that organization is identified.

5 **[0058]** FIG. 2 is a diagram illustrating presentation of content to a caller and/or a called party in association with a telephone call, according to some embodiments of the invention.

10 **[0059]** At step A, the caller enters or selects a telephone number or contact listing for called party 250, in order to initiate a voice call to that party. Alternatively, she may enter part of the target party's name or number and select the party from results produced by her communication device and/or a source external to her device. At step B, the telephone numbers and/or other identifiers of the caller and called party (e.g., IP addresses if either party is using VoIP equipment) are transmitted to call controller/call server 230 via a data channel of the caller's telephone.

15 **[0060]** Control of the call may be passed to a particular call controller, based on an identity of the caller or the called party. Specifically, calls from a certain number (or set of numbers, such as those of a single organization) or to a certain number (or set of numbers) may be controlled by predetermined call controllers. Or, call controller 230 may be a general call server configured to handle presentation of calls involving private parties and/or multiple organizations.

20 **[0061]** In step C, call controller 230 identifies a source of content to be presented to caller 210 and/or called party 250, or may identify specific content (i.e., not just a content source). In step D, the call controller solicits content from a selected source, which may be a web server, a data server, an advertisement server or other repository of advertisements, an organization's data server, etc.

25 **[0062]** Content may be selected for presentation based on an identity of a particular party, a relationship between the caller and the called party, an assumed (or known) purpose of the call, and/or other factors.

5 **[0063]** In step E, call controller 230 forwards the selected content to either or both of the caller and the called party. In some embodiments, the content may be served directly to a caller or called party from a content provider. Content may be presented to either party before the called party's telephone rings, during the parties' call and/or after the call is terminated.

10 **[0064]** The voice channel between caller 210 and called party 250 may be routed and established in a normal fashion. However, initiation of the connection may be delayed for a short period of time (e.g., by call processor logic operating on the caller's telephone). Thus, the actual voice connection may be completed any time after step A.

15 **[0065]** Illustrative content that may be presented to a caller or a called party pre-ring includes commercial offers and advertisements (e.g., if the other party is a commercial organization), private content such as pictures, communications, present status, current location (e.g., if the other party is a private individual), notifications, alerts, an identifier of the other party to the call (e.g., a corporate logo, a personal avatar), etc. As part of pre-call content, a caller may be able to better target his destination party. For example, if he is calling an organization's main (or toll-free) number, he may be presented with content that allows him to choose a particular office or outlet (e.g., based on city or address).

20 **[0066]** Illustrative content that may be presented to a party during a call includes any or all types of content that may be presented pre-ring. In-call content may also or instead relate to the parties' voice connection, perhaps to provide visual description of a subject of the parties' conversation, to graphically show different product or product options, to show a transcript of the conversation
25 in real-time or near real-time (or provide other assistance to a hearing-impaired party), to guide a party through an IVR (Interactive Voice Response) menu, to provide customer assistance graphically (instead of or in addition to verbally), to exchange information textually/graphically instead of having to speak it or punch

it in via a keypad, to promote an up-sell, to guide a party through an organizations' telephone directory to find a desired person, etc.

5 **[0067]** Illustrative post-call content includes content that may be presented pre-ring and/or in-call. Post-call content may also or instead summary the parties conversation or transaction, provide a receipt, identify follow-on actions, confirm a later appointment or other scheduled event, etc.

[0068] FIG. 3 illustrates content that may be presented to a caller or a called party in association with a telephone call, according to some embodiments of the invention.

10 **[0069]** Content 310 reflects the presentation of a logo, profile or other content that identifies an organization. In particular, content 310 comprises an advertisement of a merchant. Content 310 may be presented to a caller when she initiates a call with the indicated merchant, or may be presented to a called party when the merchant calls her (e.g., to verify an order, to report on an order status,
15 to obtain additional information). Or, the illustrated content may be presented when a person engages in a call with a competitor of the indicated merchant, or another party unrelated to the merchant.

[0070] Content 350 includes not only a logo or other visual illustration of an organization, but also presents an offer of a product or service (i.e., a room
20 upgrade). Illustratively, the recipient of content 350 may have booked a room reservation (with the indicated merchant or a competitor), or may be in the process of making a room reservation.

[0071] Thus content 350 may be presented while the recipient is engaged in a call with the offering merchant, in which case the recipient can verbally
25 accept the offer or make an inquiry. Or, if the offer is presented when the recipient is not currently engaged in a call with the merchant, hitting a "dial" button, tapping the screen (if it is touch-sensitive) or activating another control may initiate a call between the recipient and the advertising merchant so that she can take advantage of the offer.

[0072] In FIG. 3, a call controller managing the presentation of content 310 and/or content 350 may be a merchant featured in the content, especially for a call placed to the merchant or from the merchant. Or, the call controller may be a call server or other third party. Because the call controller may be a third party, calls during which the content is presented may not even involve a merchant identified in content 310 or content 350.

[0073] FIG. 4 also illustrates content that may be presented to a caller or called party in association with a telephone call, according to some embodiments of the invention.

[0074] Illustratively, content 410 may be presented to a caller during a call with the indicated pizza vendor. Content 410 not only allows the merchant and the caller to verify the caller's current order, but also comprises an advertisement or offer for an additional purchase, and may be presented before, during or after the call. Specifically, content 410 verifies the customer's order (i.e., for one large Chicago-style pizza, with pepperoni) and the delivery address, and also reminds the customer of a special offer (i.e., \$0.99 apple pies on Tuesday nights).

[0075] Content 410 may also, or instead, provide a control that the caller can actuate to cause the caller's address (e.g., home address, work address, current address) to be transmitted to the merchant or call controller. Illustratively, address information may be stored on the caller's communication device (e.g., in a contact record associated with the caller) and may be automatically transmitted to another party when the caller initiates such action.

[0076] In FIG. 4, the call controller that manages the presentation of content on the customer's telephone may be a telephone agent associated with the pizza merchant. In this case, when the customer called the merchant, a data connection was automatically established between the controller (which may be local to or remote from the customer) and the customer. Thereafter, the call controller can determine what is presented to the caller.

[0077] FIG. 5 also illustrates content that may be presented to a caller or called party in association with a telephone call, according to some embodiments of the invention.

5 [0078] Content 510 of FIG. 5 identifies a merchant or other organization with which a person has established a telephone call, completed a telephone call, or is about to call, or possibly a competitor of such a merchant. Content 510 includes coupon 520, and may be used during a call with the advertiser or offline (e.g., in person in a retail store). As indicated, the coupon may be automatically transmitted to the person's email address if the call controller or an associated call
10 server knows his or her address, or if the person releases the address.

[0079] In other embodiments of the invention, other content may be presented to a party when he is engaged in a call with a merchant, or has initiated a call to a merchant. For example, the party's last transaction may be displayed, an outstanding balance or other account status may be presented, another
15 merchant advertisement (e.g., from the yellow pages, from an email campaign) may be displayed. etc.

[0080] A call reflected in FIG. 5 may be controlled by the organization identified in the content (e.g., a telephone agent that is talking or has talked with the customer) or by a third party (e.g., a call server).

20 [0081] FIG. 6 illustrates content that may be presented to a potential called party in association with a telephone call, according to some embodiments of the invention.

[0082] Content 610 of FIG. 6 may be presented to a called party pre-ring (i.e., before her telephone rings), in association with a pending call from an
25 organization, such as the indicated bank. As shown in FIG. 6, the content advises the party that the organization is placing a call to her telephone, and indicates a reason for the call. The party may be able to defer the call, agree to answer it, or take other action, by activating a corresponding control 620.

5 **[0083]** In some embodiments, advisory pre-ring content such as content 610 may include information to help verify the authenticity of the source of the upcoming call. For example, the organization may include some digits of the person's account number, give details of a previous transaction with the organization, etc.

10 **[0084]** In some embodiments, pre-ring content may include controls for taking action such as accepting the call as planned, completing the call immediately, postponing the call, scheduling it for a particular time, etc. Such controls may be included as part of the pre-ring content, or may be added by the call controller or the call processor logic on the receiving party's communication device.

15 **[0085]** A call controller for presenting content 610 may be the organization that wishes to contact the called party (e.g., a telephone agent, an account representative), or may be a third party.

20 **[0086]** FIG. 7 illustrates content that may be presented to a caller in association with a telephone call, according to some embodiments of the invention.

25 **[0087]** Content 710 of FIG. 7 is presented to a caller pre-ring, when he commences a call to a friend or acquaintance (e.g. someone within her list of contacts or friends). Instead of only seeing the name and/or number of the person he is calling, the caller receives additional information regarding the called party and/or other people, such as a picture of the called party.

[0088] Pre-ring content 710 reports the current status of the target called party, which may be determined by the call controller or call server handling the data portion of this call. His status may be tracked by the call controller, especially if the call controller is associated with the called party's telephone service provider, in which case it can easily stay apprised of the status of the party's telephone.

[0089] Thus, the target called party's status may indicate that he is currently on another call, that he is otherwise busy, that his telephone is turned off, etc. Illustratively, he may have activated a control on his telephone that reports his status. Based on the called party's status, the caller may be offered
5 options to have a return call placed to the caller when the called party is available, to try the call again, to continue with the call (e.g., to leave a voicemail or media message), to camp and wait for the called party to become available, etc.

[0090] Content 710 also includes an excerpt from the called party's (or a third party's) electronic presence (e.g., an excerpt from Facebook, MySpace or
10 other web site), a recent Twitter message (from the called party or a mutual friend/acquaintance), an offer to make a further connection with the called party (e.g., via LinkedIn, hi5, Windows Live Messenger), a recent photo posted by the called party, and so on.

[0091] As indicated in FIG. 7, content 710 may be presented as pre-ring
15 content, but some elements of the content may also (or instead) be presented as in-call or post-call content. Alternatively, in-call and post-call content may be completely different from content 710.

[0092] The called party may be presented with similar content pre-ring, in-call and/or post-call. Of course, instead of seeing content about himself, the
20 called party would be presented content associated with the caller and/or third parties (e.g., mutual friends and acquaintances).

[0093] Content 710 includes timer 712 that indicates how soon the voice channel of the call will be connected or routed for connection. Illustratively, the voice connection may be delayed in order to determine and present the called
25 party's status, to retrieve content to be presented, to allow the caller to review content 710 or to choose an alternate course of action if the called party is not currently available, or for some other reason. A control (e.g., one of controls 720) may, however, allow the caller to terminate the delay and proceed with (or attempt) the voice connection immediately.

7
[0094] A call controller for controlling presentation of content 710 in FIG.
7 may be the called party or a third party (e.g., a call server, a telephone service
provider of the caller or the called party). For example, the called party may have
specified certain content, or sources from which content may be retrieved, for
5 presentation to someone when a call is established or is being initiated to him.
Similarly, the caller may have identified content that may be displayed to the
called party, in which case he may be considered the call controller for the called
party's side of the telephone connection.

10 [0095] FIG. 8 further illustrates content that may be presented to a caller
or called party in association with a telephone call, according to some
embodiments of the invention.

15 [0096] Content 810 of FIG. 8 not only identifies the other party to a
current call, but also includes content drawn from an electronic presence of the
other party (or a third party), such as content from Facebook, Slide, Twitter and/or
other web sites or content repositories. Yet other content may be accessed by
either or both of the parties to the call, by activating an appropriate control within
content 810 to open a YouTube video, view a photo at Flickr, listen to some
audio, etc.

20 [0097] Content 810 may also provide personal information about the other
party (e.g., her upcoming birthday), her approximate location (e.g., 1700 feet
away), her status (e.g., in a meeting, dining, in transit).

25 [0098] An advertisement included with content 810 may be relevant to
another portion of the content (e.g., a birthday announcement, a discussion of
traffic, an invitation to dine), and/or may be associated with one or both of the
parties' current locations (e.g., as reported by a GPS component of a party's
telephone).

[0099] A call controller responsible for presenting content (or determining
content to be presented) to a caller or called party in the call of FIG. 8 may be the

other party, a call server or some other third party (e.g., the source of the advertisement).

