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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

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.
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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

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

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All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

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For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	93219		
Email Address	docketing@patentlawworks.net	Add Email	Remove Email

Application Information:

Title of the Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities		
Attorney Docket Number	10086-03475 US	Small Entity Status Claimed	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		Suggested Figure for Publication (if any)	

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☒ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in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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Customer Number	93219

Domestic Benefit/National Stage Information:

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

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	61643352	2012-05-07

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(d). 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(h)(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).

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Application Number	Country [i]	Filing Date (YYYY-MM-DD)	Access Code [i] (if applicable)

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

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

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If 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 World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

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Clear

◉ Assignee	○ Legal Representative under 35 U.S.C. 117	○ Joint Inventor
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :	
If the Applicant is an Organization check here. ☒	
Organization Name	Checkpoint Studios Inc.

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Signature	/Reena Kuyper/			Date (YYYY-MM-DD)	2013-05-07
First Name	Reena	Last Name	Kuyper	Registration Number	33830

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MULTILAYER FRAMEWORK AND ARCHITECTURE WITH VARIABLE VIDEO GAMING CAPABILITIES

CROSS REFERENCE TO RELATED APPLICATIONS

[0001] The present application claims the benefit of priority under 35 U.S.C. § 119(e) from U.S. Provisional Application No. 61/643,352 entitled "MULTILAYER FRAMEWORK ARCHITECTURE AND USER INTERFACES FOR VIDEO GAMING APPLICATIONS," filed on May 07, 2012, by Brian Joseph Wiklem, Christopher Robert Masterton, and Carrie Ann Cowan. The entire contents of the provisional application are incorporated by reference herein. The present application also incorporates by reference the contents of utility applications entitled "PROVIDING SYNCHRONIZED AND INTEGRATED VIDEO GAMING,""PROVIDING VIDEO GAMING ACTION VIA COMMUNICATIONS IN A SOCIAL NETWORK," AND "VIDEO GAMING PLATFORM AND USER INTERFACE," which are concurrently submitted, and also claim priority under 35 U.S.C. § 119(e) from U.S. Provisional Application No. 61/643,352.

BACKGROUND

[0002] The present disclosure relates to video gaming applications and platforms, including those accessed via online services or communities, for example, social networks, or directly via hosted websites, dedicated either wholly or partially to them. In particular, the present disclosure relates to multilayer system framework and architecture with variable video gaming capabilities.

[0003] In recent years, video games have become extremely popular. Video games are used not only for entertainment, but also for instructional purposes. Players typically interact with a gaming application through computer or console peripherals such as keyboard, mouse, joysticks, a wide variety of game pads, and funny controllers such as the NES Zapper®. More recently, nontraditional controller technologies such as dance pads, the Wii-mote® or the Kinect®, offering new types of gaming experiences are beginning to emerge. These technologies are capable of enhancing games to incorporate movement, creating a new experience and attracting new audiences.

[0004] With the popularity of social networks reaching epic proportions, social games have also become very popular.

[0005] With the ongoing trends and exponential growth in video gaming, it would certainly be beneficial to find better architectures for gaming applications that continue to enhance the user experience.

SUMMARY

[0006] The present disclosure overcomes the deficiencies and limitations of the prior art by providing a technology with a flexible architecture for video gaming applications. In some embodiments, the flexible architecture provides a continuous visual experience for players across different platforms (platform agnostic) and engages them at different levels. Each of the players may have a unique and different visual experience, depending upon the gaming platform a player uses. The architecture facilitates access to video gaming applications in various ways, including 1) via social networks or sites, for example, accessed via personal computers; 2) via wall posts or via an online social networking service that enables its users to send and read text-based posts; 3)

via mobile devices (iOS®, Android™, or Windows-based smart phones); and 4) via game consoles (for example, PS3®, Xbox 360®, or Wii®).

[0007] Video gaming applications may be purchased via platform application stores. These applications are supported by Android (Android is a Linux-based operating system for mobile devices such as smartphones and tablet computers - it is developed by the Open Handset Alliance), iOS (a mobile operating system developed by Apple Inc.) platforms, and phones operating windows. The user interface of an iOS platform is based on the concept of direct manipulation, using multi-touch gestures. Interface control elements consist of sliders, switches, and buttons. The response to user input is immediate and provides a fluid interface.

[0008] Video gaming applications may be hosted or accessed via social networks, other third party services or on third party servers, stand-alone platforms, tablets, smartphones or the like. Multiple players (hundreds, thousands, if not millions) may access gaming application via any or all of these ways. In addition, the flexible architecture provides a scalable infrastructure with cross-platform pollination technology (achievements and rewards are transferred between platforms used by particular players) and secure collection of data. Video gaming applications may be based on universal themes that appeal to a broad range of demographics and provides a continuous flow of data analytics. They offer opportunities for configuring advertisements and promotions to accomplish strategic goals.

