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UNITED STATES DEPARTMENT OF COMMERCE
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/790,949	12/17/2019	10511942	WB-048	7812

22200 7590 11/26/2019
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 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

Wendell D. 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.

IR103 (Rev. 10/09)

Exhibit

2009

exhibitsticker.com

Document Description: Issue Fee Payment (PTO-85B)

Issue Fee Transmittal Form

Application Number	Filing Date	First Named Inventor	Atty. Docket No.	Confirmation No.
15790949	23-Oct-2017	Wendell Brown	WB-048	7812

TITLE OF INVENTION :

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

Entity Status	Application Type	Art Unit	Class - Subclass	EXAMINER
Small	Utility under 35 USC 111(a)	2653	114130	GERALD GAUTHIER
Issue Fee Due	Publication Due	Total Fee(s) Due	Date Due	Prev. Paid Fee
\$500	\$0	\$500	29-Nov-2019	\$0

1.Change of Correspondence Address and/or Indication Of Fee Address (37 CFR 1.33 & 1.363)

Current Correspondence Address:	Current Indicated Fee Address :
22200 PARK, VAUGHAN, FLEMING & DOWLER LLP 2820 FIFTH STREET DAVIS CA 95618 UNITED STATES 530-759-1660 DAN@PARKLEGAL.COM	
☐ Change of correspondence address requested, system generated AIA/122-EFS form attached	☐ Fee Address indication requested, system generated SB/47-EFS form attached

2.Entity Status**Change in Entity Status**

Applicant certifying micro entity status; system generated Micro Entity certification form attached. See 37 CFR 1.29.

Note: Absent a valid certification of micro entity status, issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment. If this box is checked, you will be prompted to choose a micro entity status on the gross income basis (37 CFR 1.29(a)) or the institution of higher education basis (37 CFR 1.29(d)), and make the applicable certification online.



Applicant asserting small entity status. See 37 CFR 1.27.

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.



Applicant changing to regular undiscounted fee status.

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



Document Description: Issue Fee Payment (PTO-85B)

3.The Following Fee(s) Are Submitted:☒ Issue Fee☐ I authorize USPTO to apply my previously paid issue fee to the current fees due☐ Publication Fee☐ The Director is hereby authorized to apply my previously paid issue fee to the current fee due and to charge deficient fees to Deposit Account Number _____☐ Advance Order - # of copies _____

If **in addition to** the payment of the issue fee amount submitted with this form, there are any discrepancies in any amount(s) due, the Director is authorized to charge any deficiency, or credit any overpayment, to Deposit Account Number 50-1801.

☒ The **issue fee must be submitted** with this form. **If payment of the issue fee does not accompany this form, checking this box and providing a deposit account number will NOT be effective to satisfy full payment of the fee(s) due.**

4.Firm and/or Attorney Names To Be Printed**NOTE: If no name is listed, no name will be printed**

For printing on the patent front page, list to be displayed as entered

1. Park, Vaughan, Fleming &

2. Dowler LLP

3.

5.Assignee Name(s) and Residence Data To Be Printed

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.

Name	City	State	Country	Category
Wendell D. Brown	Henderson	NEVADA	united states	individual

6.Signature

I certify, in accordance with 37 CFR 1.4(d)(4) that I am an attorney or agent registered to practice before the Patent and Trademark Office who has filed and has been granted power of attorney in this application. I also certify that this Fee(s) Transmittal form is being transmitted to the USPTO via EFS-WEB on the date indicated below.

Signature	/Daniel E. Vaughan/	Date	11-11-2019
Name	Daniel Eric Vaughan	Registration Number	42199

Electronic Patent Application Fee Transmittal				
Application Number:		15790949		
Filing Date:		23-Oct-2017		
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/Jeannie Camara		
Attorney Docket Number:		WB-048		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
UTILITY APPL ISSUE FEE	2501	1	500	500
PUBL. FEE- EARLY, VOLUNTARY, OR NORMAL	1504	1	0	0
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				500

Electronic Acknowledgement Receipt	
EFS ID:	37716587
Application Number:	15790949
International Application Number:	
Confirmation Number:	7812
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/Jeannie Camara
Filer Authorized By:	Daniel Eric Vaughan
Attorney Docket Number:	WB-048
Receipt Date:	12-NOV-2019
Filing Date:	23-OCT-2017
Time Stamp:	12:39:23
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 500
RAM confirmation Number	E2019ABC39216003
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Issue Fee Payment (PTO-85B)	Web85b.pdf	46265	no	2
			da62e3d9076bba7ead519b1a75c3437f29631c17		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	32061	no	2
			1988982d1a4dfe86ece4905ee2e5bb9202450a3e		
Warnings:					
Information:					
Total Files Size (in bytes):			78326		
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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NOTICE OF ALLOWANCE AND FEE(S) DUE

22200 7590 08/28/2019
PARK, VAUGHAN, FLEMING & DOWLER LLP
2820 FIFTH STREET
DAVIS, CA 95618

EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 08/28/2019

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/790,949	10/23/2017	Wendell D. Brown	WB-048	7812

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	\$500	\$0.00	\$0.00	\$500	11/29/2019

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

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

HOW TO REPLY TO THIS NOTICE:

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

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

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

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

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

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

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

PART B - FEE(S) TRANSMITTAL

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

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

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

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

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

22200 7590 08/28/2019
PARK, VAUGHAN, FLEMING & DOWLER LLP
2820 FIFTH STREET
DAVIS, CA 95618

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

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/790,949	10/23/2017	Wendell D. Brown	WB-048	7812

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	\$500	\$0.00	\$0.00	\$500	11/29/2019

EXAMINER	ART UNIT	CLASS-SUBCLASS
GAUTHIER, GERALD	2653	379-114130

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

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

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

2. For printing on the patent front page, list

(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,

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 must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

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

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

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

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

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

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

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

☐ Applicant certifying micro entity status. See 37 CFR 1.29

☐ Applicant asserting small entity status. See 37 CFR 1.27

☐ Applicant changing to regular undiscounted fee status.

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

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

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

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

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/790,949	10/23/2017	Wendell D. Brown	WB-048	7812
22200	7590	08/28/2019	EXAMINER	
PARK, VAUGHAN, FLEMING & DOWLER LLP			GAUTHIER, GERALD	
2820 FIFTH STREET			ART UNIT	
DAVIS, CA 95618			PAPER NUMBER	
			2653	
DATE MAILED: 08/28/2019				

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

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

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

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

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

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

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.** Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

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

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

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

Notice of Allowability	Application No. 15/790,949	Applicant(s) Brown, Wendell D.	
	Examiner GERALD GAUTHIER	Art Unit 2653	AIA (FITF) Status No

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

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

1. ☒ This communication is responsive to 7/9/2019 Amendment.
☐ 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 1-7,9-21 and 23-29. 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. _____.	

/GERALD GAUTHIER/ Primary Examiner, Art Unit 2653	
--	--

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

EXAMINER'S AMENDMENT

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

Authorization for this examiner's amendment was given in a telephone interview with Dan Vaughan on August 9, 2019.

The application has been amended as stated in the attached proposed amendment.

Allowable Claims

3. **Claims 1-7, 9-21 and 23-29** are allowed.
4. The following is an examiner's statement of reasons for allowance:

As to **claims 1, 14 and 15**, in combination with other limitations of the claims, the prior art of record fails to disclose or specifically suggested **while the call is paused**, presenting to the

first party pre-ring content containing an actuatable control and redirecting the call in response to actuation of the control, wherein redirecting the call comprises connecting the call to a representative of the organization.

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

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD GAUTHIER whose telephone number is (571)272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, FAN TSANG can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GERALD GAUTHIER/
Primary Examiner, Art Unit 2653

August 18, 2019

<i>Notice of References Cited</i>	Application/Control No. 15/790,949		Applicant(s)/Patent Under Reexamination Brown, Wendell D.	
	Examiner GERALD GAUTHIER		Art Unit 2653	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-20160219150-A1	07-2016	Brown; Wendell D.	H04M3/5235	1/1
*	B	US-20160219142-A1	07-2016	Brown; Wendell D.	G06Q30/0241	1/1
*	C	US-7995728-B1	08-2011	Martin; Geoff S.	H04M3/42017	379/201.02
*	D	US-5117454-A	05-1992	Yamase; Shinji	H04M3/62	379/164
*	E	US-8121898-B2	02-2012	Altberg; Ebbe	G06Q30/02	379/133
*	F	US-20070189474-A1	08-2007	Cai; Yigang	G06Q30/02	379/142.01
	G					
	H					
	I					
	J					
	K					
	L					
	M					

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20190818

<i>Index of Claims</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

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

CLAIMS									
☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47									
CLAIM		DATE							
Final	Original	04/16/2018	09/06/2018	04/18/2019	08/18/2019				
1	1	✓	✓	✓	=				
2	2	✓	✓	✓	=				
3	3	✓	✓	✓	=				
4	4	✓	✓	✓	=				
5	5	✓	✓	✓	=				
6	6	✓	✓	✓	=				
7	7	✓	✓	✓	=				
-	8	✓	✓	✓	-				
8	9	✓	✓	✓	=				
9	10	✓	✓	✓	=				
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16	15	✓	✓	✓	=				
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22	21	✓	✓	✓	=				
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25	25	✓	✓	✓	=				
26	26	✓	✓	✓	=				
27	27	✓	✓	✓	=				
14	28				=				
15	29				=				

<i>Search Notes</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

CPC - Searched*		
Symbol	Date	Examiner
H04M 15/8351, 846	4/16/2018	GG
G06Q 30/0241	04/18/2019	GG
H04M 1/00, 72555, 72572, 72583	04/18/2019	GG
H04M 3/42, 42051, 42059, 4365, 4878, 523	04/18/2019	GG
H04M 7/0036, 0051	04/18/2019	GG
H04M 15/00, 61, 8083, 83, 8351, 8353, 8355, 846, 848, 85	04/18/2019	GG
H04M 2203/6054	04/18/2019	GG
H04M 2215/7231	04/18/2019	GG
H04M 2242/30	04/18/2019	GG
H04W 4/12, 16, 18, 20	04/18/2019	GG
H04W 12/06	04/18/2019	GG
H04M 1/00, 725, 72555, 72572, 72583	08/18/2019	GG

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

/GERALD GAUTHIER/ Primary Examiner.Art Unit 2653	
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<i>Search Notes</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

US Classification - Searched*			
Class	Subclass	Date	Examiner
379	114.13, 210.03, 211.02, 373.02	4/16/2018	GG
455	414.1	4/16/2018	GG
379	67.1, 88.13, 114.13, 210.01, 210.03, 211.02, 215.01, 350, 373.02	04/18/2019	GG
379	67.1, 87, 88.13, 114.13, 114.2, 201.07, 207.16, 210.01, 210.03, 211.02, 215.01, 350, 352, 360, 373.02	04/21/2019	GG
455	414.1, 418, 420, 567	04/21/2019	GG
709	227	04/21/2019	GG
370	352, 360		
379	67.1, 87, 88.13, 114.13, 114.2, 142.01, 201.02, 201.07, 207.16, 210.01, 210.03, 211.02, 215.01, 262, 350, 352, 360, 373.02	08/18/2019	GG
705	14.73	08/18/2019	GG

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

/GERALD GAUTHIER/ Primary Examiner.Art Unit 2653	
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<i>Search Notes</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

Search Notes		
Search Notes	Date	Examiner
EAST (US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB), CPC	4/16/2018	GG
Inventor's Name Search	4/16/2018	GG
H04M 15/8351, 846	4/16/2018	GG
EAST (US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB), CPC	04/18/2019	GG
Inventor's Name Search	04/18/2019	GG
G06Q 30/0241	04/18/2019	GG
H04M 1/00, 72555, 72572, 72583	04/18/2019	GG
H04M 3/42, 42051, 42059, 4365, 4878, 523	04/18/2019	GG
H04M 7/0036, 0051	04/18/2019	GG
H04M 15/00, 61, 8083, 83, 8351, 8353, 8355, 846, 848, 85	04/18/2019	GG
H04M 2203/6054	04/18/2019	GG
H04M 2215/7231	04/18/2019	GG
H04M 2242/30	04/18/2019	GG
H04W 4/12, 16, 18, 20	04/18/2019	GG
H04W 12/06	04/18/2019	GG
EAST (US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB), CPC	08/18/2019	GG
Inventor's Name Search	08/18/2019	GG
H04M 1/00, 725, 72555, 72572, 72583	08/18/2019	GG

/GERALD GAUTHIER/ Primary Examiner.Art Unit 2653	
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<i>Search Notes</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
G06Q 30	0241	08/18/2019	GG
H04M 1	00, 725, 72555, 72572, 72583	08/18/2019	GG
H04M 3	42, 42051, 42059, 4365, 4878, 523	08/18/2019	GG
H04M 7	0036, 0051	08/18/2019	GG
H04M 15	00, 61, 8083, 83, 8351, 8353, 8355, 846, 848, 85	08/18/2019	GG
H04M 2203	6054	08/18/2019	GG
H04M 2215	7231	08/18/2019	GG
H04M 2242	30	08/18/2019	GG
H04W 4	12, 16, 18, 20	08/18/2019	GG
H04W 12	06	08/18/2019	GG
370	352, 360	08/18/2019	GG
379	67.1, 87, 88.13, 114.13, 114.2, 142.01, 201.02, 201.07, 207.16, 210.01, 210.03, 211.02, 215.01, 262, 350, 352, 360, 373.02	08/18/2019	GG
455	414.1, 418, 420, 567	08/18/2019	GG
705	14.73	08/18/2019	GG
709	227	08/18/2019	GG
	Interference Search History (see attached)	08/18/2019	GG

/GERALD GAUTHIER/ Primary Examiner.Art Unit 2653	
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Issue Classification 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

CPC						
Symbol					Type	Version
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H04M	/	7	/	0036	I	2013-01-01
H04M	/	7	/	0051	I	2013-01-01
H04M	/	15	/	61	I	2013-01-01
H04M	/	15	/	8083	I	2013-01-01
H04M	/	3	/	42059	I	2013-01-01
H04W	/	4	/	16	I	2013-01-01
H04M	/	3	/	4365	I	2013-01-01
H04M	/	1	/	72572	I	2013-01-01
H04M	/	3	/	42051	I	2013-01-01
H04M	/	1	/	72555	I	2013-01-01
H04W	/	4	/	18	I	2013-01-01
H04W	/	4	/	12	I	2013-01-01
H04M	/	1	/	72583	I	2013-01-01
H04M	/	3	/	4878	I	2013-01-01
H04M	/	15	/	8355	I	2013-01-01
H04M	/	15	/	846	I	2013-01-01
H04W	/	12	/	06	I	2013-01-01
H04M	/	15	/	8353	I	2013-01-01
H04W	/	4	/	21	A	2018-02-01
H04M	/	15	/	83	A	2013-01-01
H04M	/	15	/	848	A	2013-01-01
H04M	/	15	/	85	A	2013-01-01
H04M	/	2203	/	6054	A	2013-01-01
H04M	/	2215	/	7231	A	2013-01-01
H04M	/	2242	/	30	A	2013-01-01

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	27	
/GERALD GAUTHIER/ Primary Examiner, Art Unit 2653	18 August 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office

Part of Paper No.: 20190818

<i>Issue Classification</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

CPC Combination Sets						
Symbol			Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	27	
/GERALD GAUTHIER/ Primary Examiner, Art Unit 2653	18 August 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office

Part of Paper No.: 20190818

Issue Classification 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

INTERNATIONAL CLASSIFICATION			
CLAIMED			
H04M		15	846
NON-CLAIMED			

US ORIGINAL CLASSIFICATION	
CLASS	SUBCLASS
379	114.13

CROSS REFERENCES(S)						
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)					
379	87	142.01	201.02	262	350	373.02

NONE		Total Claims Allowed:	
(Assistant Examiner)	(Date)	27	
/GERALD GAUTHIER/ Primary Examiner, Art Unit 2653	18 August 2019	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1

U.S. Patent and Trademark Office

Part of Paper No.: 20190818

Issue Classification 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

☐ Claims renumbered in the same order as presented by applicant	☐ CPA	☐ T.D.	☐ R.1.47
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CLAIMS															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1	9	10	20	19	14	28								
2	2	10	11	21	20	15	29								
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4	4	12	13	-	22										
5	5	13	14	23	23										
6	6	16	15	24	24										
7	7	17	16	25	25										
-	8	18	17	26	26										
8	9	19	18	27	27										

NONE (Assistant Examiner) _____ (Date) _____		Total Claims Allowed: 27	
/GERALD GAUTHIER/ Primary Examiner, Art Unit 2653 (Primary Examiner) _____ (Date) 18 August 2019		O.G. Print Claim(s) 1	O.G. Print Figure 1

U.S. Patent and Trademark Office

Part of Paper No.: 20190818

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	0	call same (suspended paused) same present\$3 same first same party same pre-ring same content same actuable same control\$4 same redirect\$3 same actuat\$3 same connect\$3 same (operator representative) same (center organization)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:30
L3	163	((("BROWN") near3 ("Wendell")).INV.	US-PGPUB; USPAT; USOCR	OR	OFF	2019/08/18 11:31
L6	41	(control notification) near3 pre-ring	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L7	118105	(control notification) near3 call	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L8	1567	L7 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L9	58	L8 with ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L10	1580609	(control notification content data) near3 (display\$3 present\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L11	20335	L10 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L12	11	L11 with ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L13	1582417	(control notification content data announcement) near3 (display\$3 present\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L14	282	L13 same ((paus\$3 delay\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L15	20	L14 same ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT;	OR	ON	2019/08/18 11:32

			USOCR			
L16	459612	call with (control notification content data announcement advertis\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L17	30341	L16 with (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L19	108	("4551581" "5228080" "5263084" "5287401" "5351289" "5377260" "5388150" "5544235" "5553125" "5579381" "5649002" "5651053" "5661788" "5724408" "5737400" "5771281" "5802166" "5812648" "5850435" "5875241").PN. OR ("6044148").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2019/08/18 11:32
L20	402	telephone near3 call near3 screening	US-PGPUB; USPAT; USOCR	OR	OFF	2019/08/18 11:32
L21	75	L20 with (control notification content data announcement advertis\$3 payment pay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L22	46125	call with (pay\$3 bill\$3 payment)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L23	1268	L22 same (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L24	22	L23 same screening	US-PGPUB; USPAT; USOCR	OR	OFF	2019/08/18 11:32
L25	32144	call with (charg\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L26	1262	L25 same (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L27	7	L26 same screening	US-PGPUB; USPAT; USOCR	OR	OFF	2019/08/18 11:32
L28	413	L26 same (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L29	427	L25 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L30	84	L29 with (complet\$3 redirect\$3)	US-PGPUB;	OR	ON	2019/08/18 11:32

EAST Search History

			USPAT; USOCR			
L31	47750	call near3 (management manag\$3)	US- PGPUB; USPAT; USOCR	OR	OFF	2019/08/18 11:32
L32	2054	L31 with (complet\$3 redirect\$3)	US- PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L33	13	L32 with (paus\$3 delay\$3)	US- PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32
L34	62	L32 same (paus\$3 delay\$3 interrupt\$3)	US- PGPUB; USPAT; USOCR	OR	ON	2019/08/18 11:32

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L2	0	call same (suspended paused) same present\$3 same first same party same pre-ring same content same actuable same control\$4 same redirect\$3 same actuat\$3 same connect\$3 same (operator representative) same (center organization).clm.	USPAT	OR	ON	2019/08/18 11:30

8/18/2019 11:50:01 AM

C:\Users\ggauthier\Documents\EAST\Workspaces\15790949.wsp

Bibliographic Data

Application No: 15/790,949

Foreign Priority claimed: ☐ Yes ☒ No

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

Verified and Acknowledged: /GERALD GAUTHIER/

Examiner's Signature

Initials

Title:

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

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
10/23/2017	379	2653	WB-048
RULE			

APPLICANTS

INVENTORS

Wendell D. Brown Henderson, NV, UNITED STATES

CONTINUING DATA

This application is a CON of 14951399 11/24/2015 PAT 9819812

14951399 is a CON of 14327332 07/09/2014 PAT 9264540

14327332 is a CON of 14041879 09/30/2013 PAT 8804930

14041879 is a CON of 12563112 09/18/2009 PAT 8577000

12563112 has PRO of 61167105 04/06/2009

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

11/03/2017

**** SMALL ENTITY ****

STATE OR COUNTRY

UNITED STATES

ADDRESS

PARK, VAUGHAN, FLEMING & DOWLER LLP

2820 FIFTH STREET

DAVIS, CA 95618

UNITED STATES

FILING FEE RECEIVED

\$1,010

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 15/790,949		Filing Date 10/23/2017		☐ 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), (l), 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(j))		minus 20 =	*	x \$40 =						
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*	x \$210 =						
☐ 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	07/09/2019	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)			
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	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	x \$230 =		0		
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	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		0		
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		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)			
	Total (37 CFR 1.16(i))	*	Minus	**	=	x \$0 =				
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x \$0 =				
	☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE				
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.						SLIE				
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".						/JULIET MCMILLAN/				
*** 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.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Wendell D. Brown
Application No. : 15/790,949
Confirmation No. : 7812
Filed : 23 October 2017
Docket : WB-048
Title : Method and Apparatus for Content Presentation in
Association with a Telephone Call

Group/Art Unit : 2653
Examiner : Gauthier, Gerald

REPLY UNDER 37 C.F.R. § 1.111

Amendment after Rejection
Via Electronic Filing

Commissioner for Patents
P.O. Box 1450
Alexandria, VA22313

Sir:

In response to the office action mailed April 25, 2019, please amend the subject application as follows.