5 **[00100]** As seen in FIGs. 3-8, pre-ring, in-call and post-call content presented to a caller or called party may relate to any of the parties to a call and/or a third party. The content may include entertainment for one or more of the parties to enjoy before, during and/or after the call but may also include commercial information (e.g., sales offers, transaction details, advertisements, coupons). Commercial content presented to a party engaged in a call with an organization may be associated with that organization, a competitor, an associate, 10 or an unrelated entity.

[00101] Content may include various controls for accessing additional content (alone or in unison with the other party to a call), for navigating to a party's page or presence at a particular web site, for affecting the voice channel of a call (e.g., to delay or reschedule a call, to leave a message, to add 15 another party to the call), for accepting or viewing further details of an advertisement, and so on.

[00102] Some controls and actions offered via content presented on a party's communication device may involve altering the routing of a current call. For example, when a caller initiates an overseas call via a particular carrier, an 20 advertisement or offer from a competing carrier may be presented pre-ring (e.g., to complete the call for \$0.0X per minute). If the caller wishes to take advantage of the offer, he may activate a corresponding control within the presented content. Or, the offer may be presented as an offer or coupon during or after the original call.

25 **[00103]** Similarly, a caller may choose to route a call to a different destination based on pre-ring content. Thus, if a caller dials a commercial organization and an advertisement or offer from a competitor is presented pre-ring, the caller may accept the offer (e.g., by activating a control within the

content), in which case the destination of the call is changed before the original called party's telephone rings.

5 **[00104]** In some embodiments of the invention in which a call is controlled by a third party (i.e., not the caller or the called party), the call controller may present to one party content associated with a competitor or an associate of the other party. For example, content selected for presentation may be provided by the highest bidder for calls targeting a particular merchant or from a particular caller, or from a caller matching a certain demographic (e.g., age, sex, location, income).

10 **[00105]** In some embodiments, before or during a current call, a caller (or called party) may specify that another call should be established when the current call is terminated. If multiple follow-on calls are desired, a queue may be established (and be viewable to that party). For example, if an advertisement or a communication from a friend/acquaintance is presented to the caller before or
15 during a first call, he may activate an associated control to program his communication device to automatically place a follow-on call when the current call is completed.

[00106] As described previously, when a caller or called party's communication device is not capable of presenting rich content, pre-ring, in-call
20 and/or post-call content may be presented on a selected computing device. The content may be presented within a traditional browser program, within an application provided by an operator of a call server (or by some other entity), via an instant messaging program or electronic mail, or in some other manner.

[00107] FIG. 9 is a flow chart demonstrating a method of
25 controlling presentation of multimedia content in association with a telephone call, according to some embodiments of the invention. In these embodiments, content may be presented on a communication device or associated computing device of either or both a caller and a called party.

5 **[00108]** In operation 902, a caller initiates a call from a communication device. In some embodiments of the invention, a dialer or call processor on the caller's telephone is augmented or replaced by a dialer or call processor configured to facilitate such media presentation, or is modified to operate as described here.

10 **[00109]** A replacement or modified call processor program may be configured to immediately initiate a data connection with a call server or other controller when the caller enters the number to be dialed, when the caller selects the party to be called (e.g., from a list of contacts), or when the caller activates a control to place the call (e.g., a "dial" button"). Or, if the caller uses a search function to find a desired party by entering a partial name or telephone number, the search may be performed both on the user's device and off the device (e.g., at a call server), in which case the call controller can determine in real time that a call is being commenced.

15 **[00110]** In optional operation 904, the call processor (or other logic on the calling device) may present an initial message or content screen to the caller (if the calling device is capable of presenting such a message). For example, if the called party is known to be a friend of the caller, an initial message such as "Retrieving X's latest photo from Facebook ..." or "Checking X's current status ..." (where X is the name of the friend) may be displayed.

20 **[00111]** Or, if the called party is known to be a merchant that has an agreement with the call controller, a commercial-oriented message may be displayed, such as "Checking for personalized offers ..." (if the called party is a vendor) or "Retrieving details of your previous transaction ...", etc.

25 **[00112]** Yet further, an initial set of content may be presented from local storage (e.g., a cache) on the caller's device. For example, for parties that the caller often communicates with (e.g., close friends, favorite take-out restaurants), content related to the parties (e.g., pictures, video shared between the parties, a menu) may be presented even before the call is connected. Depending

on the resources of the caller's device, content related to any number of specific parties, and/or general content that may be displayed for calls to various parties, may be cached on the caller's communication device.

5 **[00113]** Thus, an initial message displayed even before the caller's call is placed may comprise a logo or advertisement of a commercial business, an avatar representing a friend or acquaintance, a picture of the called party, social content (e.g., from a social networking or content sharing web site), etc. Such content may be automatically refreshed on a regular or occasional basis. In some alternate embodiments of the invention, an initial message may simply indicate
10 that the desired call is being placed (e.g., with minimal or no multimedia content).

[00114] In optional operation 906, the voice portion of the call is delayed. In particular, in the illustrated embodiment of the invention, signaling of the call via SS7 (Signaling System Number 7) or other telephone switching scheme may be automatically delayed by a short period of time (e.g., 1 second, 5
15 seconds, 10 seconds) to allow a data portion of the call to be established between the calling device and a call controller. As described above, the call controller may be a call server, a telephone agent (automated or human), an operator or other entity.

[00115] A default period of delay may be increased or decreased
20 based on an identity of the caller or called party, or the time necessary to collect and present appropriate content, and different delays may be associated with different parties. Yet further, once the data connection is established with the call controller (e.g., in operation 908), the calling device may be instructed to extend the delay or to reduce or eliminate any delay.

25 **[00116]** For example, if the call is being placed to a particular friend or acquaintance, and it is known that no relevant multimedia content is available regarding that person, the delay may be negligible. Alternatively, if the call controller is able to quickly determine that an electronic presence of the called party has recently been changed (e.g., at a web page on Facebook or MySpace or

Slide), a delay may be lengthened to allow that page (or a portion thereof) to be retrieved and served to the calling device.

5 **[00117]** As another example, if the call is being placed to an unknown party, no content specifically relative to that party will be identified, and so there may be little or no delay. Alternatively, if the called party is a known commercial entity, the call controller may implement a delay sufficient to allow identification, retrieval and serving of relevant content – such as details of a previous transaction, a status of a current transaction, an advertisement from a competitor, a special deal, a guide to an IVR (Interactive Voice Response) menu
10 of the called party's telephone system), etc.

[00118] Voice connections to some telephone numbers (e.g., 911, 411, 0), to friends and acquaintances (e.g., private individuals within the caller's contact list), or to numbers matching certain patterns (e.g., anything less than seven digits, anything more than ten digits, anything with a * or # symbol) may be
15 initiated without delay or otherwise treated in a special manner.

[00119] In operation 908, a data connection between the caller's communication device and the call controller is established, and the call controller receives the origination telephone number, the destination telephone number and any related information (e.g., names of caller and called party, an indication of a frequency of contact between the parties, details of a previous call between the
20 parties).

[00120] In some embodiments of the invention, the call controller is an agent associated with either the caller or the called party, especially when that party is (or represents) a company or other organization. Thus, presentation of content in association with calls placed to some organizations (e.g., large
25 commercial companies) may be controlled by an agent that works for that organization. In these embodiments, the call controller can present to the caller special deals (e.g., sales, personalized offers, upgrades), details of a previous or current transaction between the caller and the organization, visual information

regarding the organization or a product or service the organization offers (e.g., pictures, video, graphics), etc.

5 **[00121]** In other embodiments, a call controller may be a third party (e.g., the caller's or called party's telephone service provider, an operator of a call server). A third party controller may control presentation of content related to either or both the caller and called party, and/or may present content relating to a different party. For example, a third party call controller may present to a caller an advertisement for a competitor or affiliate of the called party, or present to the called party an advertisement for a competitor or affiliate of the caller.

10 **[00122]** A call controller may establish agreements with commercial (and/or other) entities to present their selected content (e.g., advertisements, special offers) to certain callers and/or called parties based on their identity or the identity of a party to which they would be connected to if the current call is completed. The content to be presented may be selected at random,
15 or may be based on an identity or profile of the caller or the called party.

[00123] In particular, a call controller (especially a third party call server) may auction or otherwise sell content presentation to advertisers or other entities. The call controller may differentiate content presentation opportunities based on the caller and/or called party identities, geographical location of a party,
20 party demographics, and/or any other characteristic.

[00124] Also in operation 908, the call controller may quickly attempt to ascertain a status of the called party. For example, by making (or attempting to make) a data connection to the called party's communication device, the call controller may determine that the called party is available, is on a
25 call (and maybe an identity of the other party), is in a meeting or is otherwise unavailable. Illustratively, such a status may be determined based on a status of the communication device (e.g., off-hook) or by a status set on the device by the called party (e.g., to forward call, to initiate a silent mode of operation).

[00125] If the called party is unavailable, the caller may be offered the option to wait, to call later, to leave a message, to have the called party place a return call the caller, to automatically place a call from the caller to the called party when he/she is available, etc.

5 [00126] The call controller may also determine whether the communication devices of either the caller or called party are incapable of presenting multimedia content, in which case any content selected for presentation to that party may be presented on an associated computing device (if one has been identified).

10 [00127] Once the call controller learns the identities (or telephone numbers) of either or both the caller and the called party, it may block or allow the call based on a global block/allow list maintained at the call controller. For example, if the caller is a known telemarketer or spammer (or other undesirable caller), or perhaps even a suspected telemarketer, and the called party has opted to
15 have calls from such sources blocked, the call controller may block the presentation of content to the called party and may even prevent the voice connection from being completed.

[00128] In operation 910, the call controller selects content to be presented to the caller and/or called party, and retrieves it from an internal
20 database or from an external location. To select content for presentation, the call server may consider personal characteristics (e.g., age, sex, geographical location), behavior (e.g., browsing history, calling history, buying pattern) and so on, of the caller and/or the called party.

[00129] The call controller may also consider whether the caller or
25 called party is known to have a personal web page, a page on a social networking or dating site, or some other electronic presence that can be accessed and that can be shared with the other party. Illustratively, subscribers may give permission to a call controller to access certain electronic information and present it to all or selected parties. Thus, friends and family members can specify that their

electronic content on certain sites can be shared with certain people (or all parties) with which they communicate.

5 **[00130]** Content may be presented to either party pre-ring (i.e., before the called party's communication device rings), in-call (i.e., during a call) and/or post-call (i.e., after one or both parties hang up). The call controller may identify and/or retrieve content to be displayed in all phases at once, or may identify/retrieve content separately for the different phases. Information necessary to select appropriate content (e.g., identities of the caller and called party) may be received via the data connection – such as in the form of the parties' telephone numbers or network addresses (e.g., for VoIP calls)

10 **[00131]** Content to be presented to a party may change over time, or be replaced, even during a call. For example, if one of the parties updates a page of personal electronic content (e.g., on a social network site), that page or the changes may be automatically shared with the other party. Or, as a call with a commercial entity proceeds, presented content may be updated to reflect an order that is being placed for a good or service, to verify terms of a transaction, etc.

[00132] In operation 912, pre-ring content (i.e., content to be presented before the destination communication device rings) is transmitted to the caller and/or the called party via data channels.

20 **[00133]** In some embodiments of the invention, pre-ring content presented to a caller or called party comprises information that the call controller believes the party may be able to use or wish to see during the call. For example, if one party is an organization, the other party may be shown location information regarding the organization (e.g., the nearest shop or outlet of the organization), a profile or description of the organization, details of a previous or pending transaction with the organization, the status of an account with the organization, an offer from a competitor of the organization, a purpose of the call, a notification of the call, etc.

[00134] If the parties are friends or acquaintances, one party may be shown content drawn from a social networking site or other electronic presence of the other party (e.g., a photograph, a video), content shared between the parties, status information of the other party or a mutual friend/acquaintance, etc.

5 **[00135]** Thus, pre-ring content presented to a caller or called party may be associated with the other party and/or a third party (e.g., a competitor of one of the parties to the call, a mutual friend or relative of the caller and the called party). Further, the called party may be offered the opportunity to postpone or re-schedule the call for a later time.

10 **[00136]** In operation 914, the voice channel of the call is routed normally (e.g., through the telephone network of the caller's service provider), and a communication device of the called party rings.

[00137] In operation 916, after the called party answers, in-call content (i.e., content presented during the call) is transmitted to each party's
15 communication device (or associated computing device) for display to the caller and/or the called party. In-call content may be the same as, or different from, pre-ring content.