[0009] In some embodiments, the flexible architecture provides multiple levels of play, permitting players to engage in different ways. The different levels of play options include 1) a peer-to-peer competitive challenge level for core players, 2) a casual play option for play with friends with whom a player shares an affinity, for example, in a social network; and a 3)

spectator mode that permits non-players in a network to assist friends. Feed-based triggers allow for greater rewards to players and ease of discovering games.

[0010] In yet other embodiments, which may include any or all of the aspects described above, the flexible architecture permits mobile play, extending the gaming arena or world to different platforms, so achievements in a particular game may be earned and shared more easily across platforms. In addition, a player may earn location-based rewards.

[0011] Moreover, the flexible architecture provides a system of rewards at check-in, to coax players by providing greater incentives. The flexible architecture permits concurrent "solo" play by a player or gamer, collaborative and competitive play by multiple players. The flexible architecture has user interfaces that are configured to provide different experiences for different players, including for example, a three-dimensional user experience. In some embodiments, the video gaming applications include story-driven quests and game play, giving players more than just tasks and chores. As one example, an aviation gaming application may utilize a collection of 250 or more aircrafts and include transactions relating to the aircrafts and their environment, creation of the environment in which the aircrafts operate etc. In this particular application, players may create and manage their experience (for example, build and manage an aviation empire), enjoy the thrill of history (aviation's past), and travel the globe and fly through an open network of friendly and rival airports.

[0012] In yet other embodiments, the system provides a plurality of features for player control of the virtual arena including control of "play" times, "gifts" and "rewards," "collect" and "decorate" features, monitor types of "play" (for example, acceleration progress), generate user content, etc.

[0013] In some embodiments, the video gaming applications may be free, when accessed via social-network platforms, in which instances revenue is generated via market place for products used during the game, direct advertising etc. The flexible architecture permits for easy access through a particular player's social network, allowing other players to discover a particular game and permit conversion as necessary.

[0014] In yet other embodiments, linking or connecting platforms creates a more interesting gaming world.

BRIEF DESCRIPTION OF THE DRAWINGS

[0015] The present disclosure is illustrated by way of example, and not by way of limitation, in the figures of the accompanying drawings, in which like reference numerals are used to refer to similar elements.

[0016] Figure 1 is a high-level block diagram illustrating some embodiments of a system architecture for providing video gaming platforms, accessed either via a social network (hosted on a social network server or a server associated with it) or a third party video gaming website (hosted by a third party on its server).

[0017] Figure 2 is a block diagram illustrating some embodiments of a social network server or a third party server shown in Figure 1, including its hardware components.

[0018] Figure 3 is a block diagram illustrating some embodiments of a gaming platform shown in Figures 1 and 2, and its software components.

[0019] Figure 4 is an example flow chart illustrating an example general method for creating or branching off a sub game.

[0020] Figure 5 is an example flow chart illustrating an example method for obtaining a promotion.

[0021] Figure 6 is an example flow chart illustrating an example method for assigning a status ("leader" or "core," "follower" or "casual," or "bystander" or "spectator") to a player.

[0022] Figure 7 is an example flow chart illustrating an example method for earning rewards or features within a game.

[0023] Figure 8 is a graphical representation illustrating a virtual game arena accessed by various users with varying status and an index of user status.

[0024] Figure 9 is a graphical representation illustrating one example of a game structure.

[0025] Figure 10 is a graphical representation illustrating a virtual game arena with concurrent operation of multiple games.

[0026] Figure 11 is a graphical representation of a data storage configuration with storage of game-related information.

DETAILED DESCRIPTION

[0027] The present technology is directed to a multilayer or multi-tier architecture or framework for video games or video gaming applications with variable video gaming capabilities accorded to players or gamers. The video games are for play by users (players or gamers), accessed either via social networks, or directly, on games hosted by third party servers. The specification describes examples of systems and methods for providing this multilayer architecture, video gaming platforms, and user interfaces to facilitate a unique user experience. These video gaming applications may either be hosted by an online community, for example, one

or more social networks, or alternatively, by third party servers that are wholly or partially dedicated to gaming applications.

[0028] In some embodiments, the flexible and multilayer architecture provides a continuous game and visual experience for players across different platforms (platform agnostic) and engages them at different levels of play and capability. Each of the players may have a unique and different gaming experience, depending upon the level of play and capability accorded to each player. This flexible architecture facilitates access to video gaming applications in various ways, including 1) via social networks or sites, for example, accessed via personal computers (desk tops or lap tops); 2) via wall posts or via an online social networking service that enables its users to send and read text-based posts; 3) via mobile devices (iOS, Android, or Windows-based smart phones); and 4) via game consoles (for example, PS3, Xbox 360, or Wii).