A list of claims begins on page 2 of this paper.

Remarks/arguments begin on page 7.

Electronic Acknowledgement Receipt	
EFS ID:	36533315
Application Number:	15790949
International Application Number:	
Confirmation Number:	7812
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/Wendy Scott
Filer Authorized By:	Daniel Eric Vaughan
Attorney Docket Number:	WB-048
Receipt Date:	09-JUL-2019
Filing Date:	23-OCT-2017
Time Stamp:	16:09:08
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no				
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	Authorization-deposit-account_DEV.pdf	70241 9359715042fbc4349bec73924e8fc6edd0c39d59	no	1
Warnings:					

Information:					
2		WB-048_Amendment_B.pdf	46310	yes	9
			83ca8982dda9dfb49978bfff143cb0ecc895e40c7		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Applicant Arguments/Remarks Made in an Amendment		7	9	
	Claims		2	6	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
Warnings:					
Information:					
Total Files Size (in bytes):			116551		
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.					

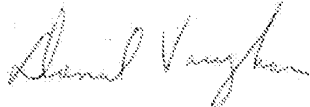
AUTHORIZATION TO DEDUCT ANY UNDERPAYMENTS
OR CREDIT ANY OVERPAYMENTS TO DEPOSIT
ACCOUNT 50-1801

Please deduct any underpayments, credit any overpayments, and charge all required extension of time fees associated with the attached filing to Deposit Account Number 50-1801.

Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1660
Fax: (530) 759-1665
Email: dan@parklegal.com

Respectfully submitted,

By:



Daniel E. Vaughan
Registration No. 42,199

Remarks

In the office action mailed April 25, 2019, claims 1-27 were pending, and:

1. Claims 1-10, 12-24 and 26-27 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Publication No.; 2007/0123311 (Kim);
2. Claims 11 and 25 was rejected under 35 U.S.C. § 103(a) based on Kim, in view of U.S. Publication No. 2006/0210041 (Citron); and
3. Claims 1-27 were rejected on the grounds of non-statutory obviousness type patenting as being unpatentable over U.S. Patent No. 9,078,113.

Some or all of these claim rejections are addressed below; lack of response to a particular rejection or ground for rejection does not constitute agreement.

I Double Patenting Rejections

Applicant requests the double-patenting rejections be held in abeyance pending identification of claims that are otherwise allowable.

II Rejections under 35 U.S.C. § 102

A. while the call is paused, presenting to the first party pre-ring content containing an actuatable control

In some embodiments (e.g., corresponding to claim 1, 14, and 15), presenting content on a communication device includes transmitting to a call controller notification of initiation of a call from a device and automatically pausing the call at the device upon receipt of a signal from the call controller. While the call is paused, the party operating the device is presented with pre-ring content that includes an actuatable control.

The latter aspect of these embodiments was rejected over Kim (paragraph 0037). Applicant traverses.

The cited portion of Kim indicates that a play server acquires a substitute tone code, reads a substitute tone file corresponding to the code, and reproduces the substitute tone for the calling party. However, paragraph 0036 specifies that the play server only becomes involved in the call after the call from the calling party is rerouted. Specifically, the terminating switch “routes the call to the play server 30” after having been suspended. Thus, the play server is not involved and cannot present the substitute tone code until after the call has been suspended and routed to a different destination. The tone code is

not presented to the calling party *while the call is paused*.

In addition, the substitute tone of Kim does not include “an actuatable control.” Although the calling party may generate key input while the substitute tone is played, there is no indication that the tone includes any type of control. Further, one of ordinary skill in the art would realize that an audio file, when played to produce audio for a calling party, does not include a control that can be actuated by the calling party.

B. redirecting the call in response to actuation of the control

In some embodiments (e.g., corresponding to claim 1, 14, and 15), presenting content on a communication device includes pausing a call from a first party operating the device, presenting on the device pre-ring content that contains an actuatable control and, in response to actuation of the control by the first party, redirecting the call.

The latter aspect of these embodiments was rejected over Kim (paragraph 0038). Applicant traverses.

The claimed embodiments do not involve a simple redirection of a call that is undetectable to a calling party. Instead, the embodiments require the redirection to be performed in response to a party’s actuation of a control that was provided to the party as part of pre-ring content presented on the party’s device while a call from that device is paused.

In contrast, Kim plays for a calling party a substitute ring tone that is simply an audio file. There is no actuatable control in the ring tone. Therefore, Kim cannot be interpreted as redirecting the call in response to actuation of a control embedded in pre-ring content. Instead, the Kim system simply plays the ring tone and listens for key input from the calling party. Such key input does not involve actuation of a control within the audio that the calling party heard, but rather is simply a DTMF tone played when that party presses a key in response to the audio.

Also, in the portion of paragraph 0038 cited in this rejection, Kim specifies that there is no key input. Thus, even if the substitute ring tone could be interpreted as containing an actuatable control (which it does not and which is not conceded), there is no ‘actuation.’ Further, when no key input is detected the call is completed normally (i.e., the call is not redirected to a different destination).

Moreover, if key input *is* detected, the call destination still is not redirected. The only difference is that the called party's substitute ring tone may be copied and stored for the calling party.

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: July 8, 2019

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

Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
(510) 648-6950: voice
(530) 759-1665: facsimile

Claims

1. (Original) A method of presenting content on a communication
2 device, the method comprising:
at a first device, upon initiation of a call by a first party operating the first
4 device, transmitting to a call controller notification of the initiation of the call;
automatically pausing the call upon receipt of a signal from the call
6 controller;
while the call is paused, presenting to the first party pre-ring content
8 containing an actuatable control; and
redirecting the call in response to actuation of the control.
2. (Original) The method of claim 1, wherein pausing the call
2 comprises pausing signaling of the call to a first communication service provider
of the first device.
3. (Original) The method of claim 2, wherein the first communication
2 service provider comprises the call controller.
4. (Original) The method of claim 2, wherein redirecting the call
2 comprises routing the call to a communication service provider other than the first
communication service provider.
5. (Original) The method of claim 1, wherein:
2 initiation of the call by the first party includes at least partial identification
of a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.
6. (Original) The method of claim 1, wherein pausing the call
2 comprises receiving the pre-ring content via a data connection established

between the first device and the call controller.

2 7. (Original) The method of claim 1, wherein initiation of the call by
the first party comprises partial entry of a telephone number.

2 8. (Original) The method of claim 1, wherein initiation of the call by
the first party comprises identification of a destination party.

2 9. (Original) The method of claim 8, wherein:
the destination party is an organization;
redirecting the call comprises connecting the call to a representative of the
4 organization; and
the representative is selected based on the actuated control.

2 10. (Original) The method of claim 1, wherein initiation of the call by
the first party comprises activation of a dialer application of the first device.

2 11. (Original) The method of claim 1, wherein redirecting the call
comprises:
cancelling the call to a first destination party selected by the first party;
4 and
initiating a new call to a second destination party identified in the pre-ring
6 content.

2 12. (Original) The method of claim 1, further comprising, after
redirecting of the call to a second device:
causing content displayed on the first device prior to initiation of the call
4 to be displayed on the second device.

13. (Original) The method of claim 12, wherein causing content
2 displayed on the first device prior to initiation of the call to be displayed on the
second device comprises one or more of:
4 transmitting the content toward the second device; and
transmitting toward the second device an identification of the content.

14. (Original) A non-transitory computer-readable medium storing
2 instructions that, when executed by a processor, cause the processor to perform a
method of presenting content on a communication device, the method comprising:
4 at a first device, upon initiation of a call by a first party operating the first
device, transmitting to a call controller notification of the initiation of the call;
6 automatically pausing the call upon receipt of a signal from the call
controller;
8 while the call is paused, presenting to the first party pre-ring content
containing an actuatable control; and
10 redirecting the call in response to actuation of the control.

15. (Original) A communication device comprising:
2 one or more processors; and
memory storing instructions that, when executed by the one or more
4 processors, cause the device to:
upon initiation of a call by a first party operating the device,
6 transmit to a call controller notification of the initiation of the call;
automatically pause the call upon receipt of a signal from the call
8 controller;
while the call is paused, present to the first party pre-ring content
10 containing an actuatable control; and
redirect the call in response to actuation of the control.

2 16. (Original) The communication device of claim 15, wherein
pausing the call comprises pausing signaling of the call to a first communication
service provider of the first device.

2 17. (Original) The communication device of claim 16, wherein the first
communication service provider comprises the call controller.

2 18. (Original) The communication device of claim 16, wherein
redirecting the call comprises routing the call to a communication service
provider other than the first communication service provider.

2 19. (Original) The communication device of claim 15, wherein:
initiation of the call by the first party includes at least partial identification
of a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.

2 20. (Original) The communication device of claim 15, wherein
pausing the call comprises receiving the pre-ring content via a data connection
established between the first device and the call controller.

2 21. (Original) The communication device of claim 15, wherein
initiation of the call by the first party comprises partial entry of a telephone
number.

2 22. (Original) The communication device of claim 15, wherein
initiation of the call by the first party comprises identification of a destination
party.

23. (Original) The communication device of claim 22, wherein:
2 the destination party is an organization;
redirecting the call comprises connecting the call to a representative of the
4 organization; and
the representative is selected based on the actuated control.

24. (Original) The communication device of claim 15, wherein
2 initiation of the call by the first party comprises activation of a dialer application
of the first device.

25. (Original) The communication device of claim 15, wherein
2 redirecting the call comprises:
cancelling the call to a first destination party selected by the first party;
4 and
initiating a new call to a second destination party identified in the pre-ring
6 content.

26. (Original) The communication device of claim 15, wherein the
2 memory further stores instructions that, when executed by the one or more
processors, cause the device to:
4 causing content displayed on the first device prior to initiation of the call
to be displayed on the second device.

27. (Original) The communication device of claim 26, wherein causing
2 content displayed on the first device prior to initiation of the call to be displayed on the
second device comprises one or more of:
4 transmitting the content toward the second device; and
transmitting toward the second device an identification of the content.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/790,949	10/23/2017	Wendell D. Brown	WB-048	7812

22200	7590	04/25/2019
PARK, VAUGHAN, FLEMING & DOWLER LLP		
2820 FIFTH STREET		
DAVIS, CA 95618		

EXAMINER	
GAUTHIER, GERALD	

ART UNIT	PAPER NUMBER
2653	

NOTIFICATION DATE	DELIVERY MODE
04/25/2019	ELECTRONIC

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

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

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

DAN@PARKLEGAL.COM
jeannie@parklegal.com
wendy@parklegal.com

Office Action Summary	Application No. 15/790,949	Applicant(s) Brown, Wendell D.	
	Examiner GERALD GAUTHIER	Art Unit 2653	AIA (FITF) Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1) ☒ Responsive to communication(s) filed on 06 March 2019.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

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

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

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

Disposition of Claims*

5) ☒ Claim(s) 1-27 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) 1-27 is/are rejected.

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

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

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

Application Papers

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

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

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

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

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____.

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

4) ☐ Other: ____.

● DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of pre-AIA 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.

Claim(s) 1-10, 12-24, 26 and 27 is/are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Kim et al. (US 2007/0123311 A1).

As to claim 1, Kim discloses a method of presenting content on a communication device [paragraph 0001], the method comprising:

at a first device [calling party device], upon initiation of a call by a first party [calling party] operating the first device, transmitting to a call controller [originating switch] notification of the initiation of the call [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036];

automatically pausing the call [suspends the call] upon receipt of a signal [routes the call] from the call controller [the terminating switch 20 suspends the call to the called party and routes the call to the play server 30, paragraph 0036];

while the call is paused [suspends the call], presenting to the first party pre-ring content containing an actuable control [reads out the substitute tone file from the sound DB 32 using the code information and reproduces the substitute tone to provide to the calling party through the switches 20 and 10, paragraph 0037]; and

redirecting the call in response to actuation of the control [the play server 30 checks whether there is any key input corresponding to the fetch request from the calling party during the tone is being played (step 206). If there is no fetch request key input, a call channel is set up between the calling party and the called party normally and then the call is completed (step 207), paragraph 0038].

As to claim 2, Kim discloses the method of claim 1, wherein pausing the call [suspends the call] comprises pausing signaling of the call to a first communication service provider [the terminating switch 20] of the first device [the terminating switch 20 suspends the call to the called party and routes the call to the play server 30, paragraph 0036].

As to claim 3, Kim discloses the method of claim 2, wherein the first communication service provider [play control server] comprises the call controller [designated by the called party from the play control server 40, paragraph 0037].

As to claim 4, Kim discloses the method of claim 2, wherein redirecting the call comprises routing the call to a communication service provider [third party] other than the first communication service provider [The calling party submits the fetch request just by pressing a predetermined key input sequence, and the system changes the substitute ringback tone of the called party immediately or after obtaining the confirmation of the called party. Also, the user can access the system and set the substitute ringback tone to be identical with that of another user or present a substitute ringback tone to a third party, paragraph 0049].

As to claim 5, Kim discloses the method of claim 1, wherein: initiation of the call by the first party includes at least partial identification of a destination party [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036]; and

redirecting the call comprises directing the call to a party identified in the pre-ring content instead of the destination party [If a fetch request is received from the calling party, however, the fetch server 70 receives the phone number of the caller from the switch 30 or the play server 30, and requests the service subscription information of the calling party to the COIS 44 to determine whether the calling party is subscribed to the substitute ringback tone service (steps 208 and 209), paragraph 0038].

As to claim 6, Kim discloses the method of claim 1, wherein pausing the call comprises receiving the pre-ring content via a data connection established between the first device and the call controller [reads out the substitute tone file from the sound DB 32 using the code information and reproduces the substitute tone to provide to the calling party through the switches 20 and 10 (step 205), paragraph 0037].

As to claim 7, Kim discloses the method of claim 1, wherein initiation of the call by the first party comprises partial entry of a telephone number [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036].

As to claim 8, Kim discloses the method of claim 1, wherein initiation of the call by the first party comprises identification of a destination party [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036].

As to claim 9, Kim discloses the method of claim 8, wherein: the destination party is an organization [a system connected to a mobile switching center to provide a substitute ringback tone to a caller terminal when the mobile switching center suspends a call to a called terminal, paragraph 0010];

redirecting the call comprises connecting the call to a representative of the organization [providing one of the various substitute ringback tones in response to the request of the mobile switching center and based on the setting information stored in the play control server, paragraph 0010]; and the

representative is selected based on the actuated control [providing one of the various substitute ringback tones in response to the request of the mobile switching center and based on the setting information stored in the play control server, paragraph 0010].

As to claim 10, Kim discloses the method of claim 1, wherein initiation of the call by the first party comprises activation of a dialer application of the first device [The subscriber I/F server 50 includes a WEB service unit 52 for enabling a user to access through the Internet, a WAP service unit 54 for enabling a user to access through the WAP-based wireless Internet, and a ARS unit 56 for enabling a user to access through the voice communications network, paragraph 0026].

As to claim 12, Kim discloses the method of claim 1, further comprising, after redirecting of the call to a second device: causing content displayed on the first device prior to initiation of the call to be displayed on the second device [The subscriber I/F server 50 displays the substitute ringback tone information from the play control server 40 in the order of title of the tone or the name of the musician (step 302), paragraph 0041].

As to claim 13, Kim discloses the method of claim 12, wherein causing content displayed on the first device prior to initiation of the call to be displayed on the second device comprises one or more of: transmitting the content toward the second device [the system identifies a tone code for the called terminal from the play control server, paragraph 0011]; and

transmitting toward the second device an identification of the content [reproduces the substitute ringback tone having an identified tone code to provide to the caller terminal, paragraph 0011].

As to claim 14, Kim discloses a non-transitory computer-readable medium storing instructions that, when executed by a processor [play control server 40 on FIG. 1], cause the processor to perform a method of presenting content on a communication device [paragraphs 0001 and 0025], the method comprising:

at a first device [calling party device], upon initiation of a call by a first party [calling party] operating the first device, transmitting to a call controller notification of the initiation of the call [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036];

automatically pausing the call [suspend the call] upon receipt of a signal [call] from the call controller [the terminating switch 20 suspends the call to the called party and routes the call to the play server 30, paragraph 0036];

while the call is paused suspends the call], presenting to the first party pre-ring content [the substitute tone file] containing an actuatable control [reads out the substitute tone file from the sound DB 32 using the code information and reproduces the substitute tone to provide to the calling party through the switches 20 and 10, paragraph 0037]; and

redirecting the call in response to actuation of the control [the play server 30 checks whether there is any key input corresponding to the fetch

request from the calling party during the tone is being played (step 206). If there is no fetch request key input, a call channel is set up between the calling party and the called party normally and then the call is completed (step 207), paragraph 0038].

As to claim 15, Kim discloses a communication device comprising: one or more processors [play control server 40 on FIG. 1]; and

memory [tone control database 42 on FIG. 1] storing instructions that, when executed by the one or more processors [paragraphs 0001 and 0025, cause the device to:

upon initiation of a call by a first party operating the device, transmit to a call controller notification of the initiation of the call [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036];

automatically pause the call upon receipt of a signal from the call controller [the terminating switch 20 suspends the call to the called party and routes the call to the play server 30, paragraph 0036];

while the call is paused, present to the first party pre-ring content containing an actuable control [reads out the substitute tone file from the sound DB 32 using the code information and reproduces the substitute tone to

provide to the calling party through the switches 20 and 10, paragraph 0037]; and

redirect the call in response to actuation of the control [the play server 30 checks whether there is any key input corresponding to the fetch request from the calling party during the tone is being played (step 206). If there is no fetch request key input, a call channel is set up between the calling party and the called party normally and then the call is completed (step 207), paragraph 0038].

As to claim 16, Kim discloses the communication device of claim 15, wherein 2 pausing the call comprises pausing signaling of the call to a first communication service provider of the first device [the terminating switch 20 suspends the call to the called party and routes the call to the play server 30, paragraph 0036].

As to claim 17, Kim discloses the communication device of claim 16, wherein the first communication service provider comprises the call controller [designated by the called party from the play control server 40, paragraph 0037].

As to claim 18, Kim discloses the communication device of claim 16, wherein redirecting the call comprises routing the call to a communication service provider other than the first communication service provider [The calling party submits the fetch request just by pressing a predetermined key input sequence, and

the system changes the substitute ringback tone of the called party immediately or after obtaining the confirmation of the called party. Also, the user can access the system and set the substitute ringback tone to be identical with that of another user or present a substitute ringback tone to a third party, paragraph 0049].

As to claim 19, Kim discloses the communication device of claim 15, wherein: initiation of the call by the first party includes at least partial identification of a destination party [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036]; and

redirecting the call comprises directing the call to a party identified in the pre-ring content instead of the destination party [If a fetch request is received from the calling party, however, the fetch server 70 receives the phone number of the caller from the switch 30 or the play server 30, and requests the service subscription information of the calling party to the COIS 44 to determine whether the calling party is subscribed to the substitute ringback tone service (steps 208 and 209), paragraph 0038].