[00138] For example, if one party is a merchant, the other party may be presented with information regarding a current transaction with the
20 merchant, possibly to verify what is being ordered, a delivery address, a method of payment or other detail. This data may be updated dynamically as the call progresses. Or, if the caller and called party are collaborating on a document or other electronic product, some or all of that content may be displayed.

[00139] Yet further, one of the parties may select content stored on
25 his or her communication device, or navigate a browser of their device to some content, and elect to share that with the other party. The call controller or a call server would then ensure the other party is able to access the content. Content may be shared in this manner before, during and/or after a call. Even without an

associated call, one party may be able to transmit data or content to another party via the system described herein, for off-line presentation to the other party.

5 **[00140]** One benefit of presenting in-call content is that a caller and a called party can engage in simultaneous data and voice connections. Although the voice connection will couple the caller and called party (and any other parties conference in), the data connection may couple each party to a call server or a call controller. They may therefore discuss and share electronic content in real-time.

[00141] If the call is not answered in operation 916, the caller may be able to leave a voice or multimedia message for the called party.

10 **[00142]** In operation 918, one or both of the parties hang-up, thereby terminating the voice channel of the call.

[00143] In operation 920, additional (post-call) content may be presented to either or both of the caller and the called party. Post-call content may verify a decision made during the call, provide a party with follow-on tasks (e.g., make a call to another party, view a web page associated with the other party), etc. Or, post-call content may be identical or similar to pre-call and/or in-call content.

[00144] In some embodiments of the invention, a person (or organization) may construct or design a custom set of content to be presented to another party before, during or after a call to (and/or from) that party. The content may be static in that it comprises content that is selected once and does not change unless/until the person changes the content. Or, the custom content may comprise links to content or content sources that may change over time – such as the person's MySpace or Facebook page (or a particular frame of such a page). As the content changes, the updated content will be captured and presented to other parties as allowed by the originating party (e.g., limited to friends and family, displayable to all parties).

[00145] For example, a person may assemble a personalized hello screen or page (for playing at the beginning of a call) or a personalized goodbye

screen (to be played after a call). Other personalized screens may be configured to be presented to another party in the case the person cannot take a call – such as one screen if the person is busy, and a different screen if the person is away from her phone – or for other reasons.

5 **[00146]** Such personalized content may include controls for taking some action. For example, if a called party is busy and cannot take the caller's call immediately, personalized content presented to the caller with a control that helps the caller navigate to the called party's social network web page, to a calendar for making an appointment or seeing when the called party will be
10 available for a call), etc.

[00147] A call server or other entity may provide a web server or other online service to assist a subscriber in the creation and maintenance of a personalized page or screen of content to be presented to another party when the subscriber calls (or receives a call from) the other party. This service may be
15 independently operated or may be hosted by another online presence, such as MySpace, Facebook, Slide, etc.

[00148] Other parties, particularly organizations, may develop custom pages or screens independently. Custom screens may be cached on a call server, stored with a call controller, or maintained elsewhere (e.g., in the
20 organization's data center) in anticipation of being retrieved for presentation. In some embodiments, a party's custom screen may be indexed by telephone number, by an identity of the party (e.g., name) and/or in another manner.

[00149] In addition to, or instead of, identifying or constructing default custom content to be presented to another party in association with a
25 telephone call with that party, a person (or organization) may construct or select a simple pre-ring message to be presented to a targeted party. As described above, for example, a caller may issue a pre-ring message identifying a purpose for the pending call.

5 **[00150]** Before, during, after and between calls, a party may push images, video and/or other content to another party (e.g., an electronic contact or business card, an electronic birthday card, a shipping or billing address, payment data, a receipt). Further, parties to a call may simultaneously access content located on one of the parties' devices or elsewhere.

[00151] FIG. 10 is a flow chart demonstrating a method of presenting relevant content to a caller in association with a call to an organization (e.g., a merchant), according to some embodiments of the invention.

10 **[00152]** In operation 1002, an operator of a call server accepts bids for the opportunity to present content to persons calling the organization. In particular, third parties (and/or the organization itself) may bid an amount they are willing to pay the call server in return for the call server presenting the third party's selected content to some number of callers that initiate calls to the organization.

15 **[00153]** This operation may be part of a larger effort in which the call server auctions the ability to present content to persons that will call various organizations. In different embodiments of the invention, content selected by the winner of an auction may be cached on a call server, may remain with the winner or may be cached elsewhere (e.g., an ad server). The call server may auction
20 different call types separately – such as calls from different geographical areas, calls from callers matching different demographics, calls to a specific subset of the destination organization's telephone numbers, etc.

[00154] Because content may be presented to a caller pre-ring (before the destination party's telephone rings), in-call (during the call) and/or
25 post-call (after the call), different parties (or the same party) may earn the right to have their content presented at different times. Thus, one party may supply pre-ring content while other parties present in-call and post-call content. Or, one party may win the right to supply multiple stages of content in association with one call.

[00155] Further, multiple parties may obtain the opportunity to present content at the same time. For example, one type of content (e.g., pre-ring content) may be configured to comprise two (or more) components or frames, and each component may be populated by a different source.

5 **[00156]** In some embodiments of the invention, a party (e.g., the organization) may obtain the ability to directly control the presentation of content on the caller's communication device at some phase, especially during and/or after the call. Thus, while a different party, such as a competitor of the organization, may serve pre-ring content for a caller, once the call is connected to
10 the organization, the organization may be able to dynamically select and present content to the caller.

[00157] In optional operation 1004, the call server receives a destination telephone number lookup request from a caller's communication device (e.g., telephone). More specifically, in the embodiments of the invention
15 reflected in FIG. 10, a caller may initiate a keyword-based lookup of a destination telephone number. The keyword received in operation 1004 may or may not match the organization identified in operation 1002.

[00158] To perform a search, the caller may enter a portion of the name of a desired destination by spelling it out with his telephone's keypad or by
20 speaking it into the telephone's microphone. That input may be used (and converted to text as necessary) to lookup matching parties locally (i.e., on the caller's communication device) and/or globally (i.e., on a call server or other location external to the caller's communication device).

[00159] It may be noted that a keyword-based search may involve
25 searching for specific people and/or organizations having names that match a caller's keyword. Or, a keyword may identify a category of a good or service the caller desires (e.g., pizza, taxi, hotel, Chinese food), in which case the results will include parties that can provide the desired good or service.

[00160] Thus, if the caller enters several letters of a merchant's name or category of good (e.g., "h e r t", "m a r r i o", "p i z z"), searches may be initiated for people and/or organizations that match the keyword or input pattern. A search may return any number of results (zero or more), depending on how
5 many characters are input, whether the caller is spelling the name correctly, how many telephone numbers are associated with parties that match the keyword, etc.

[00161] In some embodiments, the call server may auction or sell priority positions in keyword search results. Specifically, a party matching a keyword pattern (or even a party that doesn't match the pattern) may pay the call
10 server to receive premium treatment in a list of search results served to the caller (e.g., by being placed at the top of the list, by receiving an entry having larger size, different color or other highlighting).

[00162] If multiple telephone numbers are found for a given party that matches the keyword(s), they may be ordered in some logical fashion. Thus,
15 a local or toll-free number for the party may be prioritized higher than a long-distance number, a matching party that the caller has called before may be prioritized above one that he or she has not called before, etc.

[00163] Of note, a search or directory lookup initiated by a caller in operation 1004 may simultaneously or sequentially search the caller's local
20 communication device and a call server (and/or a third-party directory), with only a single command or control activation. Thus, the caller can initiate a search of multiple data repositories, local and remote, with a single command.

[00164] Besides searching a person's contact list on their local communication device and/or a central call server (or call controller), a directory
25 lookup or contact search may also search contact information stored in the person's electronic online presence. Thus, contact information within the person's page on MySpace, Facebook or other social site may be searched. Yet further, a search may be conducted within a third-party data repository, such as an

online yellow pages, a university's or other organization's telephone directory, etc.

5 **[00165]** In optional operation 1006, the call server serves a list of search results. The results may be ordered alphabetically, by popularity or some other rating, by location (e.g., distance from the caller), by payments received from parties in the list, etc. A list of results provided by the call server may be merged with a list of results generated by the caller's communication device.

10 **[00166]** In operation 1008, the call server is notified of a call being placed to the organization. Illustratively, the caller may have initiated the call by selecting or activating an entry within the list of search results received in operation 1006, or may initiate the present call at some later time. Notification of the call may be received via a data channel hosted by the caller's communication device.

15 **[00167]** Alternatively, the notification may be received via a data connection with the caller's telephone service provider. This may occur if the caller's communication device does not have a data channel or is not capable of presenting rich content.

20 **[00168]** Routing of the caller's voice connection may be automatically delayed by the caller's communication device or by the caller's telephone service provider. For example, the destination organization may be recognized as a commercial entity, and call processing logic on the caller's device (or at the caller's service provider) may be configured to delay calls to commercial organizations so that appropriate content can be selected and presented to the caller.

25 **[00169]** In operation 1010, the call server identifies a source of pre-ring content to be presented to the caller, based on the destination telephone number (i.e., the organization), the caller's identity, the caller's location and/or other factors. Based on the auction of operation 1002 for example, the call server may be configured to serve content provided by the winner of the auction to the

next X number of callers that place calls to the organization, or to callers matching some specific criteria.

5 **[00170]** In operation 1012, the call server queries the content provider for the pre-ring content. Alternatively, such content may be pre-identified, in which case the call server may automatically retrieve it.

10 **[00171]** If the pre-ring content must be retrieved from the content provider, the call server may provide information regarding the caller (e.g., telephone number, name, demographic data). Such information may be used by the content provider to select particular content; for example, the content provider may wish to present different content to callers that it “knows” than to unknown callers. Therefore, if the caller has a relationship with the content provider, the content provider may produce content comprising a different offer, advertisement or other message.

15 **[00172]** In operation 1014, the content provider submits pre-ring content to the call server that it would like to have presented to the caller or, alternatively, identifies a location (e.g., URL, network address) from which the content may be retrieved.

20 **[00173]** In operation 1016, the call server transmits the selected pre-ring content to the caller’s communication device, and call processing logic (or other logic) operating on the device presents the content to the caller. Alternatively, browser logic (or other logic) operating on the communication device may be instructed to retrieve the content from one or more specified locations. For example, the pre-ring content may comprise one or more components stored in one or more locations, and the browser logic may be responsible for retrieving the components, assembling them and presenting the content.

25 **[00174]** As described previously, if the caller’s communication device is incapable of receiving or displaying the content, the content may be presented on a computing device associated with the caller.

[00175] In operation 1018, the caller's communication device (or computing device) or the call server determines if the caller takes some action with regard to the pre-ring content that affects routing or processing of the voice connection.

5 **[00176]** For example, the pre-ring content may include an offer from a competitor of the organization, or an offer to route the call more cheaply, and the caller may activate a control associated with such an offer. The action may thus simply affect how the voice connection is routed, or may change the destination of the call. If the call is modified by the caller's action regarding the
10 pre-ring content, the method continues at operation 1020; otherwise, the method advances to operation 1022.

[00177] In operation 1020, the call server or logic operating on the caller's communication (or computing) device implements the desired action. Thus, a call processor on the communication device may drop or cancel the
15 current voice connection (which may not have been dialed yet) and select a new telephone number to call.

[00178] Note that if the call destination has changed (e.g., to a different organization), a different party may become responsible for providing content to be presented in-call and/or post-call.

20 **[00179]** In operation 1022, the voice portion of the call proceeds, either to the original destination or a new one specified by the caller in operation 1018. In addition, the call server queries or prompts the appropriate content provider for in-call content.

[00180] In an embodiment of the invention in which control of in-
25 call content presentation completely passes to a call controller (i.e., content provider) other than the call server, such as the destination organization, such control may be passed in operation 1022. Specifically, once the call is confirmed to be destined for a particular organization, the organization may become the call controller for in-call and possibly post-call content as well.

5 **[00181]** In operation 1024, in-call content is presented to the caller on his communication (or computing) device. As already described, the content may be served from the initial call server (after being identified by a responsible content provider), by the selected content provider, or may be served directly from an assigned call controller.