[0029] Video gaming applications may be purchased via platform application stores. These applications are supported by Android (Android is a Linux-based operating system for mobile devices such as smartphones and tablet computers - it is developed by the Open Handset Alliance), iOS (a mobile operating system developed by Apple Inc.) platforms, and phone operating windows. The user interface of iOS is based on the concept of direct manipulation, using multi-touch gestures. Interface control elements consist of sliders, switches, and buttons. The response to user input is immediate and provides a fluid interface.

[0030] Video gaming applications may be hosted or accessed via social networks, other third party services or on third party servers, stand-alone platforms, tablets, smartphones, or the like. Multiple players (hundreds, thousands, if not millions) may access gaming one or more applications via any or all of these ways. In addition, the flexible architecture provides a scalable

infrastructure with cross-platform pollination technology (achievements and rewards are transferred between platforms for particular players depending on their status) and secure data collection. Video gaming applications may be based on universal themes that appeal to a broad range of demographics and provides a continuous flow of data analytics. They offer opportunities for configuring advertisements and promotions to accomplish strategic goals.

[0031] In some embodiments, the flexible architecture provides multiple levels of play, permitting players to engage in different ways and at different levels. The different levels of play options include 1) a peer-to-peer competitive challenge level for "core" players, 2) a "casual" play option for play with friends with whom a particular player shares an affinity, for example, in a social network; and 3) a "spectator" mode that permits non-players in a network to assist friends. Feed-based triggers allow for greater rewards to players and ease of discovering games.

[0032] In yet other embodiments, which may include any or all of the aspects described above, the architecture permits play via mobile devices, extending the gaming arena or world to different environments, so achievements in a particular game may be earned and shared more easily across environments, depending upon player status. In addition, a player may earn location-based rewards.

[0033] Moreover, the system provides rewards at check-in, to coax players by providing greater incentives. The architecture permits for concurrent "solo" play by a player or gamer and collaborative and competitive play between multiple players. User interfaces are configured to provide different experiences for different players, including a three-dimensional user experience in some environments. In some embodiments, the video gaming applications include story-driven quests and game play, giving players more than just tasks and chores. As one example, a

"core" player in an aviation gaming application, may utilize a collection of 250 aircrafts and include transactions relating to the aircrafts and its environment, to create an environment in which the aircrafts operate etc. In this particular application, "core" players may create and manage their experience (for example, by creating an aviation empire), enjoy the thrill of history (aviation's past), and travel the globe and fly through an open network of friendly and rival airports. Other players, for example, "followers" may be accorded more restricted play and capability..

[0034] The system provides variable features for player control (depending upon player status) of the virtual arena including control of "play" times, "gifts" and "rewards," "collect" and "decorate," monitor "play" (for example, acceleration progress), generate user content, etc.

[0035] In some implementations, the architecture accords variable status to players who can opt for different levels of play. A "core" game play status enables players to be "leaders" and play the entire game. A leader has control of all aspects of a particular gaming application. A "casual" or "follower" game play status enables players to play from a different perspective, providing access to only a portion of the entire game. A "spectator" or "bystander" game play enables players to play from a reactive perspective.

[0036] Players (with any status described above) may access game play via mobile devices, at any location, and receive location-based rewards. They may access a virtual game arena, their own or that of other players, via several platforms and take up play where they left off. They may link up friends for collaborative play. Players may also participate in standalone game play, via tablets, mobile devices, console-based gameplay, target-based game play or the like. In addition, the system permits cross-pollination game play, sending game objects from one game world or arena to another.

[0037] In the following description, for purposes of explanation, numerous specific details are indicated in order to provide a thorough understanding of the technology described. It should be apparent, however, to one skilled in the art, that this technology can be practiced without these specific details. In other instances, structures and devices are shown in block diagram form in order to avoid obscuring the technology. For example, the present technology is described with some embodiments below with reference to particular user interfaces or user platforms and particular hardware. However, the present technology applies to any type of computing device or platform that can receive data and commands, and any devices providing services. Moreover, the present technology is described below primarily in the context of video gaming applications configured to enhance and improve the quality of these gaming applications in order to facilitate synchronous play by hundreds, thousands, if not millions of players. The players may enjoy different user experiences based on their individual preferences and may enjoy seamless play across different gaming platforms or devices (desktop computer, mobile device or the like). However, those skilled in the art should understand that the present technology applies to any type of application and can be used for other applications beyond gaming applications.

[0038] Reference in the specification to "one embodiment," "an embodiment," or "some embodiments" means simply that one or more particular features, structures, or characteristics described in connection with the one or more embodiments is included in at least one or more embodiments that are described. The appearances of the phrase "in one embodiment" in various places in the specification are not necessarily all referring to the same embodiment.