As to claim 20, Kim discloses the communication device of claim 15, wherein pausing the call comprises receiving the pre-ring content via a data connection established between the first device and the call controller [reads out the substitute tone file from the sound DB 32 using the code information and reproduces the substitute tone to provide to the calling party through the switches 20 and 10 (step 205), paragraph 0037].

As to claim 21, Kim discloses the communication device of claim 15, wherein initiation of the call by the first party comprises partial entry of a telephone number [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036].

As to claim 22, Kim discloses the communication device of claim 15, wherein initiation of the call by the first party comprises identification of a destination party [the calling party generates a call to a called party subscribed to the substitute ringback tone service, the originating switch 10 acquires the position information of the called party from the HLR 12, and tries a ISUP call to the terminating switch 20 using the termination position information, paragraph 0036].

As to claim 23, Kim discloses the communication device of claim 22, wherein: the destination party is an organization [a system connected to a mobile switching center to provide a substitute ringback tone to a caller terminal when the mobile switching center suspends a call to a called terminal, paragraph 0010];

redirecting the call comprises connecting the call to a representative of the organization [providing one of the various substitute ringback tones in response to the request of the mobile switching center and based on the setting information stored in the play control server, paragraph 0010]; and

the representative is selected based on the actuated control [providing one of the various substitute ringback tones in response to the request of the mobile switching center and based on the setting information stored in the play control server, paragraph 0010].

As to claim 24, Kim discloses the communication device of claim 15, wherein initiation of the call by the first party comprises activation of a dialer application of the first device [The subscriber I/F server 50 includes a WEB service unit 52 for enabling a user to access through the Internet, a WAP service unit 54 for enabling a user to access through the WAP-based wireless Internet, and a ARS unit 56 for enabling a user to access through the voice communications network, paragraph 0026].

As to claim 26, Kim discloses the communication device of claim 15, wherein the memory further stores instructions that, when executed by the one or more processors, cause the device to: causing content displayed on the first device prior to initiation of the call to be displayed on the second device [The subscriber I/F server 50 displays the substitute ringback tone information from the play control server 40 in the order of title of the tone or the name of the musician (step 302), paragraph 0041].

As to claim 27, Kim discloses the communication device of claim 26, wherein causing content displayed on the first device prior to initiation of the call to be displayed on the second device comprises one or more of: transmitting the content toward the second device [the system identifies a tone code for the called terminal from the play control server, paragraph 0011]; and

transmitting toward the second device an identification of the content [reproduces the substitute ringback tone having an identified tone code to provide to the caller terminal, paragraph 0011].

Claim Rejections - 35 USC § 103

The following is a quotation of pre-AIA 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, 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.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 11 and 25 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kim in view of Citron et al. (US 2006/0210041 A1).

As to claim 11, Citron teaches the method of claim 1, wherein redirecting the call comprises: cancelling the call to a first destination party [From Telephone 118 on FIG. 1] selected by the first party selected by the first party [CallController 108 terminates the initial call between the CallController and the "from" telephone 118, paragraph 0029]; and

initiating a new call to a second destination party identified in the pre-ring content [triggers the "from" telephone 118 to initiate a new call to the "to" telephone 122, paragraph 0029].

Kim and Citron are analogous because they are all directed to call control application. One of ordinary skill in the art at the time of the invention would have found obvious using the third party call control application program interface taught by Citron in a ringback tone substitute such as that of Kim as suggested by Citron, for the obvious purpose of the open nature of the API also provides the capability to integrate a third party call control (3PCC) functionality

with new or existing applications like customer relationship management (CRM), and Contact management applications. In order to obtain predictable results.

As to claim 25, Citron teaches the communication device of claim 15, wherein redirecting the call comprises: cancelling the call to a first destination party [From Telephone 118 on FIG. 1] selected by the first party [CallController 108 terminates the initial call between the CallController and the "from" telephone 118, paragraph 0029]; and

initiating a new call to a second destination party [to Telephone 122 on FIG. 1] identified in the pre-ring content [triggers the "from" telephone 118 to initiate a new call to the "to" telephone 122, paragraph 0029].

Kim and Citron are analogous because they are all directed to call control application. One of ordinary skill in the art at the time of the invention would have found obvious using the third party call control application program interface taught by Citron in a ringback tone substitute such as that of Kim as suggested by Citron, for the obvious purpose of the open nature of the API also provides the capability to integrate a third party call control (3PCC) functionality with new or existing applications like customer relationship management (CRM), and Contact management applications. In order to obtain predictable results.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or

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

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(l)(1) - 706.02(l)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-

processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

Claims 1-27 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 9,078,113 B1. Although the claims at issue are not identical, they are not patentably distinct from each other because at least one claim of the instant application is being taught by the claims of the U.S. Patent.

Patented claim 1 claimed a method of filtering calls initiated from a communication device and presenting content on the communication device, the method comprising: receiving electronic notification of initiation of a call from the communication device to a target destination, wherein: the call is initiated by an operator of the communication device; and signaling of the call to a communication service provider of the communication device is delayed by a call processor operating on the communication device; identifying content to be presented on the communication device in association with the call; instructing the communication device to present the identified content, the identified content being unrelated to establishment of the call and comprising an actuatable control, wherein actuation of the control terminates said delaying of the signaling; and during the call, without interrupting the call, instructing the communication device to present additional content, wherein: the target destination is an organization; the additional content comprises multiple selectable identities of corresponding entities within the organization; and selection of one of the selectable identities causes the call to be routed to the corresponding entity.

The pending claim 1 recited a method of presenting content on a communication device, the method comprising: at a first device, upon initiation of a call by a first party operating the first device, transmitting to a call controller notification of the initiation of the call; automatically

pausing the call upon receipt of a signal from the call controller; while the call is paused, presenting to the first party pre-ring content containing an actuatable control; and redirecting the call in response to actuation of the control.

The pending claim 9 recited the method of claim 8, wherein: the destination party is an organization; redirecting the call comprises connecting the call to a representative of the organization; and the representative is selected based on the actuated control.

The limitations of patented claim 1 reads on the limitations of pending claims 1 and 9 as stated above.

Therefore, patented claim 1 is a narrower claim by comparing the pending claim 1 so the pending claims 1, 14, 15, 9 and 23 are rejected by the patented claim 1.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD GAUTHIER whose telephone number is (571)272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

**/GERALD GAUTHIER/
Primary Examiner, Art Unit 2653**

April 21, 2019

Notice of References Cited	Application/Control No. 15/790,949		Applicant(s)/Patent Under Reexamination Brown, Wendell D.	
	Examiner GERALD GAUTHIER		Art Unit 2653	Page 1 of 2

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*	B	US-9913118-B1		03-2018	Brown; Wendell D.	H04W4/16	1/1
*	C	US-9838541-B2		12-2017	Brown; Wendell D.	H04M3/5235	1/1
*	D	US-20080181372-A1		07-2008	Heldenbrand; Rob W.	H04M3/42017	379/88.13
*	E	US-20080037754-A1		02-2008	Bishop; Michael L.	H04M3/42042	379/215.01
*	F	US-20060045240-A1		03-2006	Buchner; Gregory C.	H04M1/642	379/67.1
*	G	US-20030206619-A1		11-2003	Curbow, David	H04M3/42195	379/210.01
*	H	US-20070123311-A1		05-2007	Kim; Sok-Bom	H04M3/42017	455/567
*	I	US-20060218286-A1		09-2006	Brombal; David S.	H04M7/129	709/227
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*		Document Number Code-Number-Kind Code	Country Code	Date MM-YYYY	Country	Name	CPC Classification
	N						
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	S						
	T						

NON-PATENT DOCUMENTS

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

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20190418

<i>Notice of References Cited</i>	Application/Control No. 15/790,949		Applicant(s)/Patent Under Reexamination Brown, Wendell D.	
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*	B	US-20060210041-A1		09-2006	Citron; Jeffrey	H04M7/003	379/201.07
*	C	US-20030128698-A1		07-2003	DARLAND, TIMOTHY	H04L12/2856	370/360
*	D	US-20040057419-A1		03-2004	Stanford, Michael	H04M1/2535	370/352
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*		Document Number Code-Number-Kind Code	Country	Date MM-YYYY	Country	Name	CPC Classification
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NON-PATENT DOCUMENTS

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

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Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20190418

<i>Search Notes</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

CPC - Searched*		
Symbol	Date	Examiner
H04M 15/8351, 846	4/16/2018	GG
G06Q 30/0241	04/18/2019	GG
H04M 1/00, 72555, 72572, 72583	04/18/2019	GG
H04M 3/42, 42051, 42059, 4365, 4878, 523	04/18/2019	GG
H04M 7/0036, 0051	04/18/2019	GG
H04M 15/00, 61, 8083, 83, 8351, 8353, 8355, 846, 848, 85	04/18/2019	GG
H04M 2203/6054	04/18/2019	GG
H04M 2215/7231	04/18/2019	GG
H04M 2242/30	04/18/2019	GG
H04W 4/12, 16, 18, 20	04/18/2019	GG
H04W 12/06	04/18/2019	GG

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner
379	114.13, 210.03, 211.02, 373.02	4/16/2018	GG
455	414.1	4/16/2018	GG
379	67.1, 88.13, 114.13, 210.01, 210.03, 211.02, 215.01, 350, 373.02	04/18/2019	GG
379	67.1, 87, 88.13, 114.13, 114.2, 201.07, 207.16, 210.01, 210.03, 211.02, 215.01, 350, 352, 360, 373.02	04/21/2019	GG
455	414.1, 418, 420, 567	04/21/2019	GG
709	227	04/21/2019	GG

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

/GERALD GAUTHIER/ Primary Examiner.Art Unit 2653	
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<i>Search Notes</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

Search Notes		
Search Notes	Date	Examiner
EAST (US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB), CPC, IP.com, Google patents	4/16/2018	GG
Inventor's Name Search	4/16/2018	GG
H04M 15/8351, 846	4/16/2018	GG
EAST (US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB), CPC, IP.com, Google patents	04/18/2019	GG
Inventor's Name Search	04/18/2019	GG
G06Q 30/0241	04/18/2019	GG
H04M 1/00, 72555, 72572, 72583	04/18/2019	GG
H04M 3/42, 42051, 42059, 4365, 4878, 523	04/18/2019	GG
H04M 7/0036, 0051	04/18/2019	GG
H04M 15/00, 61, 8083, 83, 8351, 8353, 8355, 846, 848, 85	04/18/2019	GG
H04M 2203/6054	04/18/2019	GG
H04M 2215/7231	04/18/2019	GG
H04M 2242/30	04/18/2019	GG
H04W 4/12, 16, 18, 20	04/18/2019	GG
H04W 12/06	04/18/2019	GG

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner

/GERALD GAUTHIER/ Primary Examiner.Art Unit 2653	
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<i>Index of Claims</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
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✓	Rejected	-	Cancelled	N	Non-Elected	A	Appeal
=	Allowed	÷	Restricted	I	Interference	O	Objected

CLAIMS										
☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47										
CLAIM		DATE								
Final	Original	04/16/2018	09/06/2018	04/18/2019						
	1	✓	✓	✓						
	2	✓	✓	✓						
	3	✓	✓	✓						
	4	✓	✓	✓						
	5	✓	✓	✓						
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	25	✓	✓	✓						
	26	✓	✓	✓						
	27	✓	✓	✓						

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	55814	(terminat\$3 cancel\$4) near3 call	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/21 09:27
L2	2582	initiat\$3 near3 new near3 call	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/21 09:28
L3	210	1 with 2	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/21 09:28
L6	101	3 and (suspend\$3 paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/21 09:29
S34	153	((("BROWN") near3 ("Wendell")).INV.	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/07 12:39
S36	40	(control notification) near3 pre-ring	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S37	115606	(control notification) near3 call	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S38	1521	S37 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S39	53	S38 with ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S40	1530555	(control notification content data) near3 (display\$3 present\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S41	19576	S40 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S42	10	S41 with ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39

S43	1532323	(control notification content data announcement) near3 (display\$3 present\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S44	268	S43 same ((paus\$3 delay\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S45	19	S44 same ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S46	446592	call with (control notification content data announcement advertis\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S47	29872	S46 with (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S48	50	call with pre\$1ring	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/07 12:39
S49	108	("4551581" "5228080" "5263084" "5287401" "5351289" "5377260" "5388150" "5544235" "5553125" "5579381" "5649002" "5651053" "5661788" "5724408" "5737400" "5771281" "5802166" "5812648" "5850435" "5875241").PN. OR ("6044148").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/07 12:39
S50	401	telephone near3 call near3 screening	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/07 12:39
S51	75	S50 with (control notification content data announcement advertis\$3 payment pay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S52	45087	call with (pay\$3 bill\$3 payment)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S53	1255	S52 same (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S54	22	S53 same screening	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/07 12:39
S55	31607	call with (charg\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S56	1246	S55 same (paus\$3 delay\$3)	US-PGPUB; USPAT;	OR	ON	2019/04/07 12:39

			USOCR			
S57	7	S56 same screening	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/07 12:39
S58	411	S56 same (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S59	418	S55 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S60	83	S59 with (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S61	46485	call near3 (management manag\$3)	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/07 12:39
S62	2027	S61 with (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S63	13	S62 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S64	62	S62 same (paus\$3 delay\$3 interrupt\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/07 12:39
S68	8541	(control\$4 notify\$3 notification) near3 (abbreviat\$3 pre-ring (speed adj dial\$3))	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/17 14:49
S69	312	S68 same (paus\$3 delay\$3 interrupt\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/17 14:50
S70	46578	call near3 (management manag\$3)	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/17 14:50
S73	52400	call\$3 near3 (paus\$3 delay\$3 interrupt\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/17 14:51
S74	2	S68 same S73	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/17 14:52
S75	215	S68 and S73	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/17 14:52
S76	30141	call\$3 near3 (paus\$3 delay\$3)	US-	OR	ON	2019/04/17

			PGPUB; USPAT; USOCR			14:57
S77	136	S68 and S76	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 14:57
S81	19	("20040110462" "20060046699" "20060073817" "20070047523" "20070133760" "20070189474" "20070207782" "20070269025" "20080026732" "20080160964" "20080259887" "20090027479" "20090147778" "20090175429" "20100080361" "20140321629" "7634067" "8081751" "8675850").PN. OR ("9913118").URPN.	US- PGPUB; USPAT; USOCR	OR	OFF	2019/04/17 15:45
S82	12145	call near3 delay\$3	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 15:57
S83	58	S82 with (present\$3 display\$3 send\$3) near (caller calling party)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 16:01
S84	29424	call near3 (paus\$3 delay\$3 interrupt\$3)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 16:25
S85	291	S84 same (present\$3 display\$3 send\$3) near (caller calling party)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 16:25
S87	40	S85 and pre\$1ring	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 16:26
S88	7	S85 same ring adj back	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 16:27
S89	30	S85 and ring adj back	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/17 16:27
S90	7535	delay\$3 near3 ring\$3	US- PGPUB; USPAT; USOCR	OR	OFF	2019/04/18 07:30
S91	1536860	(control notification content data announcement) near3 (display\$3 present\$3)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 07:31
S92	56	S90 same S91	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 07:32
S93	6599	abbreviat\$3 near3 number	US- PGPUB;	OR	ON	2019/04/18 08:34

			USPAT; USOCR			
S94	482	S93 with call	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 08:34
S95	471651	(control notification content data announcement) near3 present\$3	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 08:35
S96	485	S95 with prompt\$3 with respons\$3	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 08:36
S100	2	S96 and (call near home)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 08:37
S103	30	S90 and S93	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 08:39
S104	372	abbreviat\$3 near3 call\$3 near3 number	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 08:42
S105	173768	delay\$3 near3 (call ring\$3 process\$3)	US- PGPUB; USPAT; USOCR	OR	OFF	2019/04/18 08:43
S107	12	S104 and S105	US- PGPUB; USPAT; USOCR	OR	OFF	2019/04/18 08:44
S109	37	call\$3 near3 (paus\$3 delay\$3 interrupt\$3) with presentation with (option response actuable control)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 13:34
S110	17	call\$3 near3 (paus\$3 delay\$3) with presentation with (option response actuable control)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 13:40
S111	41	(call communication) near3 (paus\$3 delay\$3) with presentation with (option response actuable control)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 13:40
S112	1736	(call communication) near3 (paus\$3 delay\$3) same (content display\$3 presentation) same (option response actuable control)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 13:53
S113	446	(call communication) near3 (paus\$3 delay\$3) same ((content display\$3 presentation) near3 (option response actuable control))	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 13:54
S114	15	S113 same ((connect\$3 forward\$3 redirect\$3) near3 call)	US- PGPUB; USPAT; USOCR	OR	ON	2019/04/18 13:56

S116	3717	(ringback (Ring adj back) with (URL (uniform near3 resource near3 (locator or identifier))))	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/19 11:22
S117	81217	(H04M15/846 G06Q30/0241 H04M1/00 H04M1/72555 H04M1/72572 H04M1/72583 H04M3/42051 H04M3/42059 H04M3/4365 H04M3/4878 H04M7/0036 H04M7/0051 H04M15/00 H04M15/61 H04M15/8083 H04M15/8351 H04M15/8353 H04M15/8355 H04W4/12 H04W4/16 H04W4/18 H04W4/20 H04W12/06 H04M15/83 H04M15/848 H04M15/85 H04M2203/6054 H04M2215/7231 H04M2242/30).cpc.	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/19 11:34
S118	769	S116 and S117	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/19 11:34
S119	158	S118 and (suspend\$3 paus\$3 delay\$3) near3 (communication call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/19 11:35
S122	32	S116 with (suspend\$3 paus\$3 delay\$3) near3 (communication call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/19 11:38
S123	619	S116 and (suspend\$3 paus\$3 delay\$3) near3 (communication call)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/19 11:45
S125	382	(caller calling) near3 chang\$3 near3 (called callee destination)	US-PGPUB; USPAT; USOCR	OR	OFF	2019/04/19 16:51
S126	1535090	(control notification content data) near3 (display\$3 present\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/19 16:52
S128	161	S125 and S126	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/19 16:54
S130	594	initiat\$3 with call with second with destination	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/19 17:35
S131	7	S126 same S130	US-PGPUB; USPAT; USOCR	OR	ON	2019/04/19 17:39

EAST Search History (Interference)

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4/ 21/ 2019 11:56:46 AM**C:\ Users\ ggauthier\ Documents\ EAST\ Workspaces\ 15790949.wsp**

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Foreign Priority claimed: ☐ Yes ☒ No

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Verified and Acknowledged: /GERALD GAUTHIER/

Examiner's Signature

Initials

Title:

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

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
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APPLICANTS

INVENTORS

Wendell D. Brown Henderson, NV, UNITED STATES

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FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

11/03/2017

** SMALL ENTITY **

STATE OR COUNTRY

UNITED STATES

ADDRESS

PARK, VAUGHAN, FLEMING & DOWLER LLP

2820 FIFTH STREET

DAVIS, CA 95618

UNITED STATES

FILING FEE RECEIVED

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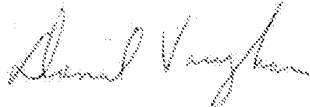
AUTHORIZATION TO DEDUCT ANY UNDERPAYMENTS
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Please deduct any underpayments, credit any overpayments, and charge all required extension of time fees associated with the attached filing to Deposit Account Number 50-1801.

Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1660
Fax: (530) 759-1665
Email: dan@parklegal.com

Respectfully submitted,

By:



Daniel E. Vaughan
Registration No. 42,199

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First Named Inventor/Applicant Name:	Wendell D. Brown
Customer Number:	22200
Filer:	Daniel Eric Vaughan/Wendy Scott
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Wendell Brown
Application No. : 15/790,949
Confirmation No. : 7812
Filed : 23 October 2017
Docket : WB-048
Title : Method and Apparatus for Content Presentation in
Association with a Telephone Call

Group/Art Unit : 2653
Examiner : Gauthier, Gerald

APPEAL BRIEF
IN SUPPORT OF APPELLANT'S APPEAL
TO THE PATENT TRIAL AND APPEAL BOARD

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

This brief is submitted in support of Appellant's Notice of Appeal.

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I. REAL PARTY IN INTEREST

The real party in interest is the named inventor Wendell Brown.

II. RELATED APPEALS

Appellant is not aware of any related appeals or interferences.