[00182] Even if a call controller separate from the call center has acquired control of in-call content presentation, such content may still transit a data channel established between the caller and the call server. Or, alternatively, the data channel may be re-routed to the call controller.

10 **[00183]** The in-call content may directly relate to the call, especially if the content is produced by the called organization. For example, if the in-call content is controlled by a human agent of the called organization, she may supplement information exchanged over the voice connection with audio and/or video data presented via the caller's telephone or computing device.

15 **[00184]** In operation 1026, post-call content is presented to the caller after he and/or the called organization hang-up. Such content may be produced by the called organization and/or by some other party that earned the right to have its content presented.

20 **[00185]** Post-call content may directly relate to the call (e.g., a receipt, an invoice, a transaction summary), may be unrelated, or may have some logical association – such as an offer for a good or service that complements (or competes with) something the organization sells or provides.

25 **[00186]** In some embodiments of the invention, pre-ring, in-call and/or post-call content presented to a caller or a called party may include one or more coupons. In these embodiments, a coupon may comprise a graphical image of a coupon, a discount code, or any other textual or graphical display that grants the recipient a discount in purchase price or a special deal (e.g., one item free with the purchase of another item). An entire (or partial) image of the coupon may be

presented, or just a link to the coupon may be presented (e.g., “Press here for a 25% off coupon!”).

5 **[00187]** A coupon may be redeemed during a telephone call associated with the presentation of the content or at some later time. Call processor logic, coupon logic or other logic operating on the recipients communication (or computing) device may be configured to save coupons, at least until their dates of expiration. Coupons may also, or instead, be saved for a user at a call server, such as in a “coupon account” associated with the user, either by name or by a telephone number associated with the user.

10 **[00188]** A coupon database for storing coupons for award or presentation to users may be indexed or sorted by telephone number and/or name of the corresponding merchant, and may reside at a call server or a third party. Then, when a caller initiates a call to one of the telephone numbers or merchants, one or more coupons matching the target called party may be retrieved and
15 presented.

[00189] Further, a coupon for a given merchant may be associated with a telephone number of a competitor or a merchant of an associated good or service, in which case a caller may not receive coupons only for the merchant that it intended to call. A set of coupons identified for presentation to a caller may be
20 filtered by relevance, perhaps in consideration of the merchants’ proximity to the caller, the time of day (e.g., in case some merchants are closed), etc.

[00190] A coupon may be presented pre-ring based on the telephone number being dialed or an identity of the target party. Or, in response to a directory lookup (e.g., based on a keyword) performed on a call server, a
25 coupon may be served for an organization included in the list of results (or for a competitor of such an organization). Thus, if a caller enters a lookup for the keyword “pizza,” along with a list of pizza vendors (possibly identifying their proximity to the caller), one or more coupons may be presented.

[00191] Along with presentation of a pre-ring coupon, a control for routing or re-routing the call to the offeror may be provided. If activated, the coupon (or notification of the coupon) may be passed to the offeror along with the call.

5 [00192] In-call presentation of a coupon may be triggered not only by a call server or call controller selecting such content to be presented to the caller, but may also be triggered based on coupons stored for the user – either locally on her communication device or centrally in the “coupon account” mentioned above. Thus, after a voice connection is completed to an agent for a particular merchant, the caller may be reminded of (e.g., shown) a coupon she
10 possesses for the merchant. She can then pass to the agent a code within the coupon or perhaps activate a control that transmits the coupon to the agent.

[00193] As for post-call content, after a caller completes a call with a merchant, post-call content may include a coupon for use the next time the
15 caller calls or visits the merchant. A post-call coupon may be automatically or manually saved.

[00194] A coupon presented to a caller (or called party) in association with a telephone call may include a limitation on how or when it may be redeemed. For example, a coupon for a lunch meal may only be good until
20 6:00pm the same day. Another coupon may be valid until sometime further in the future. Similarly, a coupon may be limited to a specific area. For example, a particular coupon may only be good at a specific store or at a merchant’s locations in a particular area code, city or state.

[00195] Yet further, a coupon may be limited to certain recipients.
25 For example, a particular coupon may only be redeemable by members of a specific group (e.g., frequent fliers of a given airline, account holders at a given business), people meeting specified age or other demographic requirements, subscribers of a particular telephone carrier, etc.

5 **[00196]** To prove his qualification to use a certain coupon, a caller may be required to provide an account number or to manipulate his telephone to transmit a copy of a contact card evidencing his qualification. Alternatively, the caller's telephone number (e.g., via callerID) could be used to verify the caller's identity.

[00197] If a person's communication device is unable to display an electronic coupon, it may be displayed on an associated computing device.

10 **[00198]** As described above, a caller may initiate a search of contacts or one or more telephone directories from his communication device. In some embodiments, the caller merely needs to begin spelling a name of the desired destination. Each character that is entered is appended to any preceding characters and submitted to any local directories (e.g., a contact list on the communication device), as well as other repositories on a call server, an online telephone directory, an organizational contact list, etc.

15 **[00199]** Thus, as each character is entered, any number of contacts may be identified and used to populate a list presented to the user on the communication device. The list may shrink as the search becomes more specific and the number of matching contacts decreases, and some or all entries may be accompanied by controls the user can actuate to initiate a call to the
20 corresponding destination.

[00200] As more and more callers generate searches and select their desired destinations, a call server (or a third party) can accumulate statistics and trends to identify specific destination parties that are most likely to be matches for a given sequence of search characters. This data may be used to refine the
25 manner or sequence in which matching destination parties are presented.

[00201] In some embodiments of the invention, off-device contact lists or repositories may be shared among multiple users. A shared list may be updated by any or all of the participating users, who may be relatives, friends,

members of an organization, classmates, etc. Thus, an update to a shared list submitted by one participant is automatically shared among all participants.

5 **[00202]** Entries may, however, be screened or filtered according to a particular participant's desires. For example, a given participant may not wish to share a particular contact with other participants, or may not wish to see specific contacts that were added by another participant (e.g., contacts that the given participant does not like).

10 **[00203]** A shared contact list may be stored at a call server or other central site and may be automatically searched when a list participant initiates a search from her device. In addition, some or all contacts from a shared list may be automatically copied to a participant's local device or a computing device (e.g., for synchronization with an address list stored on the device).

15 **[00204]** FIG. 11 is a block diagram of hardware apparatus for facilitating presentation of multimedia content in association with a telephone call, according to some embodiments of the invention.

[00205] User interface mechanism 1110 of call server apparatus 1100 is adapted to facilitate computing interaction between the call server apparatus and subscribers (e.g., callers, called parties), and possibly third-parties (e.g., advertisers, content providers, call controllers).

20 **[00206]** Illustratively, a subscriber may manipulate the user interface mechanism to configure his or her profile, to register a computing device on which content may be presented instead of a particular communication device (which may be identified by telephone number) that cannot present rich content, and so on. An advertiser or content provider may manipulate the user interface mechanism to identify (or upload) content to be presented to a subscriber, to bid
25 on the right to present content, etc.

[00207] Subscriber communication mechanism 1112 is adapted to host data connections between the call server apparatus and communication devices (and/or computing devices) of callers and/or called parties, in association

with a current, pending or past voice connection between the parties. Thus, mechanism 1112 may be the component that learns of the initiation of a new telephone call and that receives the caller's and called party's telephone numbers.

5 **[00208]** Content selection mechanism 1114 is adapted to select a source of content (or to select specific content) to be presented to a caller or called party pre-ring, in-call and/or post-call. Mechanism 1114 may select content or a content source based on the parties to the call, such as a content provider that has paid a fee in order to have its content presented. Or, if non-commercial content is to be presented (e.g., in association with a call between friends), the identified
10 content or content source may relate to an online presence of either or both parties.

[00209] Content presentation mechanism 1116 is adapted to transmit content to a caller and/or a called party in some embodiments of the invention. In embodiments in which the content is transmitted from a different
15 entity (e.g., a content provider, a call controller operated by a commercial organization), content presentation mechanism 1116 and/or content selection mechanism 1114 may cooperate with the entity to arrange for the transmission of the content. Or, control of the presentation of content may be handed off to an assigned call controller in place of content presentation mechanism 1116.

20 **[00210]** Call filtering mechanism 1118 is adapted to filter calls based on any desired criteria. For example, calls (or data transmissions) that are inbound to a subscriber may be filtered based on the originating number, to block calls from telemarketers, spammers and/or other undesirable parties.

[00211] In other embodiments of the inventions, functions
25 performed by the various mechanisms may be distributed among a different number of mechanisms.

[00212] FIG. 12 is a block diagram of a call server for facilitating presentation of multimedia content in association with a telephone call, according to some embodiments of the invention.

[00213] Call server 1200 of FIG. 12 comprises processor 1202, memory 1204 and storage 1206, which may comprise one or more optical and/or magnetic storage components. Call server 1200 may be coupled (permanently or transiently) to keyboard 1212, pointing device 1214 and display 1216.

5 **[00214]** Storage 1206 of the call server stores logic that may be loaded into memory 1204 for execution by processor 1202. Such logic includes business logic 1222, data connection logic 1224, content selection logic 1226 and call screening logic 1228. Additional logic may be stored and executed in other embodiments of the invention.

10 **[00215]** Business logic 1222 comprises processor-executable instructions for auctioning or selling an opportunity to have content presented to communication devices (and/or computing devices) in association with a telephone call, or for otherwise generating revenue in return for presenting content to callers and/or called parties.

15 **[00216]** Data connection logic 1224 comprises processor-executable instructions for establishing, maintaining and terminating data sessions with communication and/or computing devices, to receive notification of call events, serve content, retrieve content from a party's communication device, etc.

20 **[00217]** Content selection logic 1226 comprises processor-executable instructions for selecting a source of content, or specific content, to be presented to a party to a telephone call. If presentation of content is to be controlled by an entity other than call server 1200, content selection logic 1226 (or another component of the call server) may select a call controller to manage the content presentation.

25 **[00218]** Call screening logic 1228 comprises processor-executable instructions for filtering, screening and blocking calls placed to (or from) a subscriber. Calls may be blocked (or allowed) based on an identity of the other party or a nature of the call (e.g., spam, telemarketing, adult content).

5 **[00219]** Data structures and code described in this detailed description are typically stored on a computer-readable storage medium, which may be any device or medium that can store code and/or data for use by a computer system. The computer-readable storage medium includes, but is not limited to, volatile memory, non-volatile memory, magnetic and optical storage devices such as disk drives, magnetic tape, CDs (compact discs), DVDs (digital versatile discs or digital video discs), or other media capable of storing computer-readable media now known or later developed.

10 **[00220]** Methods and processes described in the detailed description can be embodied as code and/or data, which can be stored in a computer-readable storage medium as described above. When a computer system reads and executes the code and/or data stored on the computer-readable storage medium, the computer system performs the methods and processes embodied as data structures and code and stored within the computer-readable storage medium.

15 **[00221]** Furthermore, methods and processes described herein can be included in hardware modules or apparatus. These modules or apparatus may include, but are not limited to, an application-specific integrated circuit (ASIC) chip, a field-programmable gate array (FPGA), a dedicated or shared processor that executes a particular software module or a piece of code at a particular time, and/or other programmable-logic devices now known or later developed. When the hardware modules or apparatus are activated, they perform the methods and processes included within them.

25 **[00222]** The foregoing descriptions of embodiments of the invention have been presented for purposes of illustration and description only. They are not intended to be exhaustive or to limit the invention to the forms disclosed. Accordingly, many modifications and variations will be apparent to practitioners skilled in the art. The scope of the invention is defined by the appended claims, not the preceding disclosure.

What Is Claimed Is:

1. A method of controlling presentation of content on a communication device, the method comprising:
 - 5 receiving electronic notification of initiation of a call from a first communication device to a second communication device;
transmitting a signal to the first communication device to delay dialing the call; and
transmitting to one or both of the first communication device and the
10 second communication device a pre-ring set of content to be displayed before the call rings at the second communication device.
2. The method of claim 1, further comprising:
transmitting to one or both of the first communication device and the
15 second communication device an in-call set of content to be displayed during the call.
3. The method of claim 1, further comprising:
transmitting to one or both of the first communication device and the
20 second communication device a post-call set of content to be displayed after the call.
4. The method of claim 1, wherein the pre-ring set of content is transmitted to the first communication device and comprises a control actuable to
25 route the call to the second communication device via a telecommunication service provider identified in the pre-ring set of content.
5. The method of claim 1, wherein the pre-ring set of content is transmitted to the first communication device and comprises a control actuable to

reroute the call to a third communication device instead of the second communication device.