[0039] Some portions of the detailed descriptions that follow may be presented in terms of algorithms and symbolic representations of operations on data bits within a computer memory

of either one or more computing devices or gaming platforms. These algorithmic descriptions and representations are the means used by those skilled in the data processing arts to most effectively convey the substance of their work to others skilled in the art. An algorithm as indicated here, and generally, is conceived to be a self-consistent sequence of steps leading to a desired result. The steps are those requiring physical manipulations of physical quantities. Usually, though not necessarily, these quantities take the form of electrical or magnetic signals capable of being stored, transferred, combined, compared, and otherwise manipulated. It has proven convenient at times, principally for reasons of common usage, to refer to these signals as bits, values, elements, symbols, characters, terms, numbers, or the like.

[0040] It should be understood, however, that all of these and similar terms are to be associated with the appropriate physical quantities and are merely convenient labels applied to these quantities. Unless specifically stated otherwise, as apparent from the following discussion, it should be appreciated that throughout the description, discussions utilizing terms such as "processing," "computing," "calculating," "determining," or "displaying" or the like, refer to the action and processes of a computer system, or similar electronic computing device or platform, that manipulates and transforms data represented as physical (electronic) quantities within the computer system's registers and memories into other data similarly represented as physical quantities within the computer system memories or registers or other such information storage, transmission, or display devices.

[0041] The present technology also relates to an apparatus or one or more systems for performing the operations described here. This apparatus or one or more systems may be specially constructed for the required purposes, or it may comprise a general-purpose computer selectively activated or reconfigured by a computer program stored in the computer. Such a

computer program may be stored in a computer-readable storage medium, such as, but not limited to, any type of disk including floppy disks, optical disks, CD-ROMs, magnetic disks, read-only memories (ROMs), random access memories (RAMs), EPROMs, EEPROMs, magnetic or optical cards, flash memories including USB keys with non-volatile memory or any type of media suitable for storing electronic instructions, each coupled to a computer system bus.

[0042] This technology can take the form of an entirely hardware embodiment, an entirely software embodiment, or an embodiment containing both hardware and software components. In some embodiments, this technology is implemented in software, which includes but is not limited to firmware, resident software, microcode, etc.

[0043] Furthermore, this technology can take the form of a computer program product accessible from a computer-usable or computer-readable medium providing program code for use by or in connection with a computer or any instruction execution system. For the purposes of this description, a computer-usable or computer-readable medium may be any apparatus that can contain, store, communicate, propagate, or transport the program for use by or in connection with the instruction execution system, apparatus, or device.

[0044] A data processing system suitable for storing and/or executing program code includes at least one processor coupled directly or indirectly to memory elements through a system bus. The memory elements may include local memory employed during actual execution of the program code, bulk storage, and cache memories, which provide temporary storage of at least some program code in order to reduce the number of times code must be retrieved from bulk storage during execution.

[0045] Input/output or I/O devices (including but not limited to keyboards, displays, pointing devices, etc.) can be coupled to the system either directly or through intervening I/O controllers.

[0046] Communication units including network adapters may also be coupled to the systems to enable them to couple to other data processing systems, remote printers, or storage devices, through either intervening private or public networks. Modems, cable modems, and Ethernet cards are just a few examples of the currently available types of network adapters.

[0047] Finally, the algorithms and displays presented in this application are not inherently related to any particular computer, gaming platform or other apparatus. Various general-purpose systems may be used with programs in accordance with the teachings here, or it may prove convenient to construct more specialized apparatus to perform the required method steps. The required structure for a variety of these systems is outlined in the description below. In addition, the present technology is not described with reference to any particular programming language. It should be understood that a variety of programming languages may be used to implement the technology as described here.

System Architecture Overview

[0048] Figure 1 is a high-level block diagram illustrating some embodiments of systems for providing gaming applications, either via social networks or on third party servers. The system 100 illustrated in Figure 1 provides gaming platforms 106a or 106b so that participants (players or gamers) may access one or more gaming applications, initiate a play on one device or gaming platform and continue play at another device or gaming platform, making transitions between devices or platforms essentially seamless and enabling a continuous playing experience.

[0049] The system 100 includes one or more social network servers 102a through 102n that may be accessed via user devices 115a, 115b through 115n, which are used by users 125a, 125b, through 125n, to connect to any one of the social network servers 102a through 102n. The user devices 115a through 115n may be a desktop computer, a game system or a mobile phone. These entities (user devices 115a-115n and social network servers 102a -102n) are communicatively coupled via one or more networks 105a, 105b, and 105n. Although only three user devices or platforms 115a, 115b through 115n are illustrated, any numbers of user devices or platforms 115n may be used by any number of users (players, gamers, or the like) 125n. Moreover, those skilled in the art should recognize that while the present disclosure is described below primarily in the context of providing gaming applications, the present disclosure may be applicable to other types of applications, for entertainment or otherwise. As one example, gaming applications may include operations for creating plays, participating in plays, etc.