III. SUMMARY OF CLAIMED SUBJECT MATTER

The invention claimed in the present application provides for the presentation of content in association with a communication connection, such as a telephone call.

Independent claim 1 recites a method for presenting content on a communication device (paragraphs [0006, 0019, 0107, 0151]). The method involves, at a first device operated by a first party, transmitting to a call controller notification of a call initiated by the first party (paragraphs [0029, 00108, 00109]). The first device pauses the call upon receipt of a signal from the call controller (paragraphs [0030, 00114]); presents to the first party, while the call is paused, pre-ring content that contains an actuable control (paragraphs [0006, 0008, 0019, 0022, 00110, 00129, 00132]); and redirects the call in response to actuation of the control (paragraphs [00102, 00103]).

Independent claim 14 recites a non-transitory computer-readable medium that stores instructions (paragraph [00220]) to perform the method recited in claim 1.

Independent claim 15 recites a device (Fig. 1, Figs. 3-8) that includes one or more processors [paragraph [00221] and memory (paragraph [00219]) that stores instructions to perform the method of claim 1.

Claims 2 and 16 specify that pausing the call includes pausing signaling of the call to a communication service provider of the first device (paragraph [0030]).

Claims 3 and 17 specify that the communication service provider includes the call controller (paragraph [0049]).

Claims 4 and 18 specify that redirecting the call includes routing it to a communication service provider other than the communication service provider of the first device (paragraph [00102]).

Claims 5 and 19 specify that initiation of the call by the first party includes at least partially identifying a destination party (paragraph [0032]), and that redirecting the call includes directing it to a party identified in the pre-ring content (paragraphs [00102-00103]).

Claims 6 and 20 specify that pausing the call includes receiving the pre-ring content via a data connection established between the first device and the call controller (paragraphs [00109-00110, 00119-00121]).

Claims 7 and 21 specify that initiation of the call by the first party includes partial entry of a telephone number (paragraph [0032]).

Claims 8 and 22 specify that initiation of the call by the first party includes identifying a destination party (paragraphs [0032, 0057, 0059]).

Claims 9 and 23 specify that: (a) the destination party is an organization (paragraph [0057]), (b) redirecting the call includes connecting the call to a representative of the organization (paragraphs [0085, 00103, 00120]), and (c) the representative is selected based on the actuated control (paragraphs [0008, 0022]).

Claims 10 and 24 specify that initiation of the call by the first party includes activation of a dialer application of the first device (paragraph [0028]).

Claims 11 and 25 specify that redirecting the call includes canceling the call to a first destination party selected by the first party (paragraphs [0054, 00177]) and initiating a new call to a second destination party identified in the pre-ring content (paragraphs [0054, 00177]).

Claims 12 and 26 specify that, after the call is redirected to a second device, content displayed on the first device prior to initiation of the call is caused to be displayed on the second device (paragraphs [0019, 0047]).

Claims 13 and 27 specify that causing content displayed on the first device prior to initiation of the call to be displayed on the second device includes one or more of transmitting the content toward the second device (paragraphs [00130,

00208-00209]) and transmitting toward the second device an identification of the content (paragraph [00130, 00172, 00206]).

IV. ARGUMENT

Appellant contends that the examiner's grounds are insufficient bases for rejecting Appellant's claims over the identified prior art, for the reasons stated in this section.

A. Rejections under 35 USC § 103 Based on Terry and Lewis

Claims 1-27 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Publication No. 2005/0123118 (Terry), in view of U.S. Patent No. 6,947,351 (Lewis).

1. **automatically pausing the call upon receipt of a signal from the call controller** (Claims 1, 14, 15)

Independent claims 1, 14, and 15 recite “automatically pausing the call upon receipt of a signal from the call controller” or some variant thereof. This aspect of the independent claims is described at paragraphs [0030, 00104], *inter alia*, of the application, is depicted in Fig. 9 (element 906), and was rejected over Lewis (column 3, lines 9-24). The Terry reference was described as not disclosing this aspect of the claims (final office action, page 5).

Lewis is directed toward advertising-supported communications (title) and does not appear to contemplate affirmatively pausing a call from a device in response to receipt of a signal from a call controller. The cited portion of Lewis teaches that, after a call is received at a serving system from an originating subscriber terminal, “[w]hen serving system 12 encounters a trigger, the serving system may pause call processing and send a signaling message via signaling system 16 to CCP 18, carrying various parameters.”

Thus, Lewis' pause, even if it could be otherwise compared to Appellant's automatic pause (which is not conceded), occurs at the serving system, which is separate from subscriber terminal 20 (see Fig. 2), and not at the subscriber

terminal. Thus, the call has already been signaled or forwarded from the subscriber terminal and to the serving system for processing. In addition, even if serving system 12 could be compared to Appellant's call controller (which is not conceded), when a call is placed from the subscriber terminal in Lewis, the serving system signals the CCP (Central Control Point) but does not send a signal to the subscriber terminal.

In contrast, the claimed embodiments require a call controller be notified by a first device of the initiation of a call from the first device. Subsequently, the first device receives a signal from the call controller that causes it to pause the call. As acknowledged by the examiner (office action, page 6), Terry does not teach the latter aspect of these embodiments.

2. while the call is paused, presenting to the first party pre-ring content containing an actuatable control (Claims 1, 14, 15)

Independent claims 1, 14, and 15 further recite "while the call is paused, presenting to the first party pre-ring content containing an actuatable control," or some variant thereof. This aspect of the independent claims is described at paragraphs [0006, 0008, 0019, 0022, 00110, 00129, 00132], *inter alia*, of the application, is depicted in Fig. 2, Fig. 9 (element 912), and Fig. 10 (element 1016), and was rejected over Lewis (column 3, lines 9-24).

In the rejection, the examiner quotes a portion of Lewis that discloses "send[ing] a signaling message via signaling system 16 to CCP 18, carrying various parameters." However, Lewis' disclosure of passing a signaling message and parameters from serving system 12 to CCP (Central Control Point) 18 teaches away from the currently discussed aspect of Appellant's claims, wherein pre-ring content is presented to a party to the call. In particular, the cited portion of Lewis does not disclose sending or transmitting any kind of content to a subscriber terminal.

In addition, there is no indication that the 'various parameters' include an actuatable control. Because Lewis merely discloses the passing of signaling

messages between components of a switching system, and not to a user-operated device, the passage of parameters between system components does not appear to allow for actuation of such a control by a user of a device.

Further, however, the cited portion of Lewis indicates that, when a call terminates at terminal 20, a signaling message may “convey an identification of the terminal and an indication of the calling party.” First, this occurs when a call is directed toward the terminal, which is the opposite situation as recited in the independent claims. Second, this activity appears to occur at the time the terminal would ring with the call (instead of occurring pre-ring). Third, and as indicated above, there is no indication that the signaling message delivered to terminal 20 includes an actuable control, especially not one that allows the call to be redirected automatically as required in a subsequent portion of these embodiments, and certainly not redirected by the calling party.

3. redirecting the call in response to actuation of the control
(Claims 1, 14, 15)

Independent claims 1, 14, and 15 further recite “redirecting the call in response to actuation of the control,” or some variant thereof. This aspect of the independent claims is described at paragraphs [00102, 00103], *inter alia*, of the present application, is depicted in Fig. 10 (element 1020), and was rejected over Terry (paragraph 0053).

The cited portion of Terry discusses forwarding a call to a number associated with one of two destination identities associated with an account. Thus, when a call is received for Joe from his parents, it is forwarded to Joe’s cell phone number.

However, Appellant’s claimed embodiments do not involve simple call forwarding. Instead, the embodiments require redirection of a call to be performed in response to the first/calling party’s actuation of a control that was provided to the first party as part of pre-ring content presented on the first party’s

device while a call from that device is paused. In addition, the original call never reaches the original destination.

In contrast, Terry's forwarding of a call is not initiated by a calling party and occurs after the call reaches its indicated destination. Further, Terry's forwarding scheme cannot and does not involve actuation of a control presented with pre-ring content during a pause in the call. Terry's forwarding apparently occurs at ICSS (Intelligent Call Screening System) 140 and is not initiated or actuated by a caller.

Elsewhere, Terry discloses that a called party may identify a redirection telephone number, to which a telephone call is redirected (e.g., paragraphs [0004, 0011]). This still does not involve a calling party initiating the redirection during a paused call by actuating a control.

Lewis does not appear to cure this omission in Terry. Although Lewis mentions that an "application server may direct the serving system to redirect [a media stream or data stream] to a 'forwarding' address or other location" (column 5, lines 39-41) there is no indication that such 'redirection' is initiated by a caller and/or via a control presented as part of pre-ring content.

4. wherein pausing the call comprises pausing signaling of the call to a first communication service provider of the first device (Claims 2, 17)

Claims 2 and 17 depend from independent claims 1 and 15, respectively, and specify that the pausing of the call includes pausing the signaling of the call to a communication service provider of the first device. This subject matter is described at paragraph [0030] of the present application and was rejected over Lewis (column 3, lines 9-24).

However, this portion of Lewis, as described above, merely indicates that processing of a call is paused after the call is received at serving system 12. In this context, it appears that the serving system is comparable to a device's communication service provider, which means that, at best, Lewis teaches one to pause the processing of a call *after* the call is received from an originating

terminal, which teaches away from Appellant's claimed embodiments in which pausing a call includes pausing the signaling of the call from the first device to the communication service provider.

5. wherein ... redirecting the call comprises directing the call to a party identified in the pre-ring content instead of the destination party (Claims 3, 18)

Claims 3 and 18 depend from independent claims 1 and 15, respectively, and specify that the redirection of the call in response to actuation of the control (as recited in the independent claims) involves redirecting the call to a party identified in the pre-ring content instead of the original destination party. This subject matter is described at paragraphs [00102-00103] of the present application, is depicted in Fig. 10 (element 1020), and was rejected over Terry (paragraph 0053).

As discussed above, the cited portion of Terry discloses the forwarding of a call to a cell phone number. It should be noted that the call is still directed to the same recipient ("Joe"), not a different party as recited in Appellant's claims, and there is no indication in Terry (or Lewis) that pre-ring content identifies the recipient or that the call was forwarded in response to actuation of a control in such content.

CONCLUSION

For the foregoing reasons, Appellant respectfully requests reversal of the Examiner's rejections as set forth in the final office action, and requests that the Board direct allowance of all pending claims of the application.

Respectfully submitted,

Date: March 6, 2019

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

Park, Vaughan, Fleming & Dowler LLP

2820 Fifth Street

Davis, CA 95618

(530) 759-1660: voice

(530) 759-1665: facsimile

V. CLAIMS APPENDIX

1. A method of presenting content on a communication device, the
2 method comprising:
at a first device, upon initiation of a call by a first party operating the first
4 device, transmitting to a call controller notification of the initiation of the call;
automatically pausing the call upon receipt of a signal from the call
6 controller;
while the call is paused, presenting to the first party pre-ring content
8 containing an actuatable control; and
redirecting the call in response to actuation of the control.
2. The method of claim 1, wherein pausing the call comprises pausing
2 signaling of the call to a first communication service provider of the first device.
3. The method of claim 2, wherein the first communication service
2 provider comprises the call controller.
4. The method of claim 2, wherein redirecting the call comprises routing
2 the call to a communication service provider other than the first communication
service provider.
5. The method of claim 1, wherein:
2 initiation of the call by the first party includes at least partial identification of
a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.
6. The method of claim 1, wherein pausing the call comprises receiving
2 the pre-ring content via a data connection established between the first device and

the call controller.

7. The method of claim 1, wherein initiation of the call by the first party
2 comprises partial entry of a telephone number.

8. The method of claim 1, wherein initiation of the call by the first party
2 comprises identification of a destination party.

9. The method of claim 8, wherein:
2 the destination party is an organization;
redirecting the call comprises connecting the call to a representative of the
4 organization; and
the representative is selected based on the actuated control.

10. The method of claim 1, wherein initiation of the call by the first party
2 comprises activation of a dialer application of the first device.

11. The method of claim 1, wherein redirecting the call comprises:
2 cancelling the call to a first destination party selected by the first party; and
initiating a new call to a second destination party identified in the pre-ring
4 content.

12. The method of claim 1, further comprising, after redirecting of the
2 call to a second device:
causing content displayed on the first device prior to initiation of the call to
4 be displayed on the second device.

13. The method of claim 12, wherein causing content displayed on the
2 first device prior to initiation of the call to be displayed on the second device
comprises one or more of:

4 transmitting the content toward the second device; and
transmitting toward the second device an identification of the content.

14. A non-transitory computer-readable medium storing instructions that,
2 when executed by a processor, cause the processor to perform a method of
presenting content on a communication device, the method comprising:
4 at a first device, upon initiation of a call by a first party operating the first
device, transmitting to a call controller notification of the initiation of the call;
6 automatically pausing the call upon receipt of a signal from the call
controller;
8 while the call is paused, presenting to the first party pre-ring content
containing an actuatable control; and
10 redirecting the call in response to actuation of the control.

15. A communication device comprising:
2 one or more processors; and
memory storing instructions that, when executed by the one or more
4 processors, cause the device to:
upon initiation of a call by a first party operating the device, transmit
6 to a call controller notification of the initiation of the call;
automatically pause the call upon receipt of a signal from the call
8 controller;
while the call is paused, present to the first party pre-ring content
10 containing an actuatable control; and
redirect the call in response to actuation of the control.

16. The communication device of claim 15, wherein pausing the call
2 comprises pausing signaling of the call to a first communication service provider of
the first device.

2 17. The communication device of claim 16, wherein the first
communication service provider comprises the call controller.

2 18. The communication device of claim 16, wherein redirecting the call
comprises routing the call to a communication service provider other than the first
communication service provider.

2 19. The communication device of claim 15, wherein:
initiation of the call by the first party includes at least partial identification of
a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.

2 20. The communication device of claim 15, wherein pausing the call
comprises receiving the pre-ring content via a data connection established between
the first device and the call controller.

2 21. The communication device of claim 15, wherein initiation of the call
by the first party comprises partial entry of a telephone number.

2 22. The communication device of claim 15, wherein initiation of the call
by the first party comprises identification of a destination party.

2 23. The communication device of claim 22, wherein:
the destination party is an organization;
redirecting the call comprises connecting the call to a representative of the
4 organization; and
the representative is selected based on the actuated control.

24. The communication device of claim 15, wherein initiation of the call

2 by the first party comprises activation of a dialer application of the first device.

25. The communication device of claim 15, wherein redirecting the call
2 comprises:
cancelling the call to a first destination party selected by the first party; and
4 initiating a new call to a second destination party identified in the pre-ring
content.

26. The communication device of claim 15, wherein the memory further
2 stores instructions that, when executed by the one or more processors, cause the
device to:
4 causing content displayed on the first device prior to initiation of the call to
be displayed on the second device.

27. The communication device of claim 26, wherein causing content
2 displayed on the first device prior to initiation of the call to be displayed on the
second device comprises one or more of:
4 transmitting the content toward the second device; and
transmitting toward the second device an identification of the content.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) WB-048								
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">In re Application of Wendell D. Brown</td> </tr> <tr> <td style="width: 50%; padding: 5px;">Application Number 15/790,949</td> <td style="width: 50%; padding: 5px;">Filed 23 October 2017</td> </tr> <tr> <td colspan="2" style="padding: 5px;">For METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL</td> </tr> <tr> <td style="padding: 5px;">Art Unit 2653</td> <td style="padding: 5px;">Examiner Gauthier, Gerald</td> </tr> </table>		In re Application of Wendell D. Brown		Application Number 15/790,949	Filed 23 October 2017	For METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		Art Unit 2653	Examiner Gauthier, Gerald
In re Application of Wendell D. Brown										
Application Number 15/790,949	Filed 23 October 2017									
For METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL										
Art Unit 2653	Examiner Gauthier, Gerald									
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.										
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ <u>400.00</u>										
☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____										
☐ A check in the amount of the fee is enclosed.										
☐ Payment by credit card. Form PTO-2038 is attached.										
☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.										
☒ The Director is hereby authorized to charge any underpayments, or credit any overpayment to Deposit Account No. <u>50-1801</u> . I have enclosed a duplicate copy of this sheet.										
☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.										
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.										
I am the										
☐ applicant/inventor.	<u>/Daniel E. Vaughan/</u> Signature									
☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Daniel E. Vaughan</u> Typed or printed name									
☒ attorney or agent of record. Registration number <u>42,199</u>	<u>530-759-1660</u> Telephone number									
☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>07 January 2019</u> Date									
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.										
☐ *Total of _____ forms are submitted.										

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

Electronic Patent Application Fee Transmittal				
Application Number:		15790949		
Filing Date:		23-Oct-2017		
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/Jeannie Camara		
Attorney Docket Number:		WB-048		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
NOTICE OF APPEAL	2401	1	400	400
Post-Allowance-and-Post-Issuance:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Extension - 1 month with \$0 paid	2251	1	100	100
Miscellaneous:				
Total in USD (\$)				500

Electronic Acknowledgement Receipt	
EFS ID:	34780652
Application Number:	15790949
International Application Number:	
Confirmation Number:	7812
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/Wendy Scott
Filer Authorized By:	Daniel Eric Vaughan
Attorney Docket Number:	WB-048
Receipt Date:	07-JAN-2019
Filing Date:	23-OCT-2017
Time Stamp:	15:44:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 500
RAM confirmation Number	010819INTEFSW15455900
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Notice of Appeal Filed	PTO_SB_31_Notice_of_Appeal.pdf	166886	no	2
			d0eb4a5116e3a7a9a8f4beedb44194128ef20df7		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	32376	no	2
			a124bff0a23880c180e67699ef26a8379c0159b9		
Warnings:					
Information:					
Total Files Size (in bytes):			199262		
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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/790,949	10/23/2017	Wendell D. Brown	WB-048	7812
22200 7590 09/11/2018 PARK, VAUGHAN, FLEMING & DOWLER LLP 2820 FIFTH STREET DAVIS, CA 95618			EXAMINER GAUTHIER, GERALD	
			ART UNIT 2653	PAPER NUMBER
			NOTIFICATION DATE 09/11/2018	DELIVERY MODE ELECTRONIC

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

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

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

DAN@PARKLEGAL.COM
jeannie@parklegal.com
wendy@parklegal.com

Office Action Summary	Application No. 15/790,949	Applicant(s) Brown, Wendell D.	
	Examiner GERALD GAUTHIER	Art Unit 2653	AIA Status No

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1) ☒ Responsive to communication(s) filed on 7/17/2018.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

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

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

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

Disposition of Claims*

5) ☒ Claim(s) 1-27 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) 1-27 is/are rejected.

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

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

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

Application Papers

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

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

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
Certified copies:
a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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

Attachment(s)

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

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____.

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

4) ☐ Other: ____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Double Patenting

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

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP

§§ 706.02(l)(1) - 706.02(l)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-L.jsp.

Claims 1-27 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 9,078,113 B1. Although the claims at issue are not identical, they are not patentably distinct from each other because at least one claim of the instant application is being taught by the claims of the U.S. Patent.

Patented claim 1 claimed a method of filtering calls initiated from a communication device and presenting content on the communication device which perform the feature of instructing the communication device to present the identified content, the identified content being unrelated to establishment of the call and comprising an actuable control, wherein actuation of the control terminates said delaying of the signaling.

The pending claim 1 recited a method of presenting content on a communication device which performs the similar feature of while the call is paused, presenting to the first party pre-ring content containing an actuable control.

The difference between two claims is that the patented claim 1 recited an additional element, i.e. selection of one of the selectable identities causes the call to be routed to the corresponding entity to perform the claimed feature.

Therefore, patented claim 1 is a narrower claim by comparing the pending claim 1 so pending claim 1 is rejected by the patented claim 1.

Pending claims 2-27 have the same limitations comparing the patented claim 2-20.

Therefore, patented claims 2-20 are narrower claims by comparing the pending claims 2-27 so pending claims 2-27 are rejected by the patented claims 2-20.

Claim Rejections - 35 USC § 103

3. The following is a quotation of pre-AIA 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, 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.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-27 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Terry et al. (US 2005/0123118 A1) in view of Lewis et al. (US 6,947,531 B1).