6. The method of claim 1, wherein the pre-ring set of content is
5 transmitted to the second communication device and comprises a notification of the call.

7. The method of claim 6, wherein the notification identifies a
purpose of the call.

10

8. The method of claim 1, wherein the pre-ring set of content
comprises a commercial offer.

9. The method of claim 8, wherein the commercial offer comprises a
15 coupon.

10. The method of claim 1, wherein the pre-ring set of content
comprises a status of a transaction between operators of the first communication
device and the second communication device.

20

11. The method of claim 1, wherein the pre-ring set of content served
to one of the first communication device and the second communication device
comprises a custom page of content associated with an operator of the other
communication device.

25

12. The method of claim 11, wherein said custom page of content is
identifiable by a telephone number of the other communication device.

13. The method of claim 11, wherein said custom page of content

comprises a status of the operator.

14. The method of claim 11, wherein said custom page of content comprises an excerpt from a socially oriented web site, comprising content posted
5 to the web site by the operator.

15. The method of claim 11, wherein said custom page of content comprises a guide to an interactive voice response menu of the operator of the other communication device.

10

16. The method of claim 11, further comprising, prior to said transmitting the pre-ring set of content:

hosting a tool operable to assemble a custom page of content configured for presentation on a portable communication device.

15

17. The method of claim 1, further comprising, prior to said receiving electronic notification:

receiving a character string from the first communication device;

in parallel with a search conducted on the first communication device,

20 searching a repository of contacts for a list of contacts matching the character string, wherein the repository is maintained external to the first communication device; and

transmitting the list of contacts toward the first communication device.

25 18. The method of claim 1, further comprising, prior to said receiving electronic notification:

auctioning opportunities to present content to operators of communication device.

19. The method of claim 18, wherein the pre-ring set of content is provided by a winner of the auction.

20. The method of claim 1, wherein the pre-ring set of content is selected by an operator of the second communication device.

21. A computer-readable medium storing instructions that, when executed by a computer, cause the computer to perform a method of controlling presentation of content on a communication device, the method comprising:

10 receiving electronic notification of initiation of a call from a first communication device to a second communication device;

transmitting a signal to the first communication device to delay dialing the call; and

transmitting to one or both of the first communication device and the

15 second communication device a pre-ring set of content to be displayed before the call rings at the second communication device.

22. A method of controlling presentation of content on a communication device, the method comprising:

20 receiving electronic notification of initiation of a call from a first communication device to a second communication device; and

transmitting to one or both of the first communication device and the second communication device an in-call set of multimedia content to be displayed during the call.

25

23. A method of controlling presentation of content on a communication device, the method comprising:

receiving electronic notification of initiation of a call from a first communication device to a second communication device; and

transmitting to one or both of the first communication device and the second communication device a post-call set of multimedia content to be displayed after termination of the call.

METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL

5

ABSTRACT

A method and apparatus are provided for presenting multimedia content to caller and/or a called party in association with a telephone call. Content may be presented pre-ring (before the called party's telephone rings), in-call and/or post-call. Content presented to a party may be related to another party participating in
10 the call or may be related to a third party (e.g., an advertiser that paid for the ability to have its content presented). Presented content may be actuatable, and allow a caller to change the destination of a call, take advantage of an offer presented to him, redeem a coupon, schedule or queue a subsequent call, etc. To find a desired destination party, a caller may initiate a manual or automatic search
15 of his local contacts (on his telephone) and/or a central or global directory or contact list.