[0050] The user devices 115a through 115n in Figure 1 are illustrated by way of example. Although Figure 1 illustrates only three devices, the present disclosure applies to any system architecture having one or more user devices 115a through 115n, therefore, any number of user devices 115n (hundreds, thousands, even millions or more) may be used.

[0051] Furthermore, while only three networks 105a, 105b, and 105n are illustrated as coupled to the user devices 115a, 115b through 115n, the social network servers 102a-102n, the profile server 130, the web server 132, and one or more third party servers 134a through 134n, in practice, any number of networks 105n may be connected, either directly or indirectly, to these entities. In addition, although only two third party servers 134a through 134n are shown, the system architecture 100 may include one or more third party servers 134n, each with a gaming

platform 106b through 106n, operating one or more gaming applications that are similar or different.

[0052] In some embodiments, the social network server 102a is coupled to the network 105a, via a signal line 110. The social network server 102a includes a social network application 104, which comprises the software routines and instructions to operate the social network server 102a and its functions and operations. Although only one social network server 102a is described here, persons of ordinary skill in the art should recognize that multiple servers may be present, as illustrated by social network servers 102n, each with functionality similar to social network server 102a or different.

[0053] The term "social network" as used here encompasses its plain and ordinary meaning including, but not limited to, any type of social structure where the users are connected by a common feature or link. The common feature includes relationships/connections, e.g., friendship, family, work, a similar interest, etc. The common features are provided by one or more social networking systems, such as those included in the system architecture 100, including explicitly-defined relationships and relationships implied by social connections with other online users, where the relationships form a social graph 108.

[0054] The term "social graph" as used here encompasses its plain and ordinary meaning including, but not limited to, a set of online relationships between users (players and non-players), such as provided by one or more social networking systems, operating on social network servers 102a through 102n, including explicitly-defined relationships and relationships implied by social connections with other online users, where the relationships form a social graph. In some examples, the social graph 108 may reflect a mapping of these users and how they are related.

[0055] It should be understood that social network server 102a and the social network software/application 104 are representative of a single social network. Each of the plurality of social networks 102a through 102n is coupled to any one of the networks 105a, 105b, and 105n, each having its own server, application, and social graph. For example, a first social network system operated or hosted on a social network server may be directed to business networking, a second directed to or centered on academics, a third directed to local business, a fourth directed to dating or gaming, and yet others directed to other general interests or perhaps a specific focus. Yet, each may provide access to a gaming platform 106a for operating or providing access to video gaming applications.

[0056] A profile server 130 is illustrated as a stand-alone server in Figure 1. In other embodiments of the system architecture 100, all or part of the profile server 130 may be part of the social network server 102a. The profile server 130 is directly connected to the network 105a, via a line 131. The profile server 130 stores profiles for all the users that belong to a social network. A third party server 134a is connected to the network 105b, via a signal line 135. A web server 132 is connected, via a line 133, to the network 105n. The web server 132 delivers access to content, via the internet, for example, by hosted websites or the like. Users may use the web browsers on their electronic devices or gaming platforms to browse for gaming applications and access websites hosting gaming applications. An online-live-gaming server 140 is connected to the network 105a by line 141 and a cross-platform server 142 is connected to a network 105n by line 143. The cross-platform server 142 may serve as a gateway to different servers and accommodating access by different user platforms.

[0057] The user devices or player gaming platforms 115a through 115n can be a computing device, for example, a laptop computer, a desktop computer, a tablet computer, a

mobile telephone (iOS, Android, or windows-based phone, a personal digital assistant (PDA), a mobile email device, a portable game player, a game console (PS3, Xbox 360, Wii or the like) a portable music player, a television with one or more processors embedded in the television or coupled to it, or any other electronic device capable of accessing a network and participating in a gaming application. The user devices 115a through 115n include user-interface applications indicated by reference numerals 117a, 117b, through 117n.

[0058] The network 105a, 105b, or 105n, is of conventional type, wired or wireless, and may have any number of configurations, such as a star configuration, token ring configuration, or other configurations known to those skilled in the art. Furthermore, the network 105 may comprise a local area network (LAN), a wide area network (WAN, e.g., the Internet), and/or any other interconnected data path across which one or more devices may communicate.

[0059] In another embodiment, the network 105a, 105b, or 105n may be a peer-to-peer network. The network 105a, 105b, or 105n may also be coupled to or include portions of one or more telecommunications networks for sending data in a variety of different communication protocols.