As to claim 1, Terry discloses a method of presenting content on a communication device [paragraph 0002], the method comprising:

at a first device, upon initiation of a call by a first party [110 on FIG. 1] operating the first device, transmitting to a call controller notification [140 on FIG. 1] of the initiation of the call [the ICSS receives a call from a caller telephone having a direct number on the "black list," the ICSS sends a message to the caller telephone, paragraph 0049];

redirecting the call in response to actuation of the control [forward calls from Joe's parents to Joe's cell phone number, paragraph 0053].

Terry fails to disclose automatically pausing the call.

However, Lewis teaches automatically pausing the call upon receipt of a signal from the call controller [serving system encounters a trigger, the serving system pauses call processing, column 3, lines 9-24];

while the call is paused, presenting to the first party pre-ring content containing an actuable control [send a signaling message via signaling system 16 to CCP 18, carrying various parameters, column 3, lines 9-24].

One of ordinary skill in the art at the time of the invention would have found obvious using the system of advertising supported communications taught by Lewis in a dynamic call response system such as that of Terry as suggested by Lewis, for the obvious purpose of the first called party may respond to the first electronic communication by dynamically and manually inputting a call redirection telephone number.

As to claims 2 and 16, the combination of Terry and Lewis discloses the method of claim 1, wherein pausing the call comprises pausing signaling of the call to a first communication service provider of the first device [Lewis: serving system encounters a trigger, the serving system pauses call processing, column 3, lines 9-24].

One of ordinary skill in the art at the time of the invention would have found obvious using the system of advertising supported communications taught by Lewis in a dynamic call response system such as that of Terry as suggested by Lewis, for the obvious purpose of the first called party may respond to the first electronic communication by dynamically and manually inputting a call redirection telephone number.

As to claims 3 and 17, the combination of Terry and Lewis discloses the method of claim 2, wherein the first communication service provider comprises the call controller [Terry: the call destination computer system includes a device capable of executing instructions under the command of a controller, paragraph 0073].

As to claims 4 and 18, the combination of Terry and Lewis discloses the method of claim 2, wherein redirecting the call comprises routing the call to a communication service provider

other than the first communication service provider [Terry: the controller commands and directs communications between the device of the call destination computer system and the online service provider system, paragraph 0074].

As to claims 5 and 19, the combination of Terry and Lewis discloses the method of claim 1, wherein: initiation of the call by the first party includes at least partial identification of a destination party [Terry: the ICSS receives a call corresponding to a direct number on the "white list, paragraph 0049]; and

redirecting the call comprises directing the call to a party identified in the pre-ring content instead of the destination party [Terry: forward calls from Joe's parents to Joe's cell phone number, paragraph 0053].

As to claims 6 and 20, the combination of Terry and Lewis discloses the method of claim 1, wherein pausing the call comprises receiving the pre-ring content via a data connection established between the first device and the call controller [Terry: the call destination computer system includes a device capable of executing instructions under the command of a controller, paragraph 0073].

As to claims 7 and 21, the combination of Terry and Lewis discloses the method of claim 1, wherein initiation of the call by the first party comprises partial entry of a telephone number [Terry: process the call notification and call screening messages in accordance with the format data to enable a user to perceive

the call notification, which reads on partial entry of a telephone number, paragraph 0073].

As to claims 8 and 22, the combination of Terry and Lewis discloses the method of claim 1, wherein initiation of the call by the first party comprises identification of a destination party [Terry: process the call notification and call screening messages in accordance with the format data to enable a user to perceive the call notification, paragraph 0073].

As to claims 9 and 23, the combination of Terry and Lewis discloses the method of claim 8, wherein: the destination party is an organization [Terry: process the call notification and call screening messages in accordance with the format data to enable a user to perceive the call notification, paragraph 0073];

redirecting the call comprises connecting the call to a representative of the organization [Terry: process the call notification and call screening messages in accordance with the format data to enable a user to perceive the call notification, paragraph 0073]; and

the representative is selected based on the actuated control [Terry: process the call notification and call screening messages in accordance with the format data to enable a user to perceive the call notification, paragraph 0073].

As to claims 10 and 24, the combination of Terry and Lewis discloses the method of claim 1, wherein initiation of the call by the first party comprises activation of a dialer application of the first device [Terry: the online service provider system 160 may be configured to provide this functionality in a manner similar to that used by instant messaging systems, or even to leverage instant messaging systems to enable transmission and receipt of instant messages in near real time, paragraph 0072].

As to claims 11 and 25, the combination of Terry and Lewis discloses the method of claim 1, wherein redirecting the call comprises: cancelling the call to a first destination party selected by the first party [Terry: the ICSS automatically ignore the call, paragraph 0049]; and

initiating a new call to a second destination party identified in the pre-ring content [Terry: the account-level preferences are set to ignore calls from the telemarketing businesses and forward calls from Joe's parents to Joe's cell phone number, paragraph 0053].

As to claims 12 and 26, the combination of Terry and Lewis discloses the method of claim 1, further comprising, after redirecting of the call to a second device: causing content displayed on the first device prior to initiation of the call to be displayed on the second device [Terry: process the call notification and call screening messages in accordance with the format data to enable a user to perceive the call notification, paragraph 0073].

As to claims 13 and 27, the combination of Terry and Lewis discloses the method of claim 12, wherein causing content displayed on the first device prior to initiation of the call to be displayed on the second device comprises one or more of: transmitting the content toward the second device; and transmitting toward the second device an identification of the content [Terry: process the call notification and call screening messages in accordance with the format data to enable a user to perceive the call notification, paragraph 0073].

As to claim 14, Terry discloses a non-transitory computer-readable medium storing instructions [paragraph 0035] that, when executed by a processor, cause the processor to perform a method of presenting content on a communication device, the method comprising:

at a first device, upon initiation of a call by a first party operating the first device, transmitting to a call controller notification of the initiation of the call [the ICSS receives a call from a caller telephone having a direct number on the "black list," the ICSS sends a message to the caller telephone, paragraph 0049]; and

redirecting the call in response to actuation of the control [forward calls from Joe's parents to Joe's cell phone number, paragraph 0053].

Terry fails to disclose automatically pausing the call.

However, Lewis teaches automatically pausing the call upon receipt of a signal from the call controller [serving system encounters a trigger, the serving system pauses call processing, column 3, lines 9-24];

while the call is paused, presenting to the first party pre-ring content containing an actuatable control [send a signaling message via signaling system 16 to CCP 18, carrying various parameters, column 3, lines 9-24].

One of ordinary skill in the art at the time of the invention would have found obvious using the system of advertising supported communications taught by Lewis in a dynamic call response system such as that of Terry as suggested by Lewis, for the obvious purpose of the first called party may respond to the first electronic communication by dynamically and manually inputting a call redirection telephone number.

15. (Original) A communication device [FIG. 1] comprising:

one or more processors [546 on FIG. 5]; and

memory [545 on FIG. 5] storing instructions that, when executed by the one or more processors, cause the device to:

upon initiation of a call by a first party operating the device, transmit to a call controller notification of the initiation of the call [the ICSS receives a call from a caller telephone having a direct number on the "black list," the ICSS sends a message to the caller telephone, paragraph 0049];

and redirect the call in response to actuation of the control [forward calls from Joe's parents to Joe's cell phone number, paragraph 0053].

Terry fails to disclose automatically pausing the call.

However, Lewis teaches automatically pause the call upon receipt of a signal from the call controller [serving system encounters a trigger, the serving system pauses call processing, column 3, lines 9-24];

while the call is paused, presenting to the first party pre-ring content containing an actuable control [send a signaling message via signaling system 16 to CCP 18, carrying various parameters, column 3, lines 9-24].

One of ordinary skill in the art at the time of the invention would have found obvious using the system of advertising supported communications taught by Lewis in a dynamic cell response system such as that of Terry as suggested by Lewis, for the obvious purpose of the first called party may respond to the first electronic communication by dynamically and manually inputting a call redirection telephone number.

Response to Arguments

4. Applicant's arguments filed July 17, 2018 have been fully considered but they are not persuasive. The applicant argues from page 1 to page 9 that all the limitations are done at the device communication level.

The examiner disagrees because the application fails to claim the calling party initiating the limitations. Therefore, the 103 rejection stands.

Conclusion

5. **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.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD GAUTHIER whose telephone number is (571)272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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

**/GERALD GAUTHIER/
Primary Examiner, Art Unit 2653**

September 6, 2018

<i>Index of Claims</i> 	Application/Control No. 15/790,949	Applicant(s)/Patent Under Reexamination Brown, Wendell D.
	Examiner GERALD GAUTHIER	Art Unit 2653

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

CLAIMS										
☐ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47										
CLAIM		DATE								
Final	Original	04/16/2018	09/06/2018							
	1	✓	✓							
	2	✓	✓							
	3	✓	✓							
	4	✓	✓							
	5	✓	✓							
	6	✓	✓							
	7	✓	✓							
	8	✓	✓							
	9	✓	✓							
	10	✓	✓							
	11	✓	✓							
	12	✓	✓							
	13	✓	✓							
	14	✓	✓							
	15	✓	✓							
	16	✓	✓							
	17	✓	✓							
	18	✓	✓							
	19	✓	✓							
	20	✓	✓							
	21	✓	✓							
	22	✓	✓							
	23	✓	✓							
	24	✓	✓							
	25	✓	✓							
	26	✓	✓							
	27	✓	✓							

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Wendell D. Brown
Application No. : 15/790,949
Confirmation No. : 7812
Filed : 23 October 2017
Docket : WB-048
Title : Method and Apparatus for Content Presentation in
Association with a Telephone Call

Group/Art Unit : 2653
Examiner : Gauthier, Gerald

REPLY UNDER 37 C.F.R. § 1.111

Amendment after Rejection
Via Electronic Filing

Commissioner for Patents
P.O. Box 1450
Alexandria, VA22313

Sir:

In response to the office action mailed April 19, 2018, please amend the subject application as follows.

A list of claims begins on page 2 of this paper.

Remarks/arguments begin on page 7.

Claims

1. (Original) A method of presenting content on a communication
2 device, the method comprising:
at a first device, upon initiation of a call by a first party operating the first
4 device, transmitting to a call controller notification of the initiation of the call;
automatically pausing the call upon receipt of a signal from the call
6 controller;
while the call is paused, presenting to the first party pre-ring content
8 containing an actuatable control; and
redirecting the call in response to actuation of the control.
2. (Original) The method of claim 1, wherein pausing the call
2 comprises pausing signaling of the call to a first communication service provider
of the first device.
3. (Original) The method of claim 2, wherein the first communication
2 service provider comprises the call controller.
4. (Original) The method of claim 2, wherein redirecting the call
2 comprises routing the call to a communication service provider other than the first
communication service provider.
5. (Original) The method of claim 1, wherein:
2 initiation of the call by the first party includes at least partial identification
of a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.
6. (Original) The method of claim 1, wherein pausing the call
2 comprises receiving the pre-ring content via a data connection established

between the first device and the call controller.

7. (Original) The method of claim 1, wherein initiation of the call by
2 the first party comprises partial entry of a telephone number.

8. (Original) The method of claim 1, wherein initiation of the call by
2 the first party comprises identification of a destination party.

9. (Original) The method of claim 8, wherein:
2 the destination party is an organization;
redirecting the call comprises connecting the call to a representative of the
4 organization; and
the representative is selected based on the actuated control.

10. (Original) The method of claim 1, wherein initiation of the call by
2 the first party comprises activation of a dialer application of the first device.

11. (Original) The method of claim 1, wherein redirecting the call
2 comprises:
cancelling the call to a first destination party selected by the first party;
4 and
initiating a new call to a second destination party identified in the pre-ring
6 content.

12. (Original) The method of claim 1, further comprising, after
2 redirecting of the call to a second device:
causing content displayed on the first device prior to initiation of the call
4 to be displayed on the second device.

13. (Original) The method of claim 12, wherein causing content
2 displayed on the first device prior to initiation of the call to be displayed on the
second device comprises one or more of:
4 transmitting the content toward the second device; and
transmitting toward the second device an identification of the content.

14. (Original) A non-transitory computer-readable medium storing
2 instructions that, when executed by a processor, cause the processor to perform a
method of presenting content on a communication device, the method comprising:
4 at a first device, upon initiation of a call by a first party operating the first
device, transmitting to a call controller notification of the initiation of the call;
6 automatically pausing the call upon receipt of a signal from the call
controller;
8 while the call is paused, presenting to the first party pre-ring content
containing an actuatable control; and
10 redirecting the call in response to actuation of the control.

15. (Original) A communication device comprising:
2 one or more processors; and
memory storing instructions that, when executed by the one or more
4 processors, cause the device to:
upon initiation of a call by a first party operating the device,
6 transmit to a call controller notification of the initiation of the call;
automatically pause the call upon receipt of a signal from the call
8 controller;
while the call is paused, present to the first party pre-ring content
10 containing an actuatable control; and
redirect the call in response to actuation of the control.

16. (Original) The communication device of claim 15, wherein
2 pausing the call comprises pausing signaling of the call to a first communication
service provider of the first device.

17. (Original) The communication device of claim 16, wherein the first
2 communication service provider comprises the call controller.

18. (Original) The communication device of claim 16, wherein
2 redirecting the call comprises routing the call to a communication service
provider other than the first communication service provider.

19. (Original) The communication device of claim 15, wherein:
2 initiation of the call by the first party includes at least partial identification
of a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.

20. (Original) The communication device of claim 15, wherein
2 pausing the call comprises receiving the pre-ring content via a data connection
established between the first device and the call controller.

21. (Original) The communication device of claim 15, wherein
2 initiation of the call by the first party comprises partial entry of a telephone
number.

22. (Original) The communication device of claim 15, wherein
2 initiation of the call by the first party comprises identification of a destination
party.

23. (Original) The communication device of claim 22, wherein:
2 the destination party is an organization;
redirecting the call comprises connecting the call to a representative of the
4 organization; and
the representative is selected based on the actuated control.

24. (Original) The communication device of claim 15, wherein
2 initiation of the call by the first party comprises activation of a dialer application
of the first device.

25. (Original) The communication device of claim 15, wherein
2 redirecting the call comprises:
cancelling the call to a first destination party selected by the first party;
4 and
initiating a new call to a second destination party identified in the pre-ring
6 content.

26. (Original) The communication device of claim 15, wherein the
2 memory further stores instructions that, when executed by the one or more
processors, cause the device to:
4 causing content displayed on the first device prior to initiation of the call
to be displayed on the second device.

27. (Original) The communication device of claim 26, wherein causing
2 content displayed on the first device prior to initiation of the call to be displayed on the
second device comprises one or more of:
4 transmitting the content toward the second device; and
transmitting toward the second device an identification of the content.

Remarks

In the office action mailed April 19, 2018, claims 1-27 were pending, and:

1. Claims 1-27 were provisionally rejected on the grounds of non-statutory obviousness type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 9,078,113; and
2. Claims 1-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No.; 2005/0123118 (Terry), in view of U.S. Patent No. 6,947,531 (Lewis).

Some or all of these claim rejections are addressed below; lack of response to a particular rejection or ground for rejection does not constitute agreement.

I Double Patenting Rejections

Applicant requests the double-patenting rejections be held in abeyance pending identification of claims that are otherwise allowable.

II Rejections under 35 U.S.C. § 103

A. automatically pausing the call upon receipt of a signal from the call controller

In some embodiments (e.g., corresponding to claim 1, 14, and 15), presenting content on a communication device includes transmitting to a call controller notification of initiation of a call from a device and automatically pausing the call at the device upon receipt of a signal from the call controller.

The latter aspect of these embodiments was rejected over Lewis (column 3, lines 9-24). Applicant traverses.

Lewis is directed toward advertising-supported communications (title) and does not appear to contemplate affirmatively pausing a call from a device in response to receipt of a signal from a call controller. The cited portion of Lewis teaches that when “serving system 12 encounters a trigger, the serving system may pause call processing and send a signaling message via signaling system 16 to CCP 18...” Thus, Lewis’ pause, even if it can be otherwise compared to Applicant’s automatic pause (which is not conceded), occurs at the serving system, which is separate from an associated subscriber terminal 20 (*see* Fig. 2), and not at the subscriber terminal. In addition, even if serving

system 12 could be compared to Applicant's call controller (which is not conceded), when a call is placed from the subscriber terminal, the serving system signals the CCP (Central Control Point) but does not send a signal to the subscriber terminal.

In contrast, the claimed embodiments require a call controller be notified by a first device of the initiation of a call from the first device. Subsequently, the first device pauses the call upon receipt of a signal from the call controller. As acknowledged by the examiner (office action, page 6), Terry does not teach the latter aspect of these embodiments.

B. while the call is paused, presenting to the first party pre-ring content containing an actuatable control

In some embodiments (e.g., corresponding to claim 1, 14, and 15), presenting content on a communication device includes transmitting to a call controller notification of initiation of a call from a device and automatically pausing the call at the device upon receipt of a signal from the call controller. While the call is paused, the party operating the device is presented with pre-ring content that includes an actuatable control.

The latter aspect of these embodiments was rejected over Lewis (column 3, lines 9-24). Applicant traverses.

The cited portion of Lewis indicates that, when a call terminates at terminal 20, a signaling message may "convey an identification of the terminal and an indication of the calling party." First, this occurs when a call is directed toward the terminal, which is the opposite situation as recited in the claimed embodiments. Second, this activity appears to occur at the time the terminal would ring with the call (instead of being pre-ring). Third, there is no indication that the signaling message includes an actuatable control, especially not one that allows the call to be redirected automatically as required in a subsequent portion of these embodiments, and certainly not redirected by the calling party.

C. redirecting the call in response to actuation of the control

In some embodiments (e.g., corresponding to claim 1, 14, and 15), presenting content on a communication device includes pausing a call from a first party operating the device, presenting on the device pre-ring content that contains an actuatable control and, in response to actuation of the control by the first party, redirecting the call.

The latter aspect of these embodiments was rejected over Terry (paragraph [0053]). Applicant traverses.

The claimed embodiments do not involve a simple redirection of a call. Instead, the embodiments require the redirection to be performed in response to a first party's actuation of a control that was provided to the first party as part of pre-ring content presented on the first party's device while a call from that device is paused.

In contrast, the disclosure in Terry regarding redirecting a call (a) is not initiated by a calling party and (b) does not occur while a call is paused. Because the redirection is not initiated by a calling party and does not occur while a call is paused, it also does not involve a calling party's actuation of a control presented with pre-ring content during a pause in the call.

Yet further, the cited 'redirection' in Terry appears to be a simple forwarding: "the account-level preferences are set to ignore calls from the telemarketing businesses and forward calls from Joe's parents..." (paragraph [0053]). This forwarding apparently occurs at ICSS (Intelligent Call Screening System) 140 and is not initiated or actuated by a caller.

Elsewhere, Terry discloses that a called party may identify a redirection telephone number, to which a telephone call is redirected (e.g., paragraphs [0004, 0011]). This still does not involve a calling party initiating the redirection.

Lewis does not appear to cure this omission in Terry. Although Terry mentions that an "application server may direct the serving system to redirect [a media stream or data stream] to a 'forwarding' address or other location" (column 5, lines 39-41) there is no indication that such 'redirection' is initiated by a caller and/or via a control presented as part of pre-ring content.

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: July 16, 2018

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

Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
(510) 648-6950: voice
(530) 759-1665: facsimile

Electronic Acknowledgement Receipt	
EFS ID:	33198055
Application Number:	15790949
International Application Number:	
Confirmation Number:	7812
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:	A.Richard Park
Filer Authorized By:	
Attorney Docket Number:	WB-048
Receipt Date:	17-JUL-2018
Filing Date:	23-OCT-2017
Time Stamp:	12:45:09
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no				
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	Authorization-deposit-account_DEV.pdf	70241 9359715042fbc4349bec73924e8fc6edd0c39d59	no	1
Warnings:					

Information:					
2		WB-048_Amendment_A.pdf	48063	yes	10
			14e64d2ef859da81c2031065e17a4ab20b547c0a		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Amendment/Req. Reconsideration-After Non-Final Reject		1	1	
	Claims		2	6	
	Applicant Arguments/Remarks Made in an Amendment		7	10	
Warnings:					
Information:					
Total Files Size (in bytes):			118304		
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.					