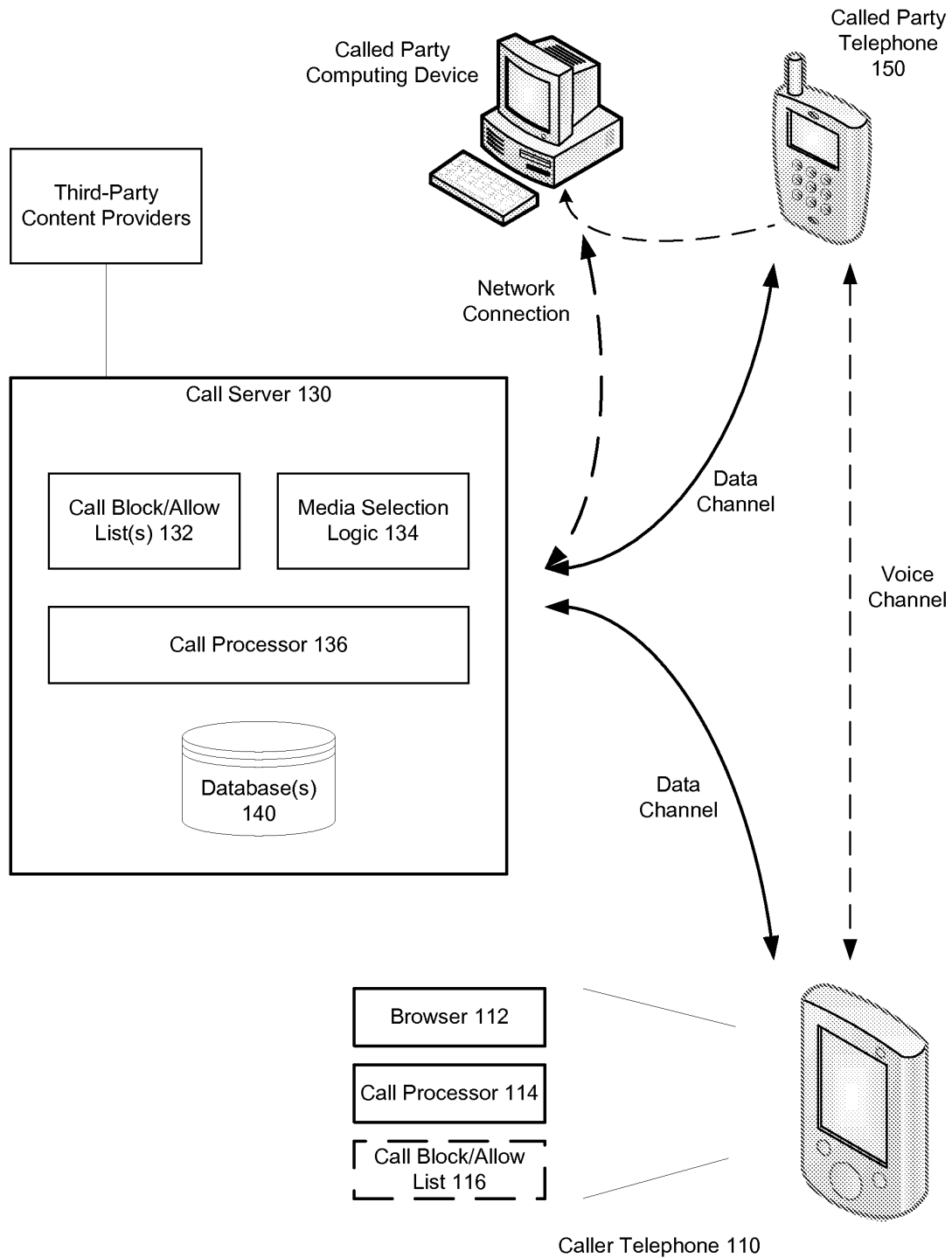


FIG. 1

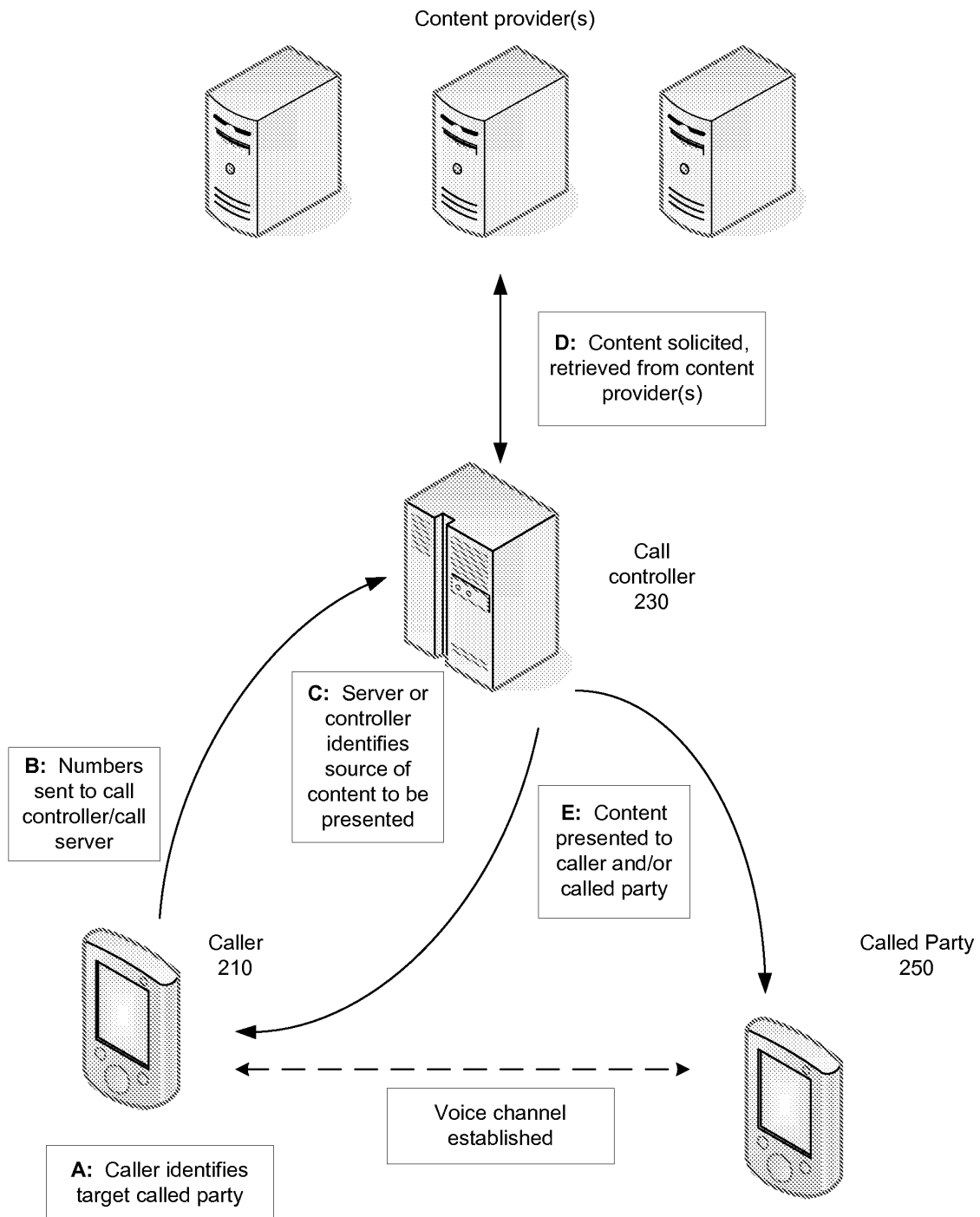


FIG. 2



FIG. 3

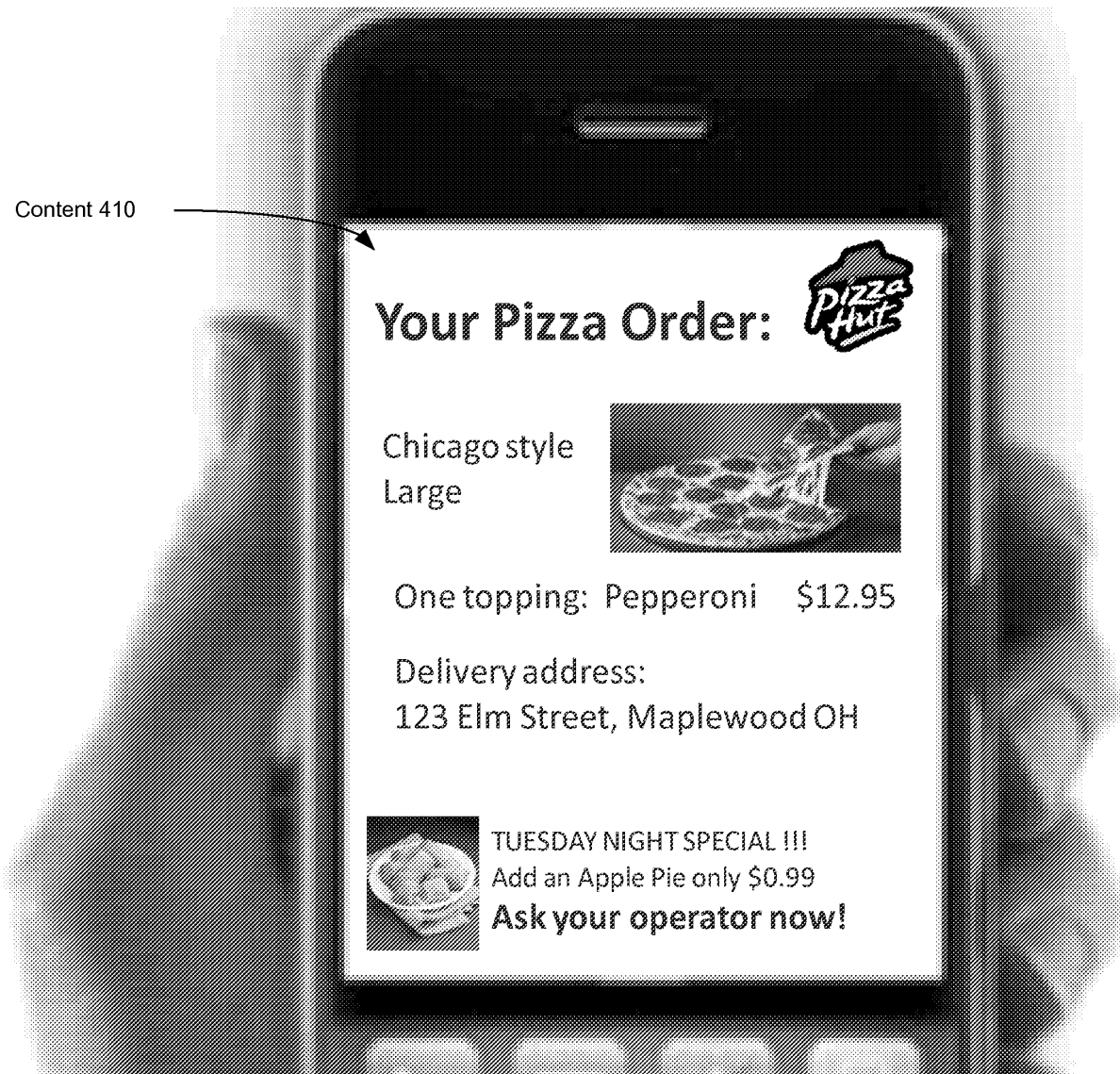


FIG. 4

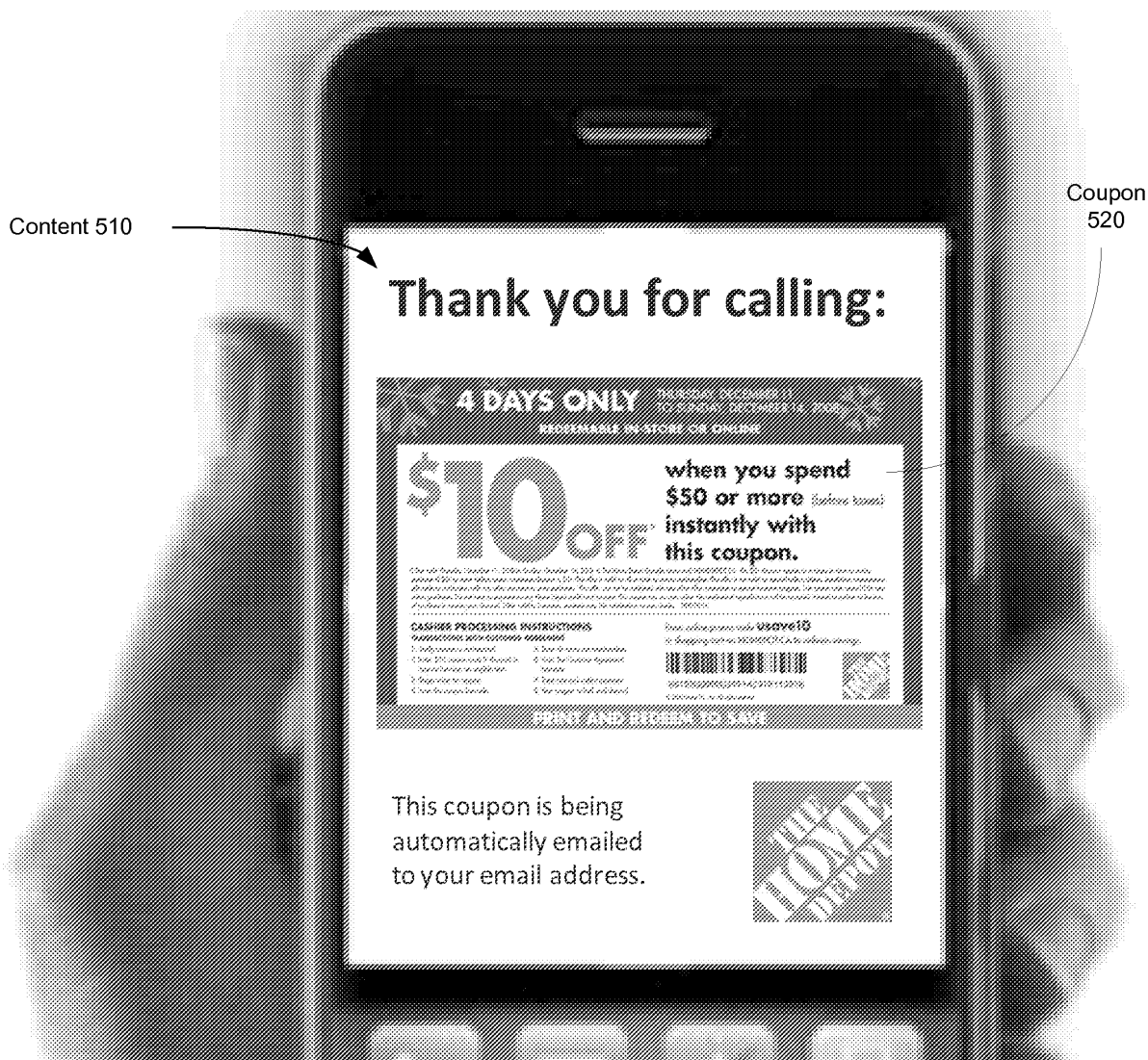


FIG. 5

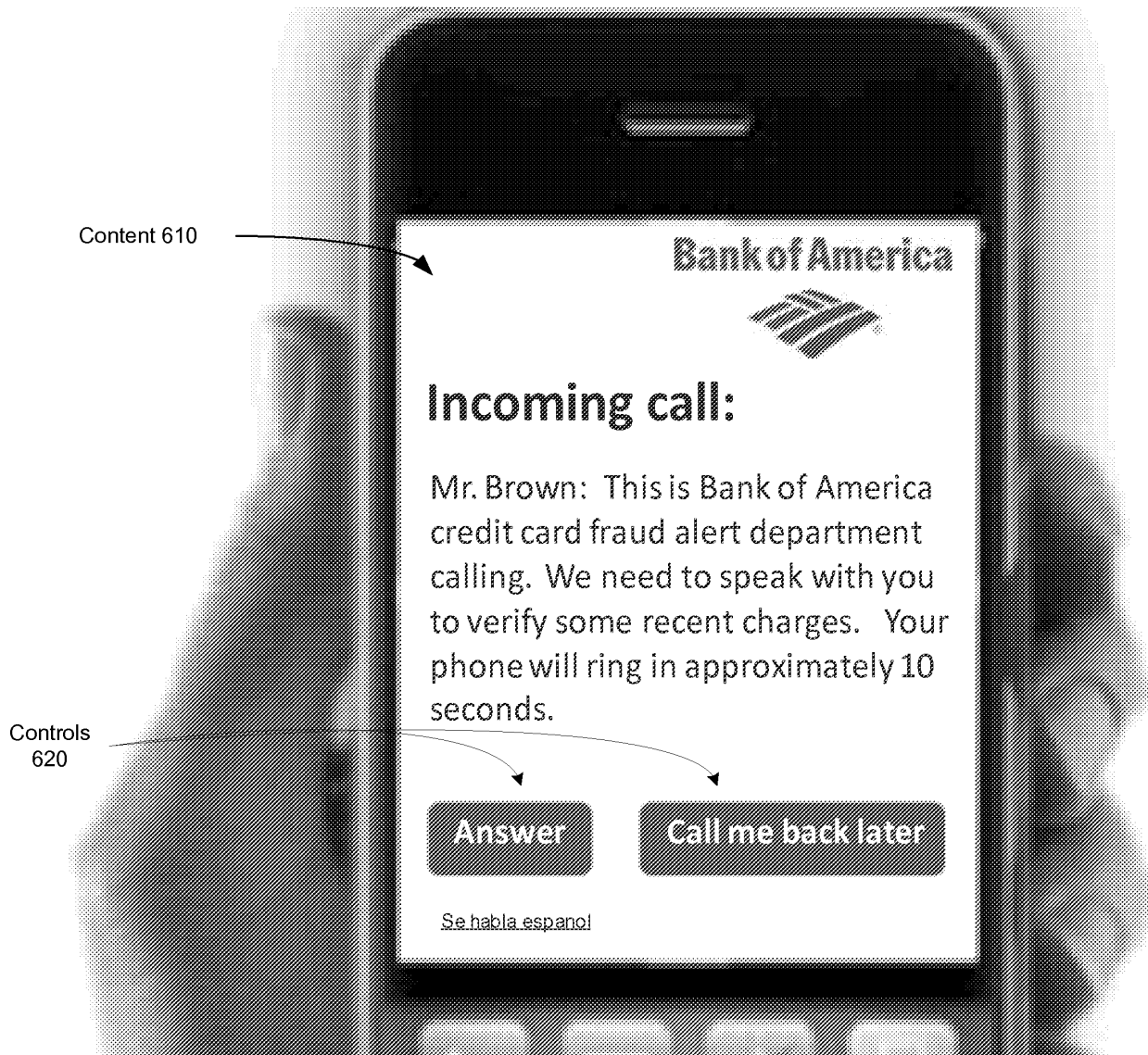


FIG. 6

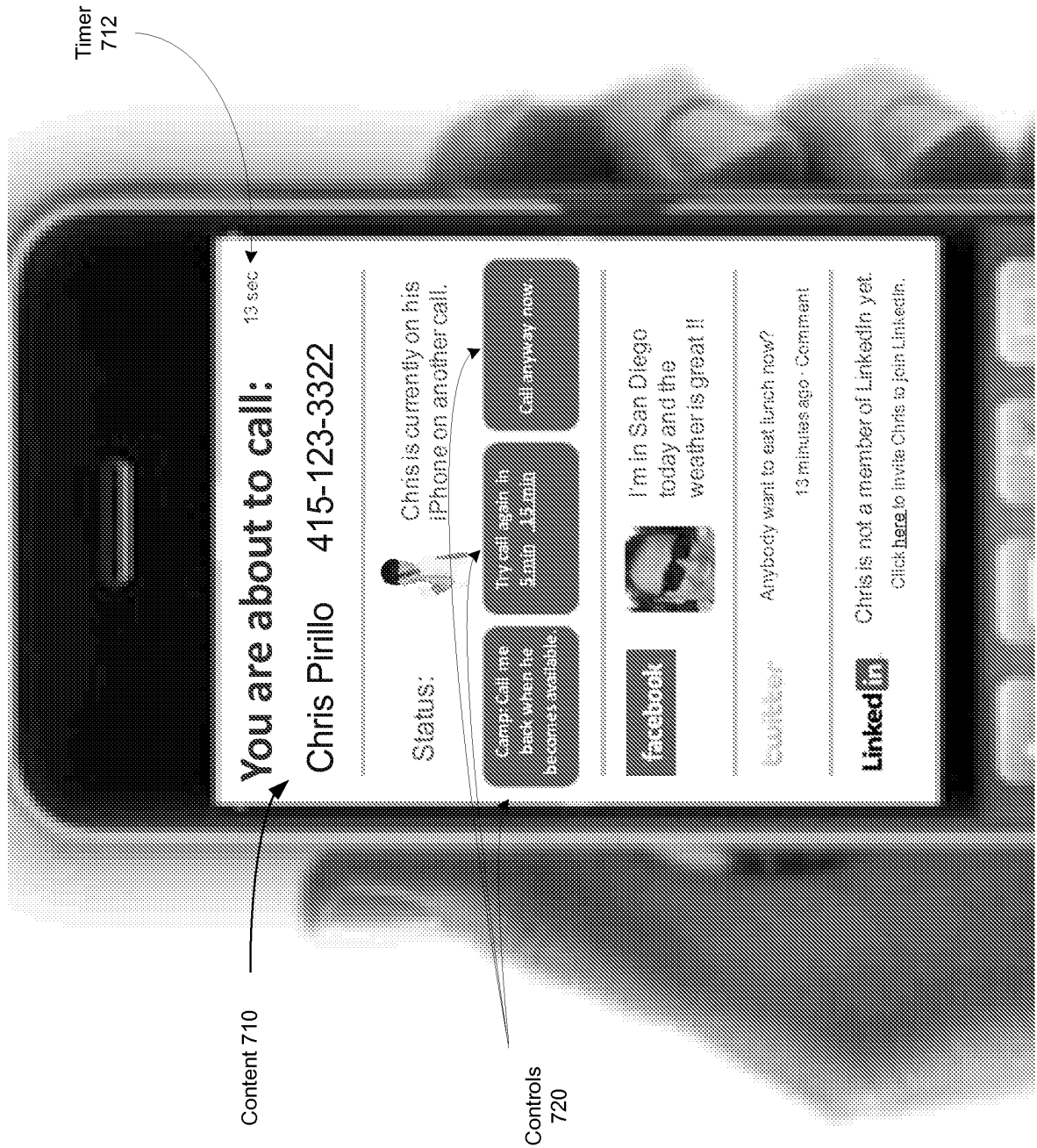


FIG. 7



FIG. 8

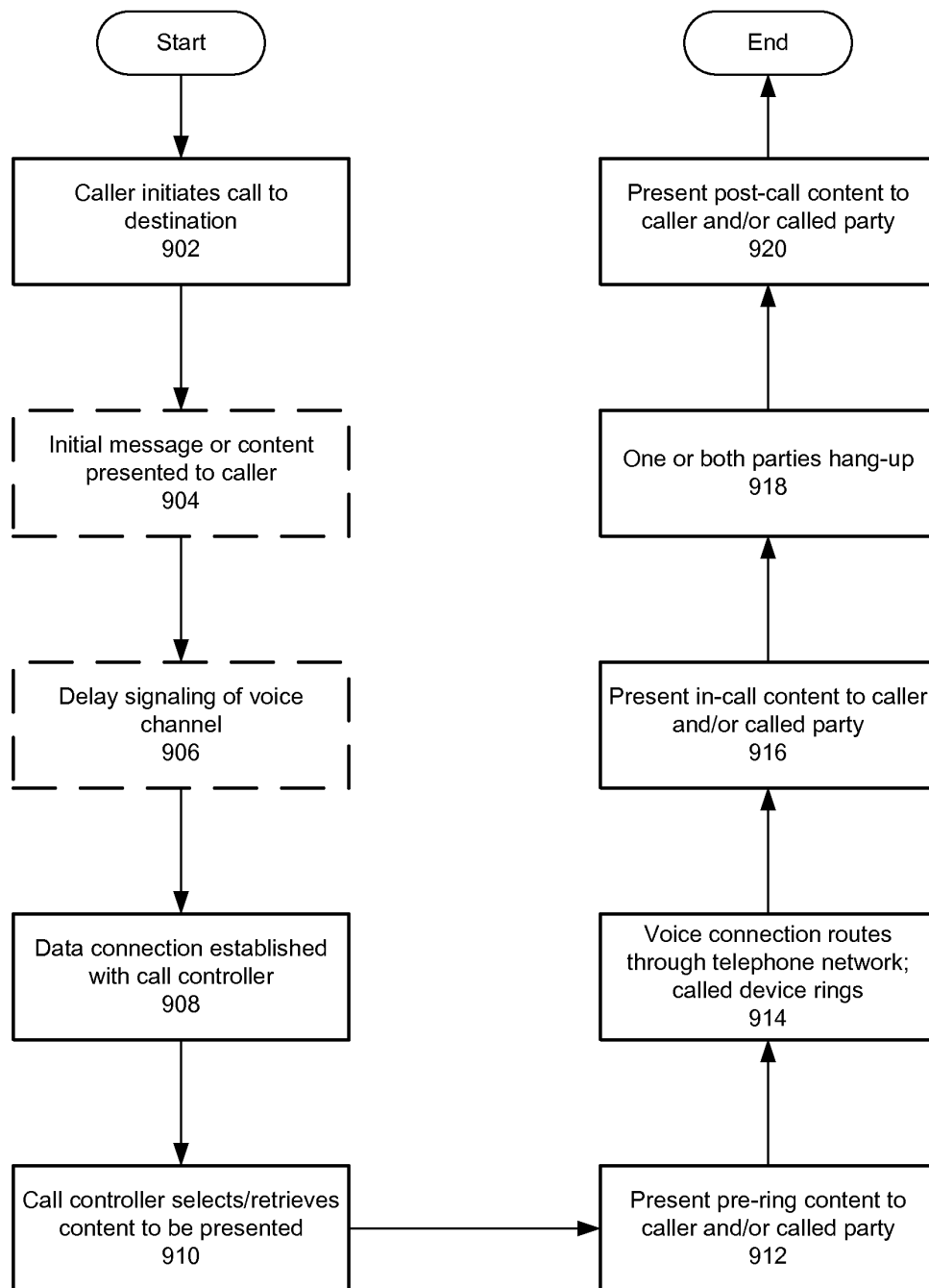


FIG. 9

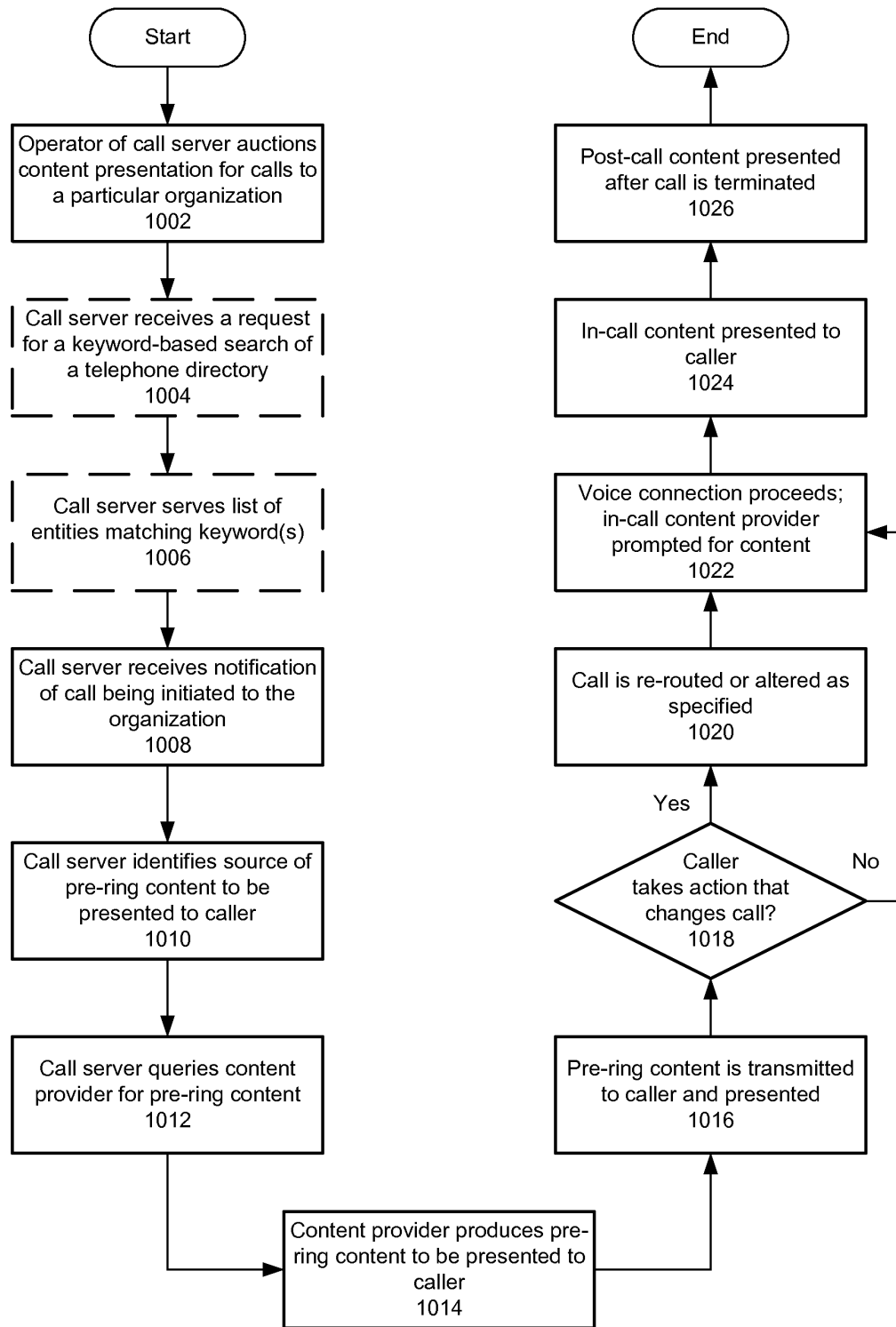


FIG. 10

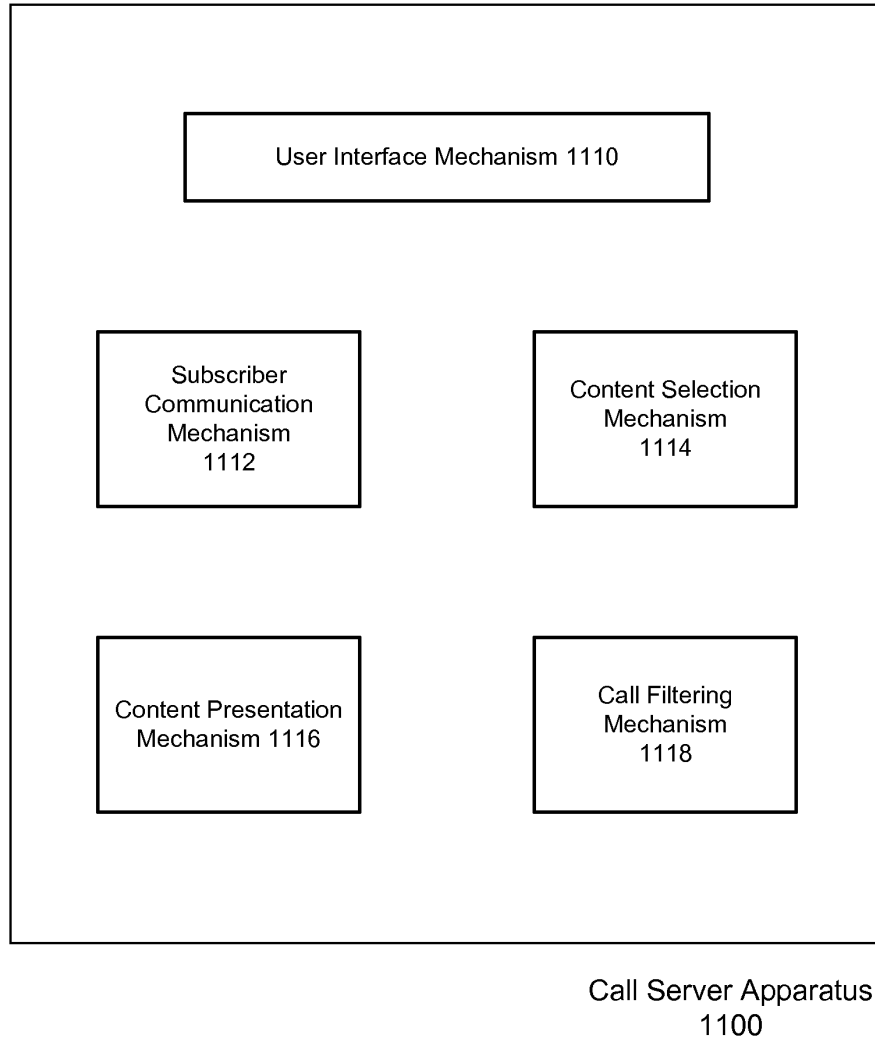


FIG. 11

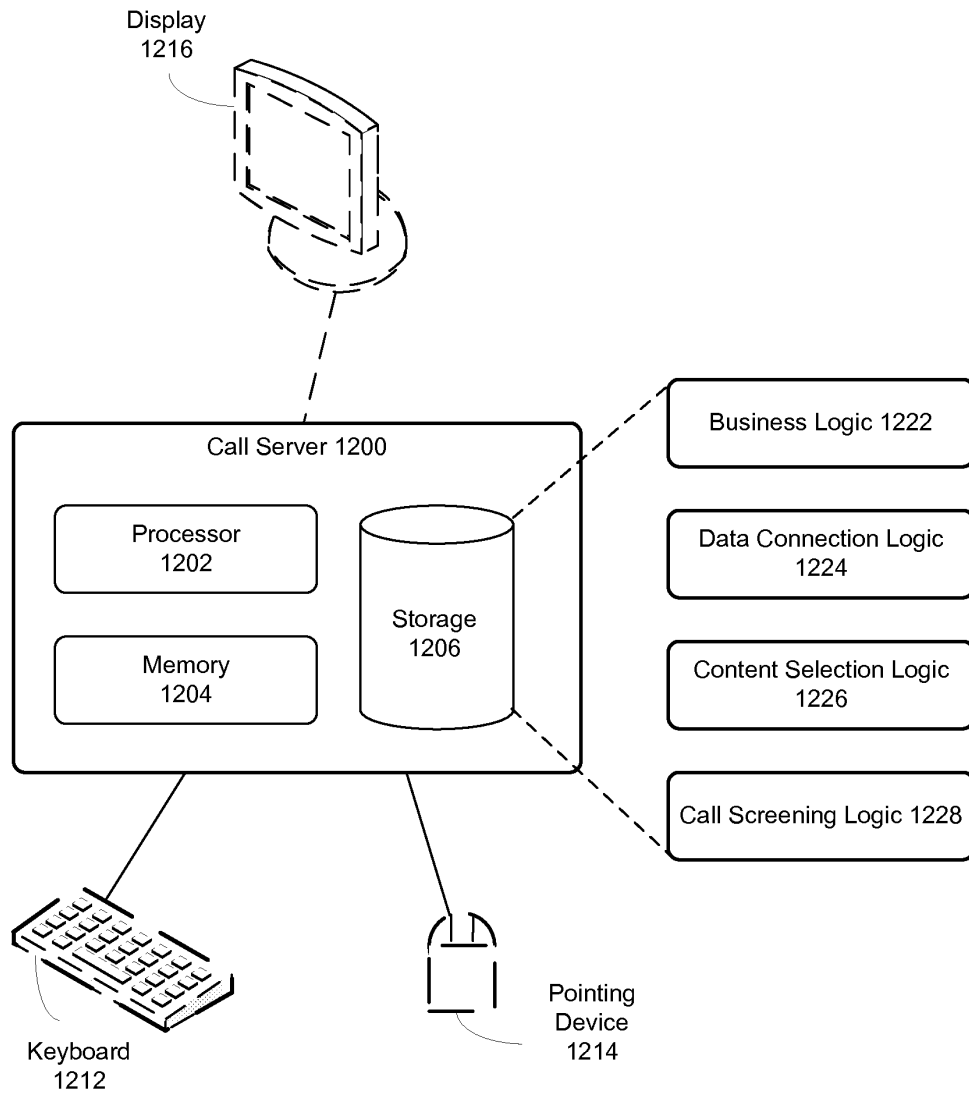


FIG. 12

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 by 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 multiple 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 CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL

for which a patent application:

☒ is attached hereto.

☐ was filed in the United States on _____ as Application No. _____;
☐ with amendment(s) filed on _____ (if applicable).

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

I acknowledge the duty to disclose information known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, which states in relevant part:

Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section.... The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office....

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED
			YES ☐ NO ☐

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

PROVISIONAL APPLICATION NUMBER	DATE OF FILING
61/167,105	April 6, 2009

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, §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 NUMBER	DATE OF FILING	STATUS		
		PATENTED	PENDING	ABANDONED

Attorney Docket No. WB-019

I hereby appoint all practitioners associated with Customer Number 22200 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and transact all business in connection with international applications directed to said invention.

Address correspondence to:
Park, Vaughan & Fleming LLP
2820 Fifth Street
Davis, CA 95618-7759

CUSTOMER NUMBER
22200
 PATENT TRADEMARK OFFICE

Direct telephone calls to:
 Daniel Vaughan
 (530) 759-1660

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

1	Name and Citizenship	Wendell Brown	United States
	Residence Address	2654 West Horizon Ridge Parkway, #B5-229, Henderson, NV 89052-2803	
	Postal Address (if different from Residence)		
	Signature and Date	<i>Wendell Brown</i>	Date 9/15/2009
2	Name and Citizenship		
	Residence Address		
	Postal Address (if different from Residence)		
	Signature and Date		Date
3	Name and Citizenship		
	Residence Address		
	Postal Address (if different from Residence)		
	Signature and Date		Date
4	Name and Citizenship		
	Residence Address		
	Postal Address (if different from Residence)		
	Signature and Date		Date
5	Name and Citizenship		
	Residence Address		
	Postal Address (if different from Residence)		
	Signature and Date		Date

Additional inventor name(s) and signature(s) attached?: YES ☐ NO ☒

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Wendell D. Brown
	Title	Method and Apparatus for Content Presentation	
	Attorney Docket Number		WB-019

I hereby 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.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

/DanielVaughan/

September 18, 2009

Signature

Date

Daniel Vaughan

42,199

Typed or printed name

Registration Number, if applicable

530-759-1660

Telephone Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(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.**

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

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	WB-019
		Application Number	