[0060] In yet another embodiment, the network 105a, 105b, or 105n, includes Bluetooth communication networks or a cellular communications network for sending and receiving data such as via short messaging service (SMS), multimedia messaging service (MMS), hypertext transfer protocol (HTTP), direct data connection, WAP, email, etc.

[0061] In some embodiments, the social network server 102a, the profile server 130, the web server 132, the online-live-gaming server 140, and cross-platform server 142, and the third party servers 134a through 134n are hardware servers including a processor, memory, and network communication capabilities. One or more of the users (players or gamers) 125a through

125n access any of the social network servers 102a through 102n, or the third party servers 134a through 134n, or any of the other servers, via browsers in their user devices or gaming platforms and via the web server 132. The user devices 115a through 115n have user interface applications 117a, 117b, through 117n, that manage access by particular players to select gaming applications or their choice.

[0062] Figure 2 is a block diagram illustrating some embodiments of the social network server 102 (a through n) or third party server 134 (a through n) or any other server hosting a gaming environment. In Figure 2, like reference numerals have been used to reference like components with the same or similar functionality that has been described above with reference to Figure 1. Since those components have been described above that description is not repeated here. The social network server 102a generally comprises one or more processors, although only one processor 235 is illustrated in Figure 2. The processor is coupled via a bus 220 to memory 237 and database storage 233, which stores user account data 252, game options data 254, user rewards/points 256, user play/save data 258, game options/preferences 260, promotion data 262 and advertising data 264.

[0063] In some embodiments, the database storage 233 is a database organized by the hosting server and the user or either one. For each user or player, the data storage 233 stores data on the user and user game plays etc. For example, this data may include related social network activity such as posts, shares, invitations, status changes etc., associated with each user engaged in a video gaming application.

[0064] A user or player 125a, via a user or gaming device 115a, communicates a request to initiate a gaming application or reacts to a keyword via communication unit 239. The "set up" for a video gaming application is managed by the gaming platform 106a. It should be

recognized that the gaming platform 106a (illustrated in the social network server 102a) and 106b (illustrated in the third party server 134a) are shown separately, but include similar functionality, at least for purposes of operating the gaming applications. A user or player display 25 coupled to the user device 115a through n, is configured to provide the video source of the gaming application in one of many formats, high definition graphics, three dimensional formats etc.

[0065] Referring now to Figure 3, like reference numerals have been used to reference like components with the same or similar functionality that has been described above with reference to Figure 1. Since those components have been described above, that description is not repeated here. The gaming platform or environment 106 (a or b) includes various modules that are programmed to perform the functionalities described here. These modules may be variously distributed or may be in a single unit. The gaming platform 106 includes a user/player interface module 301, a permissions module 303, a user/player account module 305, a user/player status module 307, a promotion module 309, a game initiation module 311, and a social-network module 313. Each of these modules is coupled to a software communication mechanism 320 to communicate the other modules. Examples of a software communications mechanism 320 may be an object bus (such as COBRA), direct socket communication (such as TCP/IP sockets) among software modules, remote procedure calls, UDP broadcasts and receipts, HTTP connections, function or procedure calls etc. Further, any or all of the communication could be secure (SSH, HTTPS, etc.). The software communication can be implemented on any underlying hardware, such as a network, the Internet, a bus 220 of Figure 2, or a combination thereof etc.

[0066] As one example, a particular user 125a communicates via a user device 115a, to

either initiate or react to a game play. The user interface module 301 facilitates a connection of the user device 115a with the social network server 102a, in the event the player wishes to engage or participate in a gaming application via the social network server 102a. The permission module 303 ensures that the user device is compliant with protocols and any privacy concerns. Once a video gaming application has been set up, the user/player account module 305 makes a note of the user to determine if the user has an existing account or must create one. The user/player status module 307 considers the status of the various users ("leader," "follower," or "spectator"). A promotion module 309 operates the necessary promotions permitting players to earn rewards accorded by the promotions. The game initiation module 311 initiates play and the social network module 313 tracks the applications engaged by a particular player and updates the player's social profile accordingly.

Example Methods

[0067] Figure 4 is a flow chart illustrating one example method 400 for one or more users (players or gamers) to select a "main" game and branch off for playing a portion of the "main" game. The method 400 begins with selecting a "main" game at block 402, and initiating a game play, for either "solo" play or collaborative or cooperative play, illustrated by block 404. The method 400 proceeds to the next block 406, at which point, one or more players (with their user devices) create one or more sub games based on the "main" game or branching off from the "main" game. As explained above, players may pursue a particular aspect of the "main" game, separately, either via the same player device, or via another user device (for example, move from a desktop or dedicated game console, to a mobile device, for example, a smartphone).