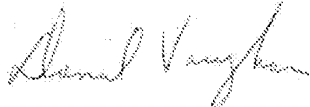
AUTHORIZATION TO DEDUCT ANY UNDERPAYMENTS
OR CREDIT ANY OVERPAYMENTS TO DEPOSIT
ACCOUNT 50-1801

Please deduct any underpayments, credit any overpayments, and charge all required extension of time fees associated with the attached filing to Deposit Account Number 50-1801.

Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1660
Fax: (530) 759-1665
Email: dan@parklegal.com

Respectfully submitted,

By:



Daniel E. Vaughan
Registration No. 42,199

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875				Application or Docket Number 15/790,949		Filing Date 10/23/2017		☐ 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), (l), 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(j))		minus 20 =	*	x \$40 =						
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =	*	x \$210 =						
☐ 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	07/17/2018	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)			
	Total (37 CFR 1.16(i))	* 27	Minus	** 27	= 0	x \$0 =		0		
	Independent (37 CFR 1.16(h))	* 3	Minus	*** 3	= 0	x \$0 =		0		
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
					TOTAL ADD'L FEE		0			
AMENDMENT		(Column 1)	(Column 2)	(Column 3)						
		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)		ADDITIONAL FEE (\$)			
	Total (37 CFR 1.16(i))	*	Minus	**	=	x \$0 =				
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x \$0 =				
	☐ Application Size Fee (37 CFR 1.16(s))									
☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
					TOTAL ADD'L FEE					
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.					LIE					
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".					JASON B EADDY					
*** 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.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/790,949	10/23/2017	Wendell D. Brown	WB-048	7812
22200 7590 04/19/2018 PARK, VAUGHAN, FLEMING & DOWLER LLP 2820 FIFTH STREET DAVIS, CA 95618			EXAMINER GAUTHIER, GERALD	
			ART UNIT 2653	PAPER NUMBER
			NOTIFICATION DATE 04/19/2018	DELIVERY MODE ELECTRONIC

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

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

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

DAN@PARKLEGAL.COM
jeannie@parklegal.com
wendy@parklegal.com

Office Action Summary	Application No. 15/790,949	Applicant(s) BROWN, WENDELL D.	
	Examiner GERALD GAUTHIER	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 --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

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

Status

1) ☒ Responsive to communication(s) filed on 10/23/2017.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.

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

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

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

Disposition of Claims*

5) ☒ Claim(s) 1-27 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) 1-27 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 10/23/2017 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

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

Certified copies:

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

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

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

Attachment(s)

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

2) ☐ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
Paper No(s)/Mail Date ____.

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

4) ☐ Other: ____.

DETAILED ACTION

Notice of Pre-AIA or AIA Status

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

Double Patenting

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

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be

commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(l)(1) - 706.02(l)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.

Claims 1-27 are rejected on the ground of nonstatutory double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 9,078,113 B1. Although the claims at issue are not identical, they are not patentably distinct from each other because at least one claim of the instant application is being taught by the claims of the U.S. Patent.

Patented claim 1 claimed a method of filtering calls initiated from a communication device and presenting content on the communication device which perform the feature of instructing the communication device to present the identified

content, the identified content being unrelated to establishment of the call and comprising an actuatable control, wherein actuation of the control terminates said delaying of the signaling.

The pending claim 1 recited a method of presenting content on a communication device which performs the similar feature of while the call is paused, presenting to the first party pre-ring content containing an actuatable control.

The difference between two claims in that the patenting claim 1 recited an additional element, i.e. selection of one of the selectable identities causes the call to be routed to the corresponding entity to perform the claimed feature.

Therefore, patented claim 1 is a narrower claim by comparing the pending claim 1 so pending claim 1 is rejected by the patented claim 1.

Pending claims 2-27 have the same limitations comparing the patented claim 2-20.

Therefore, patented claims 2-20 are narrower claims by comparing the pending claims 2-27 so pending claims 2-27 are rejected by the patented claims 2-20.

Claim Rejections - 35 USC § 103

3. In the event the determination of the status of the application as subject to AIA 35 U.S.C. 102 and 103 (or as subject to pre-AIA 35 U.S.C. 102 and 103) is incorrect, any correction of the statutory basis for the rejection will not be considered a new ground of

rejection if the prior art relied upon, and the rationale supporting the rejection, would be the same under either status.

4. The following is a quotation of pre-AIA 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, 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.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under pre-AIA 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating

obviousness or nonobviousness.

6. Claims 1-27 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Terry et al. (US 2005/0123118 A1) in view of Lewis et al. (US 6,947,531 B1).

As to claim 1, Terry discloses a method of presenting content on a communication device [paragraph 0002], the method comprising:

at a first device, upon initiation of a call by a first party [110 on FIG. 1] operating the first device, transmitting to a call controller notification [140 on FIG. 1] of the initiation of the call [paragraph 0049];

redirecting the call in response to actuation of the control [paragraph 0053].

Terry fails to disclose automatically pausing the call.

However, Lewis teaches automatically pausing the call upon receipt of a signal from the call controller [column 3, lines 9-24];

while the call is paused, presenting to the first party pre-ring content containing an actuable control [column 3, lines 9-24].

One of ordinary skill in the art at the time of the invention would have found obvious using the system of advertising supported communications taught by Lewis in a dynamic call response system such as that of Terry as suggested by Lewis, for the obvious purpose of the first called party may respond to the first electronic communication by dynamically and manually inputting a call redirection telephone number.

As to claims 2 and 16, the combination of Terry and Lewis discloses the method of claim 1, wherein pausing the call comprises pausing signaling of the call to a first communication service provider of the first device [Lewis: column 3, lines 9-24].

One of ordinary skill in the art at the time of the invention would have found obvious using the system of advertising supported communications taught by Lewis in a dynamic call response system such as that of Terry as suggested by Lewis, for the obvious purpose of the first called party may respond to the first electronic communication by dynamically and manually inputting a call redirection telephone number.

As to claims 3 and 17, the combination of Terry and Lewis discloses the method of claim 2, wherein the first communication service provider comprises the call controller [Terry: paragraph 0073].

As to claims 4 and 18, the combination of Terry and Lewis discloses the method of claim 2, wherein redirecting the call comprises routing the call to a communication service provider other than the first communication service provider [Terry: paragraph 0074].

As to claims 5 and 19, the combination of Terry and Lewis discloses the method of claim 1, wherein: initiation of the call by the first party includes at least partial identification of a destination party [Terry: paragraph 0049]; and

redirecting the call comprises directing the call to a party identified in the pre-ring content instead of the destination party [Terry: paragraph 0053].

As to claims 6 and 20, the combination of Terry and Lewis discloses the method of claim 1, wherein pausing the call comprises receiving the pre-ring content via a data connection established between the first device and the call controller [Terry: paragraph 0073].

As to claims 7 and 21, the combination of Terry and Lewis discloses the method of claim 1, wherein initiation of the call by the first party comprises partial entry of a telephone number [Terry: paragraph 0073].

As to claims 8 and 22, the combination of Terry and Lewis discloses the method of claim 1, wherein initiation of the call by the first party comprises identification of a destination party [Terry: paragraph 0073].

As to claims 9 and 23, the combination of Terry and Lewis discloses the method of claim 8, wherein: the destination party is an organization [Terry: paragraph 0073];
redirecting the call comprises connecting the call to a representative of the organization [Terry: paragraph 0073]; and
the representative is selected based on the actuated control [Terry: paragraph 0073].

As to claims 10 and 24, the combination of Terry and Lewis discloses the method of claim 1, wherein initiation of the call by the first party comprises activation of a dialer application of the first device [Terry: paragraph 0072].

As to claims 11 and 25, the combination of Terry and Lewis discloses the method of claim 1, wherein redirecting the call comprises: cancelling the call to a first destination party selected by the first party [Terry: paragraph 0049]; and

initiating a new call to a second destination party identified in the pre-ring content [Terry: paragraph 0053].

As to claims 12 and 26, the combination of Terry and Lewis discloses the method of claim 1, further comprising, after redirecting of the call to a second device: causing content displayed on the first device prior to initiation of the call to be displayed on the second device [Terry: paragraph 0073].

As to claims 13 and 27, the combination of Terry and Lewis discloses the method of claim 12, wherein causing content displayed on the first device prior to initiation of the call to be displayed on the second device comprises one or more of: transmitting the content toward the second device; and transmitting toward the second device an identification of the content [Terry: paragraph 0073].

As to claim 14, the combination of Terry and Lewis discloses all the limitations of claim 14 as stated in claim 1's rejection above.

Furthermore, Terry disclose a non-transitory computer-readable medium [paragraph 0035].

As to claim 15, the combination of Terry and Lewis discloses all the limitations of claim 15 as stated in claim 1's rejection above.15.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD GAUTHIER whose telephone number is (571)272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

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

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/GERALD GAUTHIER/
Primary Examiner, Art Unit 2653

April 16, 2018

Notice of References Cited	Application/Control No. 15/790,949		Applicant(s)/Patent Under Reexamination BROWN, WENDELL D.	
	Examiner GERALD GAUTHIER		Art Unit 2653	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-6,044,148 A	03-2000	Bleile; Leonard George	H04M1/663	379/372
*	B	US-2005/0123118 A1	06-2005	Terry, George Alexis	H04M3/436	379/211.02
*	C	US-8,243,909 B2	08-2012	Wood; Gennamin	H04M3/4365	379/142.06
*	D	US-8,577,000 B1	11-2013	Brown; Wendell D.	H04W4/16	379/114.13
*	E	US-2016/0094708 A1	03-2016	Brown; Wendell D.	H04W68/005	455/414.1
*	F	US-9,667,810 B1	05-2017	Brown; Wendell D.	H04M15/8351	1/1
*	G	US-9,794,422 B2	10-2017	Brown; Wendell D.	H04M15/846	1/1
*	H	US-9,819,812 B2	11-2017	Brown; Wendell D.	H04M15/846	1/1
*	I	US-2018/0048770 A1	02-2018	Brown; Wendell D.	G06Q30/0241	1/1
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)

Notice of References Cited

Part of Paper No. 20180416

Bibliographic Data

Application No: 15790949

Foreign Priority claimed:

☐ Yes ☒ No

35 USC 119 (a-d) conditions met:

☐ Yes ☒ No

☐ Met After Allowance

Verified and Acknowledged:

/GERALD GAUTHIER/

Examiner's Signature

Initials

Title:

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

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
10/23/2017	379	2653	WB-048
RULE			

APPLICANTS

INVENTORS

Wendell D. Brown, Henderson, NV, UNITED STATES

CONTINUING DATA

This application is a CON of 14951399 11/24/2015 PAT 9819812

14951399 is a CON of 14327332 07/09/2014 PAT 9264540

14327332 is a CON of 14041879 09/30/2013 PAT 8804930

14041879 is a CON of 12563112 09/18/2009 PAT 8577000

12563112 has PRO of 61167105 04/06/2009

FOREIGN APPLICATIONS

IF REQUIRED, FOREIGN LICENSE GRANTED**

11/03/2017

STATE OR COUNTRY

UNITED STATES

ADDRESS

PARK, VAUGHAN, FLEMING & DOWLER LLP

2820 FIFTH STREET

DAVIS, CA 95618

UNITED STATES

FILING FEE RECEIVED

\$1,010

<i>Index of Claims</i> 	Application/Control No. 15790949	Applicant(s)/Patent Under Reexamination BROWN, WENDELL D.
	Examiner GERALD GAUTHIER	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	04/16/2018									
	1	✓									
	2	✓									
	3	✓									
	4	✓									
	5	✓									
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	25	✓									
	26	✓									
	27	✓									

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	135	((("BROWN") near3 ("Wendell"))).INV.	US-PGPUB; USPAT; USOCR	OR	OFF	2018/04/12 09:44
S3	37	(control notification) near3 pre-ring	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 15:52
S4	109378	(control notification) near3 call	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 15:53
S5	1448	S4 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 15:54
S6	49	S5 with ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 16:27
S7	1411554	(control notification content data) near3 (display\$3 present\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 16:35
S8	17871	S7 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 16:35
S9	8	S8 with ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 16:36
S10	1413235	(control notification content data announcement) near3 (display\$3 present\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 16:38
S11	253	S10 same ((paus\$3 delay\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 16:39
S12	17	S11 same ((terminat\$3 redirect\$3) near3 call)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/12 16:39
S13	414695	call with (control notification content data announcement advertis\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 06:16
S14	28654	S13 with (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 06:18
S15	47	call with pre\$1ring	US-PGPUB; USPAT; USOCR	OR	OFF	2018/04/13 06:18
S17	396	telephone near3 call near3 screening	US-PGPUB; USPAT; USOCR	OR	OFF	2018/04/13 07:28
S18	75	S17 with (control notification content data announcement advertis\$3)	US-PGPUB; USPAT;	OR	ON	2018/04/13 07:28

		payment pay\$3)	USOCR			
S19	42717	call with (pay\$3 bill\$3 payment)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 11:50
S20	1199	S19 same (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 11:51
S21	22	S20 same screening	US-PGPUB; USPAT; USOCR	OR	OFF	2018/04/13 11:51
S22	30275	call with (charg\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 12:02
S23	1216	S22 same (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 12:03
S24	7	S23 same screening	US-PGPUB; USPAT; USOCR	OR	OFF	2018/04/13 12:03
S25	404	S23 same (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 12:05
S26	410	S22 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 12:05
S27	81	S26 with (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 12:05
S28	43352	call near3 (management manag\$3)	US-PGPUB; USPAT; USOCR	OR	OFF	2018/04/13 13:11
S29	1959	S28 with (complet\$3 redirect\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 13:12
S30	13	S29 with (paus\$3 delay\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 13:12
S31	62	S29 same (paus\$3 delay\$3 interrupt\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2018/04/13 13:16

EAST Search History (Interference)

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4/16/2018 9:31:17 AM**C:\Users\ggauthier\Documents\EAST\Workspaces\15790949.wsp**

Search Notes 	Application/Control No. 15790949	Applicant(s)/Patent Under Reexamination BROWN, WENDELL D.
	Examiner GERALD GAUTHIER	Art Unit 2653

CPC- SEARCHED		
Symbol	Date	Examiner
H04M 15/8351, 846	4/16/2018	GG

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
379	114.13, 210.03, 211.02, 373.02	4/16/2018	GG
455	414.1	4/16/2018	GG

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

SEARCH NOTES		
Search Notes	Date	Examiner
EAST (US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB), CPC, IP.com, Google patents	4/16/2018	GG
Inventor's Name Search	4/16/2018	GG
H04M 15/8351, 846	4/16/2018	GG

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

	/GERALD GAUTHIER/ Primary Examiner.Art Unit 2653
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
15/790,949	10/23/2017	Wendell D. Brown	WB-048

CONFIRMATION NO. 7812

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

PUBLICATION NOTICE



OC000000097451101

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

Publication No.US-2018-0048770-A1

Publication Date:02/15/2018

NOTICE OF PUBLICATION OF APPLICATION

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

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

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

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875						Application or Docket Number 15/790,949				
APPLICATION AS FILED - PART I										
(Column 1)		(Column 2)		SMALL ENTITY		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	70		N/A				
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A	300		N/A				
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	360		N/A				
TOTAL CLAIMS (37 CFR 1.16(j))	27	minus 20 = *	7	x 40 =	280					
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3	minus 3 = *		x 210 =	0.00					
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			0.00						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00						
			TOTAL	1010		TOTAL				
* If the difference in column 1 is less than zero, enter "0" in column 2.										
APPLICATION AS AMENDED - PART II										
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OTHER THAN SMALL ENTITY		
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (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))									
						TOTAL ADD'L FEE			TOTAL ADD'L FEE	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE(\$)	ADDITIONAL FEE(\$)		RATE(\$)	ADDITIONAL FEE(\$)
	Total (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))									
						TOTAL ADD'L FEE			TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.										



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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
15/790,949	10/23/2017	2652	1010	WB-048	27	3

CONFIRMATION NO. 7812

FILING RECEIPT



000000095259324

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

Date Mailed: 11/08/2017

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Inventor(s)

Wendell D. Brown, Henderson, NV;

Applicant(s)

Wendell D. Brown, Henderson, NV;

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

Domestic Priority data as claimed by applicant

This application is a CON of 14/951,399 11/24/2015 PAT 9819812
which is a CON of 14/327,332 07/09/2014 PAT 9264540
which is a CON of 14/041,879 09/30/2013 PAT 8804930
which is a CON of 12/563,112 09/18/2009 PAT 8577000
which claims benefit of 61/167,105 04/06/2009

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

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Permission to Access Search Results: Yes

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The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 15/790,949**

Projected Publication Date: 02/15/2018

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

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

Preliminary Class

379

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

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I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

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- OR
- ☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

☒ The address associated with the above-mentioned Customer Number

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☐ The address associated with Customer Number:

OR

Firm or Individual Name	Wendell Brown				
Address	2654 West Horizon Ridge Parkway, #B5-229				
City	Henderson	State	NV	Zip	89052
Country	US				
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

--

- ☒ Inventor or Joint Inventor (title not required below)
- ☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- ☐ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- ☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	<u>Wendell Brown</u>	Date (Optional)	<u>Feb 8, 2015</u>
Name	Wendell Brown		
Title			

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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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
14/951,399	11/24/2015	2652	1010	WB-019C1C2.C2	27	3

CONFIRMATION NO. 3117

FILING RECEIPT



0000000079187024

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

Date Mailed: 12/09/2015

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Inventor(s)

Wendell D. Brown, Henderson, NV;

Applicant(s)

Wendell D. Brown, Henderson, NV;

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

Domestic Priority data as claimed by applicant

This application is a CON of 14/327,332 07/09/2014
which is a CON of 14/041,879 09/30/2013 PAT 8804930
which is a CON of 12/563,112 09/18/2009 PAT 8577000
which claims benefit of 61/167,105 04/06/2009

Foreign Applications for which priority is claimed (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see <http://www.uspto.gov> for more information.) - None.

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page 1 of 3

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 14/951,399**

Projected Publication Date: 03/17/2016

Non-Publication Request: No

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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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/951,399	11/24/2015	Wendell D. Brown	WB-019C1C2.C2

CONFIRMATION NO. 3117

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



Date Mailed: 12/09/2015

**NOTICE OF ACCEPTANCE OF AUTHORIZATION TO PERMIT
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This is in response to the applicant's authorization to permit access to the application-as-filed by participating offices under 37 CFR 1.14(h)(1) submitted on 11/24/2015.

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/zretta/

PATENT APPLICATION

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

Inventor: Wendell D. Brown

Related Application

[0001] This application is a continuation of U.S. Patent Application No 14/951,399, filed November 24, 2015 (the '399 application). The '399 application is a continuation of U.S. Patent Application No 14/327,332, filed July 9, 2014 and issued February 16, 2016 as U.S. Patent No. 9,264,540 (the '332 application). The '332 application is a continuation of U.S. Patent Application No. 14/041,879, filed September 30, 2013 and issued August 12, 2014 as U.S. Patent No. 8,804,930 (the '879 application). The '879 application is a continuation of U.S. Patent Application No. 12/563,112, filed September 18, 2009 and issued November 5, 2013 as U.S. Patent No. 8,577,000 (the '112 application). The '112 application claims priority to U.S. Provisional Application No. 61/167,105, filed April 6, 2009, which is hereby incorporated by reference.

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.

[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 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.

[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.

[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 that party's 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.

[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).

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.

[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.

[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 organizations 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.

[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.

[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 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 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 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.

[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.

[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.

[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.

[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 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 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 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,

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 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, 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.

[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).

[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, 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 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.

[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.

[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 in association with a telephone call, and/or other logic for retrieving such content from a third party.

[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.

[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 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 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 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 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 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.

[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 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 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 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, 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.

[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.

[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.

[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.

[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.

[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.

[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.

[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.

[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).

[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 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 telephone directory to find a desired person, etc.

[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 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.

[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, 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 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 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.

[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 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 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).

[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 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.

[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.

[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.

[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.

[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.

[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 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 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 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 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 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.

[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 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.

[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.

[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.

[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).

[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).

[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, 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 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 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.

[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.

[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).

[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 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, 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 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.

[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.

[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.

[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.

[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.

[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.

[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 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 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 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.

[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.

[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 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 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 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 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.

[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.

[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 if the current call is completed. The content to be presented may be selected at random, 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, 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 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 calls, 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.

[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).

[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 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 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 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.

[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)

[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.

[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.

[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.

[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 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 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 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.

[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 conferenced 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.

[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.