Title of Invention	Method and Apparatus for Content Presentation in Association with a Telephone Call		
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	
	Wendell	D.	Brown		
Residence Information (Select One) ☒ US Residency ☐ Non US Residency ☐ Active US Military Service					
City	Henderson	State/Province	NV	Country of Residence i	US
Citizenship under 37 CFR 1.41(b) i		US			
Mailing Address of Applicant:					
Address 1		2654 West Horizon Ridge Parkway, #B5-229			
Address 2					
City	Henderson	State/Province	NV		
Postal Code	89052-2803	Countryi	US		
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.					Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).	
☐ An Address is being provided for the correspondence Information of this application.	
Customer Number	22200
Email Address	dan@parklegal.com
	Add Email Remove Email

Application Information:

Title of the Invention	Method and Apparatus for Content Presentation in Association with a Telephone Call		
Attorney Docket Number	WB-019	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)	12	Suggested Figure for Publication (if any)	1

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	WB-019
		Application Number	
Title of Invention	Method and Apparatus for Content Presentation in Association with a Telephone Call		

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	22200		

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	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	61167105	2009-04-06
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

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	WB-019
		Application Number	
Title of Invention	Method and Apparatus for Content Presentation in Association with a Telephone Call		

If the Assignee is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information:				
Address 1				
Address 2				
City		State/Province		
Country i		Postal Code		
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	/DanielVaughan/			Date (YYYY-MM-DD)	2009-09-18
First Name	Daniel	Last Name	Vaughan	Registration Number	42199

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.**

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

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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:				
Filing Date:				
Title of Invention:		Method and Apparatus for Content Presentation in Association with a Telephone Call		
First Named Inventor/Applicant Name:		Wendell D. Brown		
Filer:		Daniel Eric Vaughan		
Attorney Docket Number:		WB-019		
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	82	82
Utility Search Fee	2111	1	270	270
Utility Examination Fee	2311	1	110	110
Pages:				
Claims:				
Claims in excess of 20	2202	3	26	78
Independent claims in excess of 3	2201	1	110	110
Miscellaneous-Filing:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				650

Electronic Acknowledgement Receipt	
EFS ID:	6105724
Application Number:	12563112
International Application Number:	
Confirmation Number:	5694
Title of Invention:	Method and Apparatus for Content Presentation in Association with a Telephone Call
First Named Inventor/Applicant Name:	Wendell D. Brown
Customer Number:	22200
Filer:	Daniel Eric Vaughan
Filer Authorized By:	
Attorney Docket Number:	WB-019
Receipt Date:	18-SEP-2009
Filing Date:	
Time Stamp:	23:41:04
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 650
RAM confirmation Number	5432
Deposit Account	501801
Authorized User	VAUGHAN,DANIEL
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 1.16 (National application filing, search, and examination fees) Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)	