[0068] The method 400 proceeds to block 408, at which stage, user information relating

to the sub game is stored on the user device. At block 410, the method 400 proceeds and transfers the user information to the "main" game. Finally, the method 400 proceeds to block 412, at which stage, the "main" game is synchronized with the user information obtained from the sub game.

[0069] Referring now to the flow chart illustrated in Figure 5, an example method for obtaining a promotion is described. As described above, video gaming applications may be used in conjunction with promotions or advertising in order to coax players to purchase products or services that are either related to the gaming applications or otherwise. The user interface is configured to provide rewards to players upon receiving the promotions or advertising. The example method 500 illustrated here begins at block 502, where user or player accounts are created when a user or player decides to initiate play of a particular gaming application. The player then participates in the promotion, for example, by viewing the particulars of a promotion (advertising on a product or service), and receives additional points for creating an account, as indicated at block 504. The method 500 proceeds to block 506, where the promotion is stored into the particular player's account and at block 508 the player initiates game play.

[0070] Referring now to the flow chart illustrated in Figure 6, some example operations for providing multiple levels of play are illustrated. In particular, Figure 6 illustrates an example method 600 for assigning a status to a player. The method 600 begins and proceeds to block 602, at which point users are signed in. The user or player can indicate preferences for the level of play the user desires to participate at, which are received by the video gaming platform, as illustrated at block 604. The video gaming platform assigns a status to the user, at block 606, for example, designating the user as a "leader," a "follower," a "bystander" or any other designation used by the video gaming application. Each of these designations imposes limits on play

associated with them. For example, as indicated above, a "leader" is permitted to play the entire game whereas a "follower" is permitted to play only a portion of the game. The video gaming platform modifies player capabilities based on user status, as illustrated at block 608. User "status" accords full play capabilities to a "leader," "restricted" or "limited" play capabilities to a "follower" and "viewing" and capability to "influence" play with keyword responses to a "bystander."

[0071] Figure 7 illustrates an example method 700 for earning rewards/features within a game. The example method 700 begins and proceeds to block 702, at which stage, a user or player signs in or is displayed log-in options. The method 700 proceeds to block 704 including one or more operations for initiating or accepting user game play. The method 700 proceeds to block 706, at which stage, one or operations receive rewards and/or features for players based on game play. The method 700 proceeds to the next block 708, which includes one or more operations for storing received rewards and/or features for player accounts.

[0072] Figure 8 illustrates that multiple users, for example, Users 1, 2, 3, through N, each with a different status, for example, either "leader," "bystander," or "follower," may initiate games, for example Game 1 (indicated by reference numeral 810a), Game 2(indicated by reference numeral 810b), Game 3 (indicated by reference numeral 810c), through Game N (indicated by reference numeral 810d). Each of these games is played in a virtual game arena 804, either individual or shared, hosted on a dedicated server or in a cloud. User 2 is illustrated as branching off a sub game 1 (indicated by reference numeral 820), for separate play. Any information accumulated during the sub game is synchronized after User 2 reconnects to the original game. A user with "bystander" status may influence the game by responding to wall posts or responding with a key word. Reward or point allocation is based on the status of the

player. For example, a player playing a game (for example, a follower), receives rewards or takes away from the main game player more than a bystander does. A bystander does not receive any rewards; its role is simply to assist a friend or influence game play by a "core" player.

[0073] Figure 9 illustrates a video gaming scenario, with two core players 1 and 2 (at A and D), who have a "leader" status, illustrated at 902 and 908. A "casual" player or "follower" (at B) is illustrated by reference numeral 904 and has the capability to influence both the core players, as indicated by the arrows. Additionally, a "core" player, for example, Player 2, can participate as a "bystander" as well and influence another "core" player, Player 1. A non-player or "bystander" may also participate and provide keyword-based participation. All the various players interact with each other, some having larger impact (those that are "leader" or "core" players) on the play of another "core" player, whereas a "casual" player has a smaller or little impact on the play of others, and a "bystander" has even less impact.

[0074] As one example, a religious gaming application is described here. A "core" player may create his or her own church or organization. Another "core" player 2 may create his or her own church or organization as well. The "casual" player 3 may be a follower of both "core" Player 1 and Player 2, such that acts by the "follower" either enhance or detract a play by Player 1 or Player 2. For example, the "follower" Player 3 may give virtual money ($10 per day out of a $20) to each of the "core" players. Circumstances may change this flow of money, for example, "core" Player 2 upsets follower Player 3, who routes all of his virtual money to Player 1. Player 2 may retaliate against Player 3, by initiating an action against Player 1, creating a deficit in his or her account, thereby impacting the play by Player 1. Likewise, the bystander C may continue to influence plays by Player 1 or Player 2.