[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 may be 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 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 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 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 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.

[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 address 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.

[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.

[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 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 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.

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

[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.

[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.

[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.

[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.

[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.

[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.

[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.

[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.

[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.

[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.

[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 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 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.

[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-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 content and possibly post-call content as well.

[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.

[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.

[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.

[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.

[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!”).

[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 recipient’s 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.

[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 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 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 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 offer or may be provided. If activated, the

coupon (or notification of the coupon) may be passed to the offer or along with the call.

[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 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 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 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. 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.

[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.

[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.

[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 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 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.

[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).

[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).

[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).

[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 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.

[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 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 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.

[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 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.

[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.

[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.

[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.

[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.

[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).

[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.

[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.

[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.

[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 presenting content on a communication device, the
2 method comprising:
at a first device, upon initiation of a call by a first party operating the first
4 device, transmitting to a call controller notification of the initiation of the call;
automatically pausing the call upon receipt of a signal from the call
6 controller;
while the call is paused, presenting to the first party pre-ring content
8 containing an actuatable control; and
redirecting the call in response to actuation of the control.
2. The method of claim 1, wherein pausing the call comprises
2 pausing signaling of the call to a first communication service provider of the first
device.
3. The method of claim 2, wherein the first communication service
2 provider comprises the call controller.
4. The method of claim 2, wherein redirecting the call comprises
2 routing the call to a communication service provider other than the first
communication service provider.
5. The method of claim 1, wherein:
2 initiation of the call by the first party includes at least partial identification
of a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.

6. The method of claim 1, wherein pausing the call comprises
2 receiving the pre-ring content via a data connection established between the first
device and the call controller.

7. The method of claim 1, wherein initiation of the call by the first
2 party comprises partial entry of a telephone number.

8. The method of claim 1, wherein initiation of the call by the first
2 party comprises identification of a destination party.

9. The method of claim 8, wherein:
2 the destination party is an organization;
redirecting the call comprises connecting the call to a representative of the
4 organization; and
the representative is selected based on the actuated control.

10. The method of claim 1, wherein initiation of the call by the first
2 party comprises activation of a dialer application of the first device.

11. The method of claim 1, wherein redirecting the call comprises:
2 cancelling the call to a first destination party selected by the first party;
and
4 initiating a new call to a second destination party identified in the pre-ring
content.

12. The method of claim 1, further comprising, after redirecting of the
2 call to a second device:
causing content displayed on the first device prior to initiation of the call
4 to be displayed on the second device.

13. The method of claim 12, wherein causing content displayed on the
2 first device prior to initiation of the call to be displayed on the second device
comprises one or more of:
4 transmitting the content toward the second device; and
transmitting toward the second device an identification of the content.

14. A non-transitory computer-readable medium storing instructions
2 that, when executed by a processor, cause the processor to perform a method of
presenting content on a communication device, the method comprising:
4 at a first device, upon initiation of a call by a first party operating the first
device, transmitting to a call controller notification of the initiation of the call;
6 automatically pausing the call upon receipt of a signal from the call
controller;
8 while the call is paused, presenting to the first party pre-ring content
containing an actuable control; and
10 redirecting the call in response to actuation of the control.

15. A communication device comprising:
2 one or more processors; and
memory storing instructions that, when executed by the one or more
4 processors, cause the device to:
upon initiation of a call by a first party operating the device,
6 transmit to a call controller notification of the initiation of the call;
automatically pause the call upon receipt of a signal from the call
8 controller;
while the call is paused, present to the first party pre-ring content
10 containing an actuable control; and
redirect the call in response to actuation of the control.

16. The communication device of claim 15, wherein pausing the call
2 comprises pausing signaling of the call to a first communication service provider
of the first device.

17. The communication device of claim 16, wherein the first
2 communication service provider comprises the call controller.

18. The communication device of claim 16, wherein redirecting the
2 call comprises routing the call to a communication service provider other than the
first communication service provider.

19. The communication device of claim 15, wherein:
2 initiation of the call by the first party includes at least partial identification
of a destination party; and
4 redirecting the call comprises directing the call to a party identified in the
pre-ring content instead of the destination party.

20. The communication device of claim 15, wherein pausing the call
2 comprises receiving the pre-ring content via a data connection established
between the first device and the call controller.

21. The communication device of claim 15, wherein initiation of the
2 call by the first party comprises partial entry of a telephone number.

22. The communication device of claim 15, wherein initiation of the
2 call by the first party comprises identification of a destination party.

23. The communication device of claim 22, wherein:

2 the destination party is an organization;
 redirecting the call comprises connecting the call to a representative of the
4 organization; and
 the representative is selected based on the actuated control.

24. The communication device of claim 15, wherein initiation of the
2 call by the first party comprises activation of a dialer application of the first
 device.

25. The communication device of claim 15, wherein redirecting the
2 call comprises:
 cancelling the call to a first destination party selected by the first party;
4 and
 initiating a new call to a second destination party identified in the pre-ring
6 content.

26. The communication device of claim 15, wherein the memory
2 further stores instructions that, when executed by the one or more processors,
 cause the device to:
4 causing content displayed on the first device prior to initiation of the call
 to be displayed on the second device.

27. The communication device of claim 26, wherein causing content
2 displayed on the first device prior to initiation of the call to be displayed on the
 second device comprises one or more of:
4 transmitting the content toward the second device; and
 transmitting toward the second device an identification of the content.

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 a 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, to allow a caller to change the destination of a call, take advantage of an offer presented to him or her, 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 of his
15 or her local contacts (on his telephone) and/or a central or global directory or contact list.

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:		A.Richard Park		
Attorney Docket Number:		WB-048		
Filed as Small Entity				
Filing Fees for Utility under 35 USC 111(a)				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
UTILITY FILING FEE (ELECTRONIC FILING)	4011	1	70	70
UTILITY SEARCH FEE	2111	1	300	300
UTILITY EXAMINATION FEE	2311	1	360	360
Pages:				
Claims:				
CLAIMS IN EXCESS OF 20	2202	7	40	280
Miscellaneous-Filing:				
Petition:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1010

Electronic Acknowledgement Receipt	
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Application Number:	15790949
International Application Number:	
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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:	A.Richard Park
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1	Miscellaneous Incoming Letter	Authorization-deposit-account_DEV.pdf	70241	no	1
			9359715042fbc4349bec73924e8fc6edd0c39d59		
Warnings:					
Information:					
2	Application Data Sheet	Application_Data_Sheet_WB_R EV_12_15.pdf	1793693	no	9
			4dd47713ae14cc92b04518dad2e8e54cad10b27c		
Warnings:					
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3	Drawings-only black and white line drawings	WB-048_Figures_1.pdf	2755160	no	12
			b2e091111772ffd53b818c13eccfea2519878599		
Warnings:					
Information:					
4	Oath or Declaration filed	Oath_.pdf	964460	no	2
			44a7e7513ff2cf2b62cfd8087743bde216282490		
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5	Power of Attorney	WB_P0A.pdf	1078734	no	1
			5763683b71b79b40e09878a32b4b1af08ffe8af1		
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6	Miscellaneous Incoming Letter	WB-019C1C2_C2_Filing_Receipt.pdf	389572	no	4
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7		WB-048_Application.pdf	217780	yes	52
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	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	46	
	Claims		47	51	
	Abstract		52	52	
Warnings:					
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8	Fee Worksheet (SB06)	fee-info.pdf	36647	no	2
			aab422055b73be7690d721b97e359140a746be7e		
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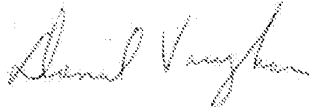
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Park, Vaughan, Fleming & Dowler LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1660
Fax: (530) 759-1665
Email: dan@parklegal.com

Respectfully submitted,

By:



Daniel E. Vaughan
Registration No. 42,199

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	WB-048
		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.)

Inventor Information:

Inventor	1				Remove	
Legal Name						
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	US	
Mailing Address of Inventor:						
Address 1	2654 West Horizon Ridge Parkway #B5-229					
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Title of the Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		
Attorney Docket Number	WB-048	Small Entity Status Claimed	☒
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	12	Suggested Figure for Publication (if any)	

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	WB-048
		Application Number	
Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

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Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

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This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.

When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Continuation of	14951399	2015-11-24

Application Data Sheet 37 CFR 1.76		Attorney Docket Number		WB-048	
		Application Number			
Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL				

Prior Application Status		Patented		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
14951399	Continuation of	14327332	2014-07-09	9264540	2016-02-16
Prior Application Status		Patented		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
14327332	Continuation of	14041879	2013-09-30	8804930	2014-08-12
Prior Application Status		Patented		Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
14041879	Continuation of	12563112	2009-09-18	8577000	2013-11-05
Prior Application Status		Expired		Remove	
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)		
12563112	Claims benefit of provisional	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 priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)ⁱ the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

			Remove
Application Number	Country ⁱ	Filing Date (YYYY-MM-DD)	Access Code ⁱ (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			
Add			

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

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-048
		Application Number	
Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013. NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	WB-048
		Application Number	
Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	WB-048
		Application Number	
Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.				
Applicant	1			Remove
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.				
Clear				
Assignee	Legal Representative under 35 U.S.C. 117		Joint Inventor	
Person to whom the inventor is obligated to assign.		Person who shows sufficient proprietary interest		
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:				
Name of the Deceased or Legally Incapacitated Inventor:				
If the Applicant is an Organization check here. ☐				
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Applicant:				
Address 1				
Address 2				
City		State/Province		
Country		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Applicant Data may be generated within this form by selecting the Add button. Add				

Assignee Information including Non-Applicant Assignee Information:

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

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	WB-048
		Application Number	
Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		

Assignee 1				
Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.				
				Remove
If the Assignee or Non-Applicant Assignee is an Organization check here.				☐
Prefix	Given Name	Middle Name	Family Name	Suffix
Mailing Address Information For Assignee including Non-Applicant Assignee:				
Address 1				
Address 2				
City		State/Province		
Country i		Postal Code		
Phone Number		Fax Number		
Email Address				
Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button.				Add

Signature:

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). **However, if this Application Data Sheet is submitted with the INITIAL filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).**

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Daniel E. Vaughan/		Date (YYYY-MM-DD)	2017-10-23
First Name	Daniel E.	Last Name	Vaughan	Registration Number
				42,199
Additional Signature may be generated within this form by selecting the Add button.				Add

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-048
		Application Number	
Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL		