Charge any Additional Fees required under 37 C.F.R. Section 1.19 (Document supply 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		WB-019_Application.pdf	203532 769cba13624219ad943274431edf11811cca9f8a	yes	52
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	46	
	Claims		47	51	
	Abstract		52	52	
Warnings:					
Information:					
2	Drawings-only black and white line drawings	WB-019_Figures.pdf	596521 95d9d1c1b9a07c20fc2f043451e7500c2149ea331	no	12
Warnings:					
Information:					
3	Oath or Declaration filed	Decl_WB-019.pdf	518373 8c0e1e252c95dbe62abd4d6898911f6521f6e131	no	2
Warnings:					
Information:					
4	Nonpublication request from applicant.	sb0035_WB-019.pdf	37428 bbf26c836e65d00bce3a04162c7f6c183ef40649	no	1
Warnings:					
Information:					
5	Application Data Sheet	sb0014_fill_WB-019.pdf	964670 67babc8893339026513003b071d90df186dd32c	no	4
Warnings:					
Information:					
6	Fee Worksheet (PTO-875)	fee-info.pdf	37842 2b13c9a689ce0c976bac7472ae0d7b193a7930b2	no	2
Warnings:					
Information:					

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

New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

SCORE Placeholder Sheet for IFW Content

Application Number: 12563112 Document Date: 9/18/2009

The presence of this form in the IFW record indicates that the following document type was received in electronic format on the date identified above. This content is stored in the SCORE database.

- Drawings – Other than Black and White Line Drawings

Since this was an electronic submission, there is no physical artifact folder, no artifact folder is recorded in PALM, and no paper documents or physical media exist. The TIFF images in the IFW record were created from the original documents that are stored in SCORE.

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- Examiners may access SCORE content via the eDAN interface.
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Form Revision Date: February 8, 2006

Filing Date: 09/18/09

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PATENT APPLICATION FEE DETERMINATION RECORD					Application or Docket Number 12/563,112	
Substitute for Form PTO-875						
APPLICATION AS FILED – PART I						
(Column 1)		(Column 2)		SMALL ENTITY		OR
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	82	N/A	
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	270	N/A	
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	110	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	23	minus 20 =	3	x\$26	x\$52	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	4	minus 3 =	1	x\$110	x\$220	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR					
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			195		390	
			TOTAL	650	TOTAL	
* If the difference in column 1 is less than zero, enter "0" in column 2.						
APPLICATION AS AMENDED – PART II						
(Column 1)		(Column 2)		SMALL ENTITY		OR
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
Total (37 CFR 1.16(i))	*	Minus **	=	X =		X =
Independent (37 CFR 1.16(h))	*	Minus ***	=	X =		X =
Application Size Fee (37 CFR 1.16(s))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				N/A		N/A
				TOTAL ADD'T FEE		TOTAL ADD'T FEE
(Column 1)		(Column 2)		SMALL ENTITY		OR
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)
Total (37 CFR 1.16(i))	*	Minus **	=	X =		X =
Independent (37 CFR 1.16(h))	*	Minus ***	=	X =		X =
Application Size Fee (37 CFR 1.16(s))						
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				N/A		N/A
				TOTAL ADD'T FEE		TOTAL ADD'T FEE
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.						

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

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