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

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

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

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

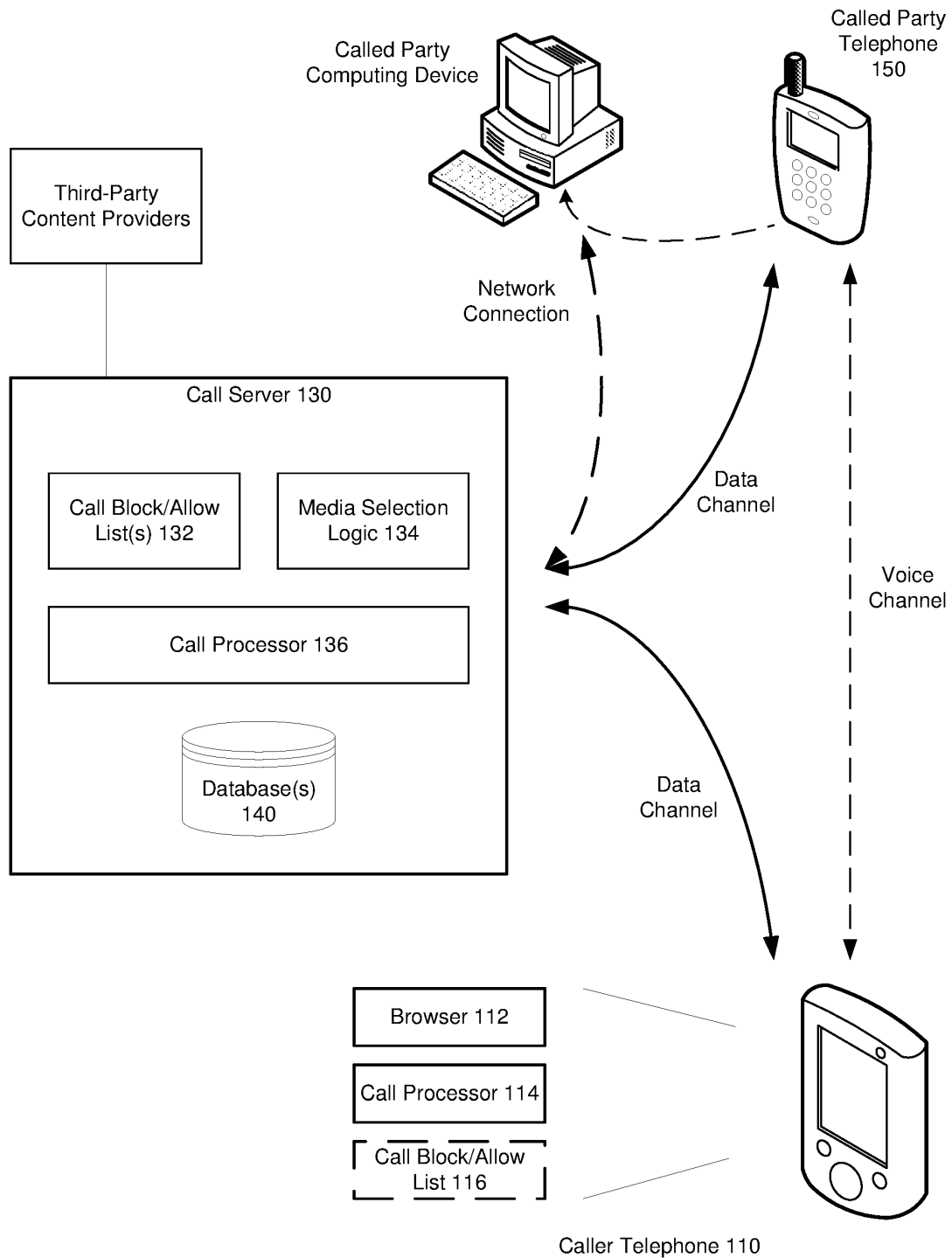


FIG. 1

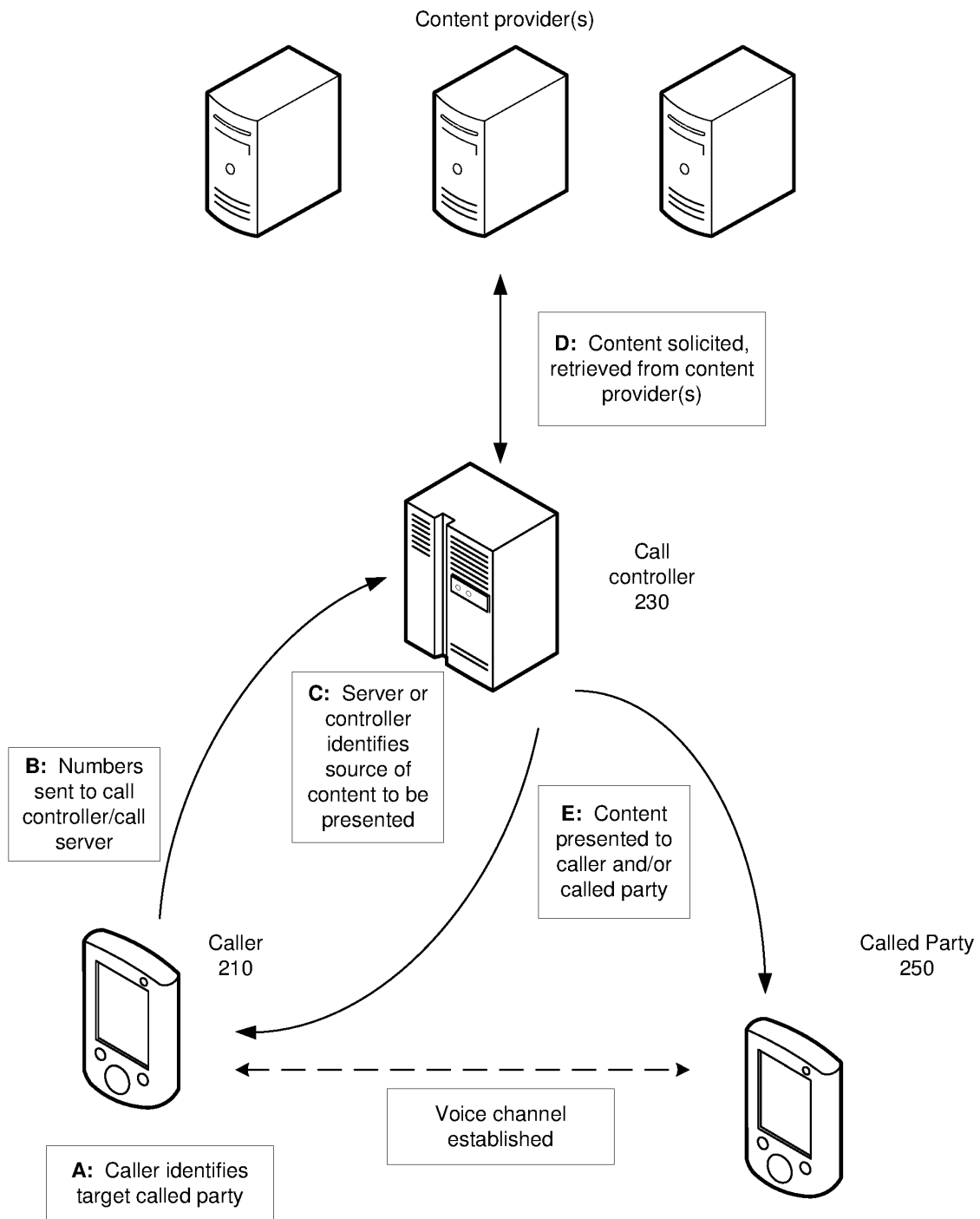


FIG. 2



FIG. 3

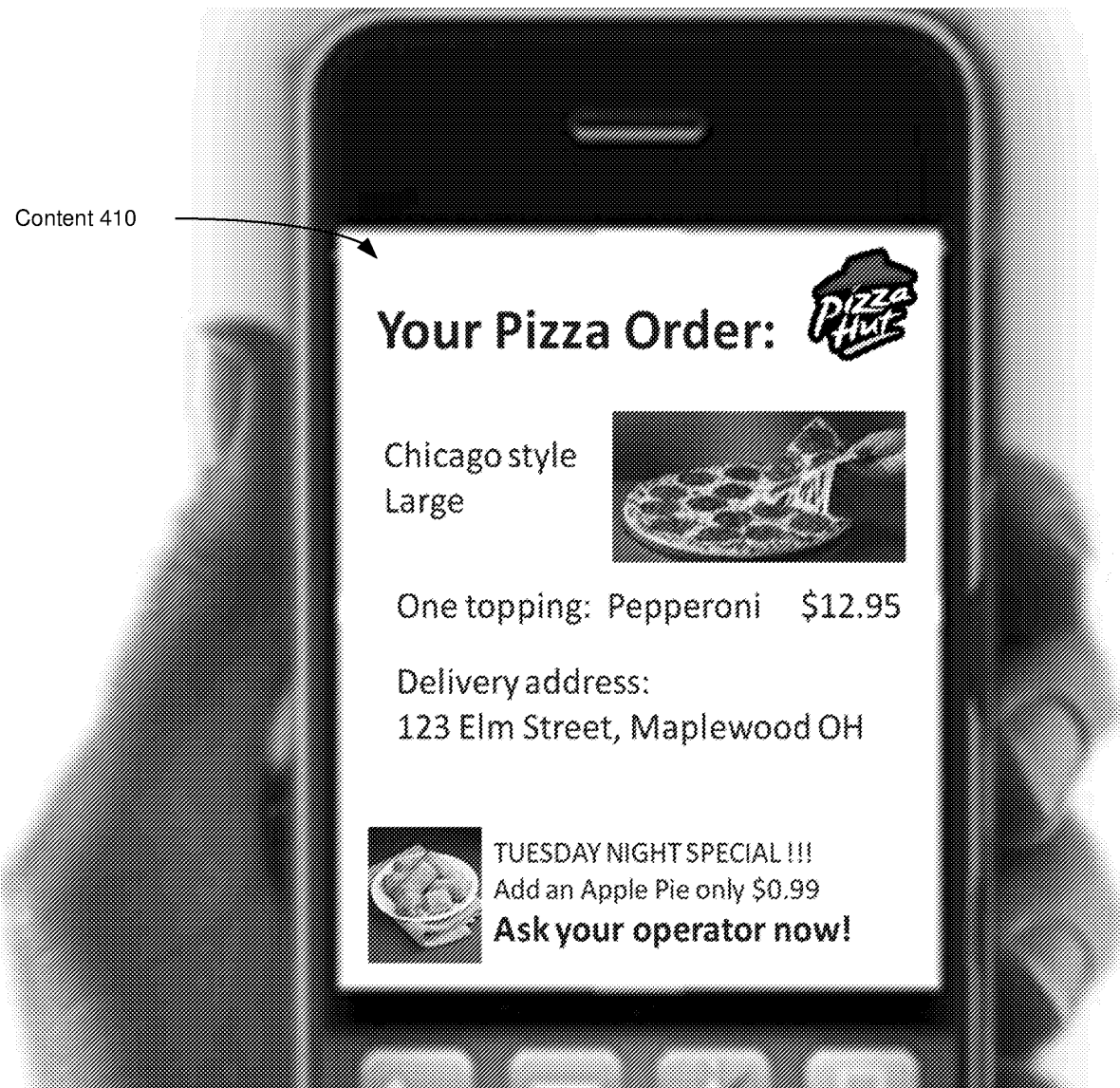


FIG. 4



FIG. 5

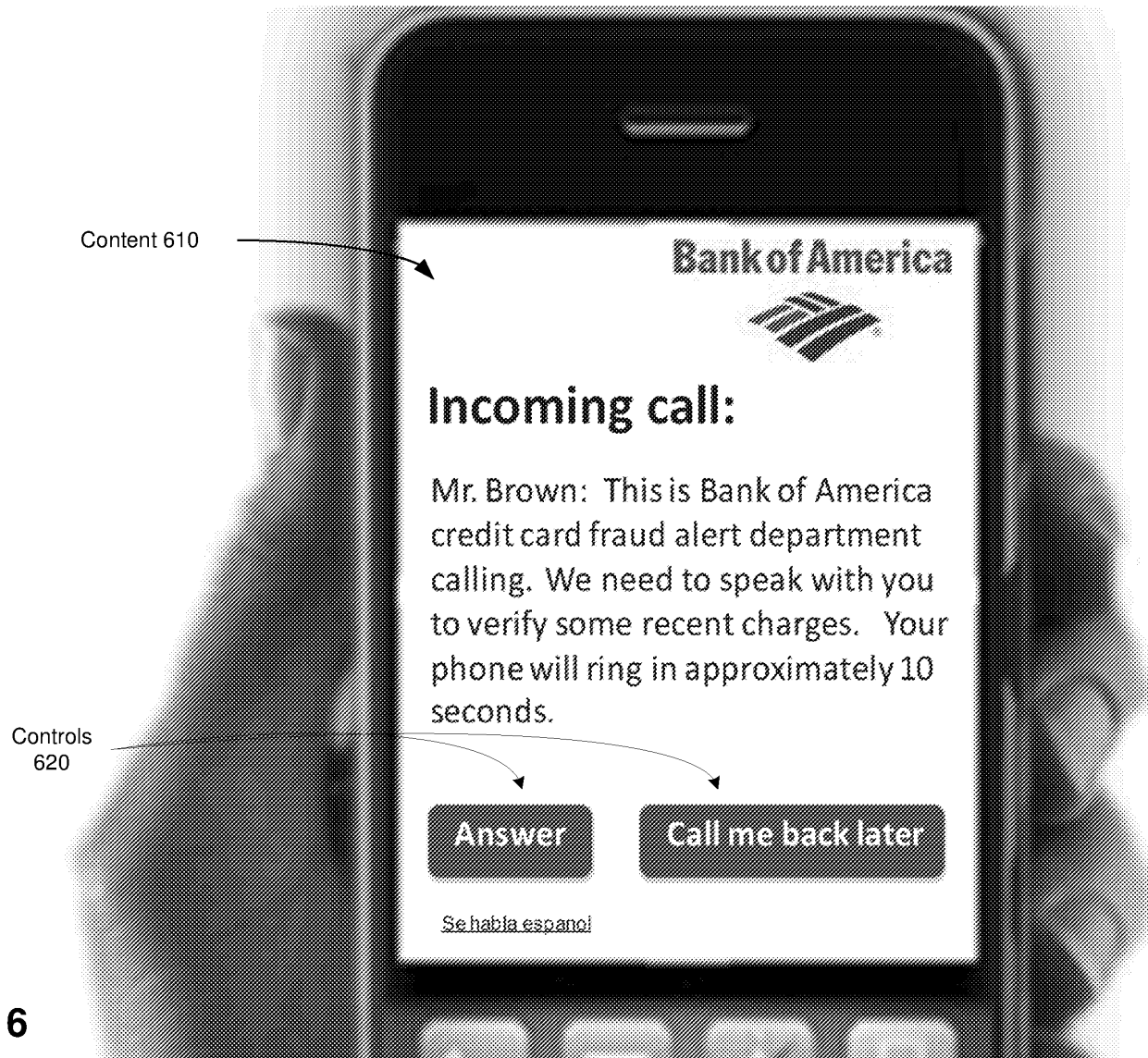


FIG. 6



FIG. 7



FIG. 8

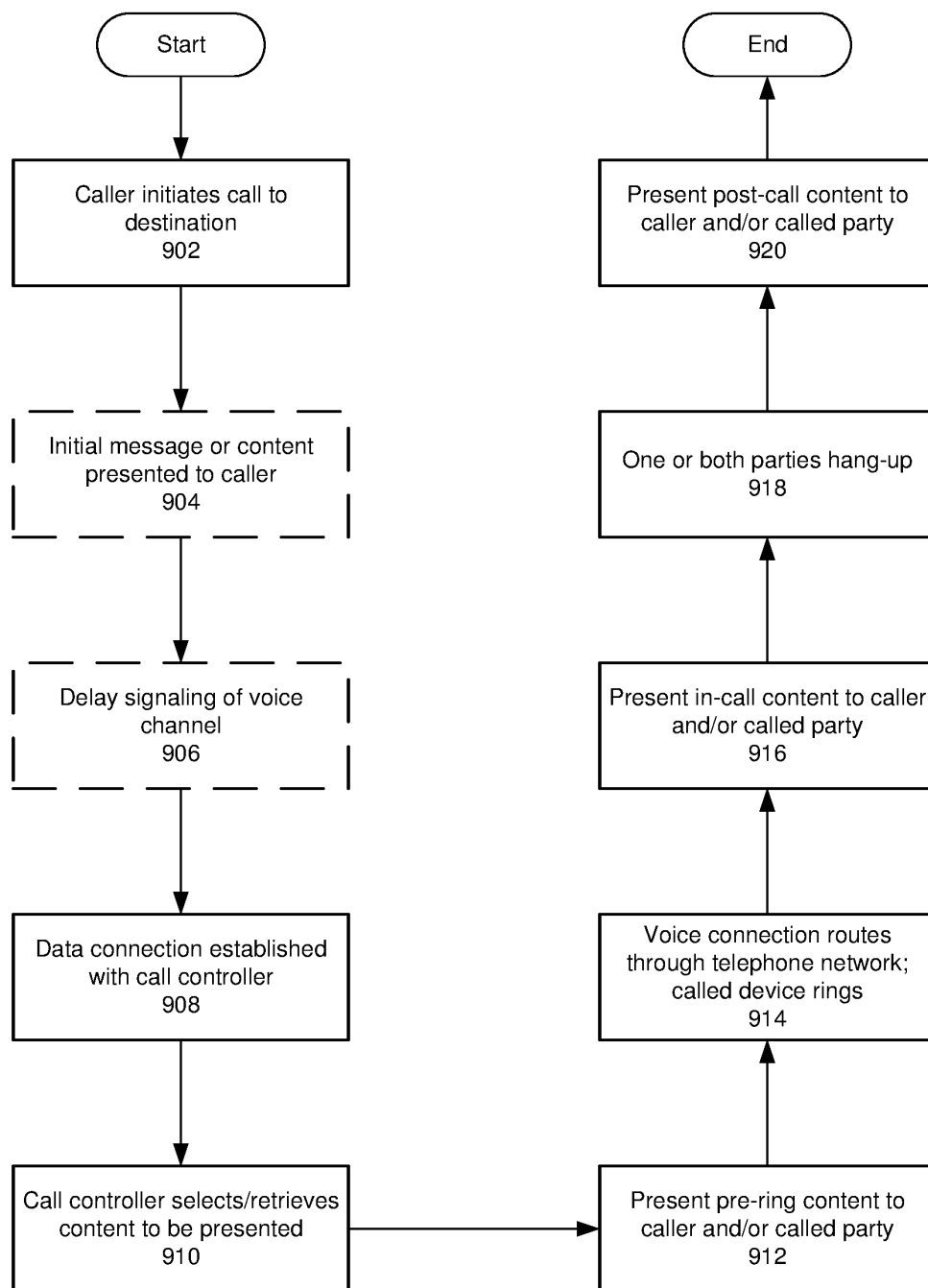


FIG. 9

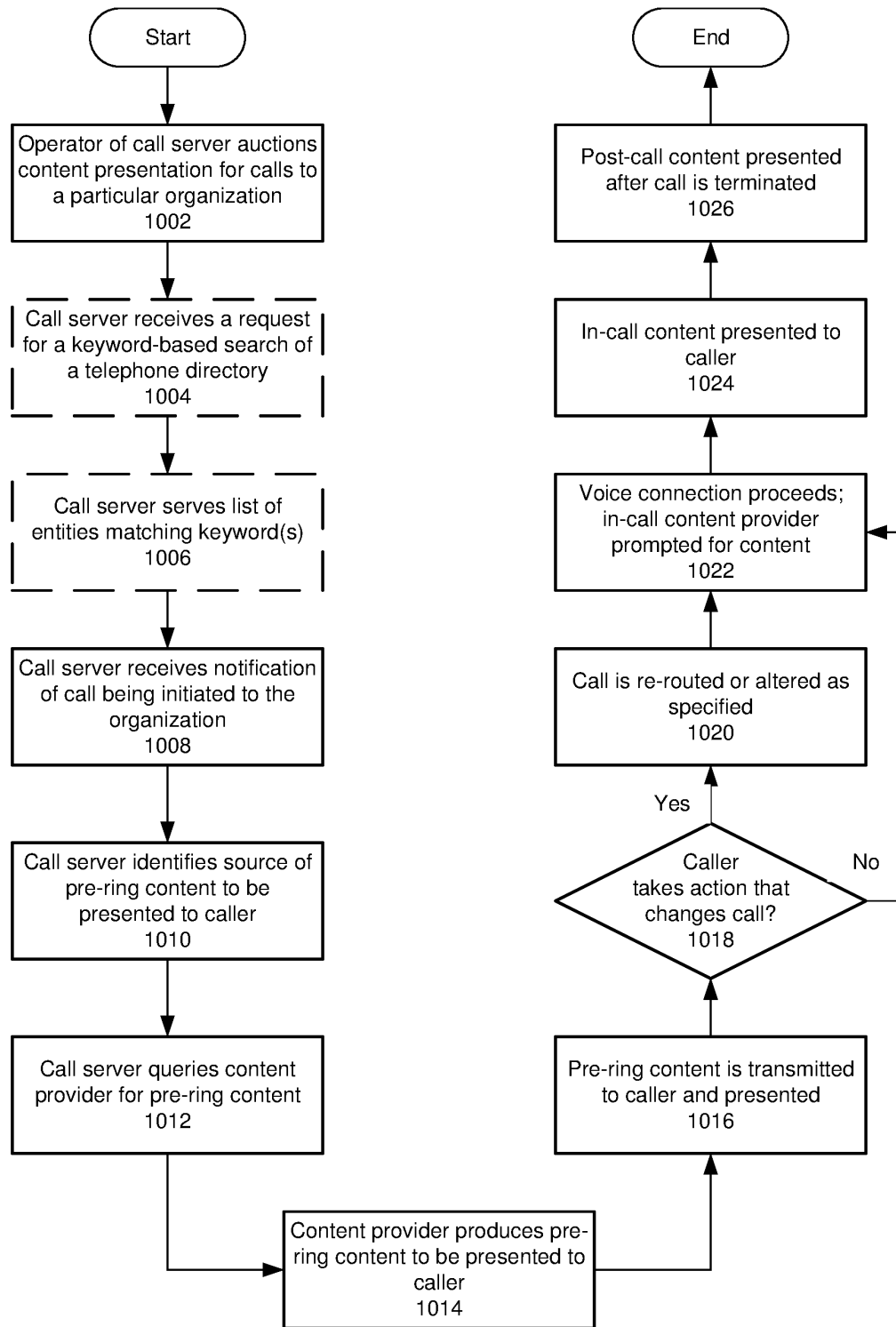


FIG. 10

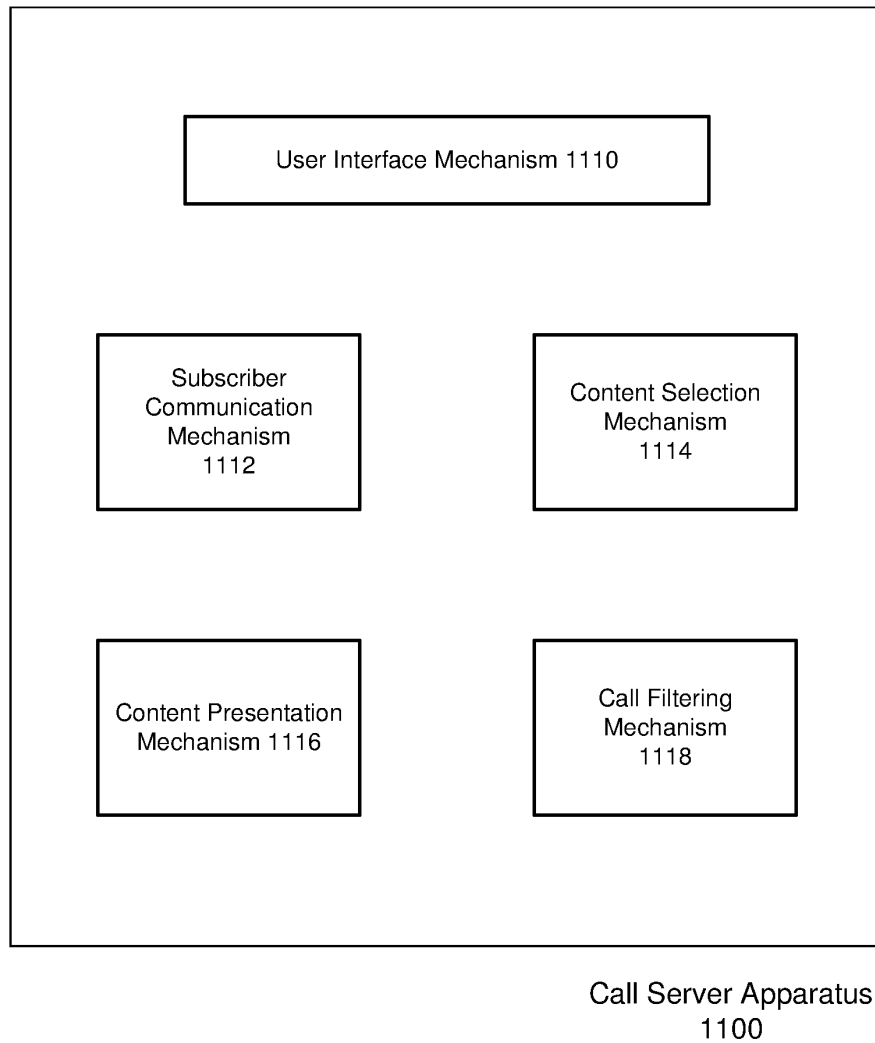


FIG. 11

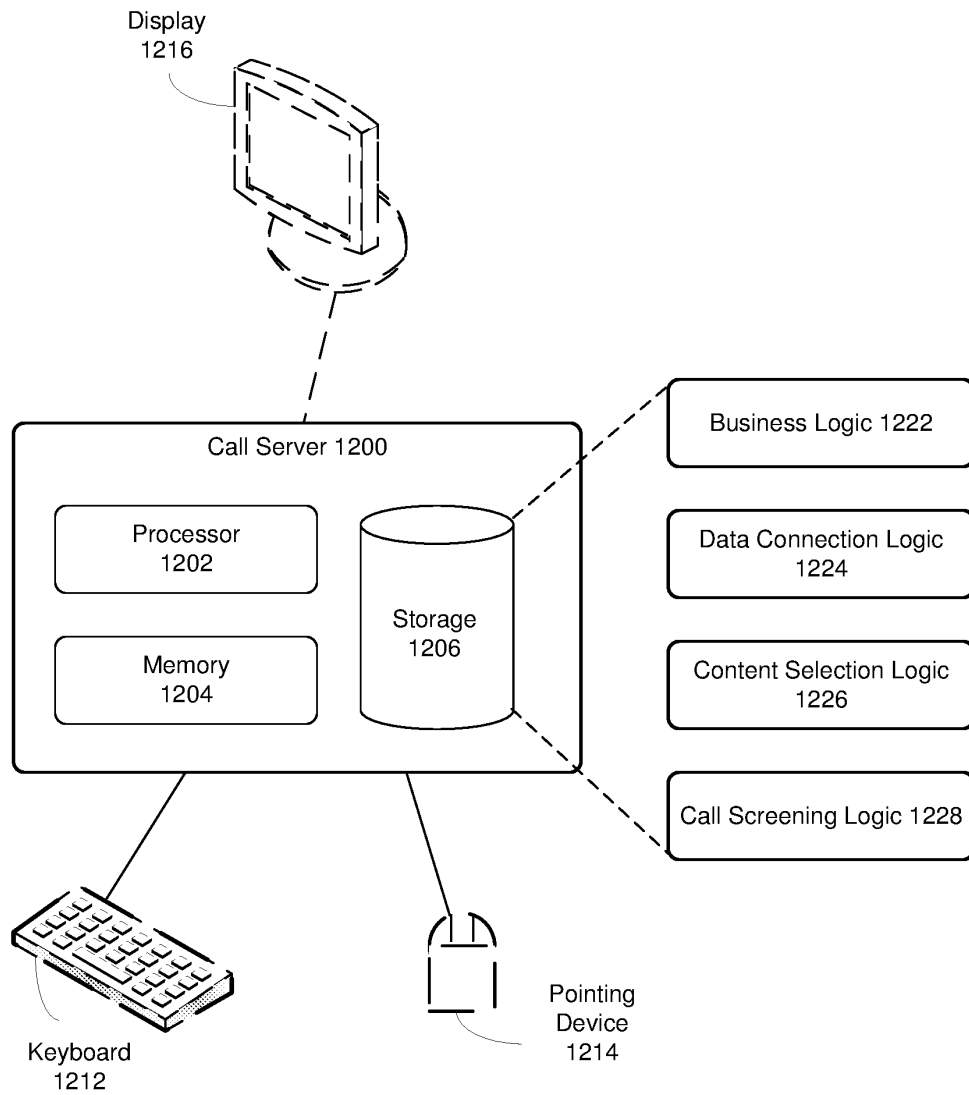


FIG. 12

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

Title of Invention	METHOD AND APPARATUS FOR CONTENT PRESENTATION IN ASSOCIATION WITH A TELEPHONE CALL
As the below named inventor, I hereby declare that: This declaration is directed to: ☐ The attached application, or ☒ United States application or PCT international application number <u>14/041,879</u> filed on <u>30 September 2013</u> The above-identified application was made or authorized to be made by me. I believe that I am the original inventor or an original joint inventor of a claimed invention in the application. I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both. WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.	
LEGAL NAME OF INVENTOR	
Inventor: <u>Wendell D. Brown</u> Date (Optional): _____	
Signature: <u>Wendell D. Brown</u>	
Note: An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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

WB-019C1

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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.

SCORE Placeholder Sheet for IFW Content

Application Number: 15790949

Document Date: 10/23/2017

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.

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.

- Drawing

At the time of document entry (noted above):

- USPTO employees may access SCORE content via eDAN using the Supplemental Content tab, or via the SCORE web page.
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Form Revision Date: August 26, 2013