[0075] Figure 10 illustrates a gaming scenario with the virtual game arena 804 with Game 1 (indicated by reference numeral 810a), Game 2 (indicated by reference numeral 810b), Game 3 (indicated by reference numeral 810c) through Games N (indicated by reference numeral 810d) engaged by users. A user creates an account to play any of these games and may receive display of a promotion or advertisement. The user may acknowledge the promotion and instantly earn points or rewards from the game. These operations are controlled by a controller or processor 1010. User information is recorded in memory 1020. The user information may be user-game relationship data, user points (check-in rewards and points earned by play).

[0076] Figure 11 illustrates an example data storage configuration. The data storage 233 may include various types of data. In a first data cell 252, the data storage 233 includes user-account data 252, which may include a name, user name, age and birthdate, all of these items indicated generally by reference numeral 1110. The data storage 233 in a second cell may include a game-options data, including data on sound, graphics, monitor, and controls, indicated generally by reference numeral 1120. The data storage 233 may include in a third cell, user rewards/points including data on unlocked content, number of points, and rewards, all of these items indicated generally by reference numeral 1130. In a fourth cell, the data storage 233 includes a user play/save data indicated by reference numeral 258 including as examples "game save" data or "location" data, both examples indicated generally by reference numeral 1160. In a fifth cell, the data storage 233 includes game options/preferences, indicated by reference numeral 260, including as one example game-specific options, indicated by reference numeral 1150. In a sixth cell, the data storage 233 may include promotions data, indicated by reference numeral 262, including as examples data on promotions, and unlocked promotion content, indicated generally by reference numeral 1160. In a seventh cell, the data storage 233 includes advertising data,

indicated by reference numeral 264, which may include data on advertisements 1, 2, through N, all of this data indicated generally by reference numeral 1170.

[0077] The foregoing description of the embodiments of the present technology has been presented for the purposes of illustration and description. It is not intended to be exhaustive or to limit the present technology to the precise form disclosed. Many modifications and variations are possible in light of the above teaching. It is intended that the scope of the present technology be limited not by this detailed description, but rather by the claims of this application. As should be understood by those familiar with the art, the present technology may be embodied in other specific forms, without departing from the spirit or essential characteristics thereof. Likewise, the particular naming and division of the modules, routines, features, attributes, methodologies, and other aspects are not mandatory or significant, and the mechanisms that implement the present invention or its features may have different names, divisions and/or formats. Furthermore, as should be apparent to one of ordinary skill in the relevant art, the modules, routines, features, attributes, methodologies and other aspects of the present technology can be implemented as software, hardware, firmware, or any combination of the three. Also, wherever a component, an example of which is a module, of the present technology is implemented as software, the component can be implemented as a standalone program, as part of a larger program, as a plurality of separate programs, as a statically or dynamically linked library, as a kernel loadable module, as a device driver, and/or in every and any other way known now or in the future to those of ordinary skill in the art of computer programming. Additionally, the present technology is in no way limited to implementation in any specific programming language, or for any specific operating system or environment. Accordingly, the disclosure of

the present technology is intended to be illustrative, but not limiting, of the scope of the present invention, which is set forth in the following claims.

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WHAT IS CLAIMED IS:

1. A computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming, comprising:

providing access, using the one or more computing devices, to a video gaming environment hosted on a server;

providing access, using the one or more computing devices, to the video gaming environment by a plurality of users; and

designating different status levels, using the one or more computing devices, to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment.

2. A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

3. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in association with a social network server.

4. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a third party server.

5. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in a cloud of distributed servers.

6. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user electronic devices.

7. A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment for concurrent play.

8. A system for implementing a multilayer architecture for video gaming, comprising one or more computing devices, wherein the one or more computing devices provide instructions that cause the one or more computing devices to:

provide access to a video gaming environment hosted on a server;

provide access to the video gaming environment by a plurality of users;

designate different status levels to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment

9. A system according to claim 8, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

10. A system according to claim 8, wherein the video gaming environment is hosted in association with a social network server.

11. A system according to claim 8, wherein the video gaming environment is hosted on a third party server.

12. A system according to claim 8, wherein the video gaming environment is hosted in a cloud of distributed servers.

13. A system according to claim 8, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all of the user electronic devices.

16. A system according to claim 8, wherein the plurality of users access the video gaming environment for concurrent play.

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ABSTRACT

A multilayer framework and architecture with variable video or digital gaming capabilities provides multiple levels of play, permitting players to engage in different ways. The different levels of play options include 1) a peer-to-peer competitive challenge level for "core" players, 2) a "follower" play option for players with restricted capabilities and access to portions of a game; and a 3) "bystander" play option that permits non-players in a network to either observe or play from a reactive perspective.

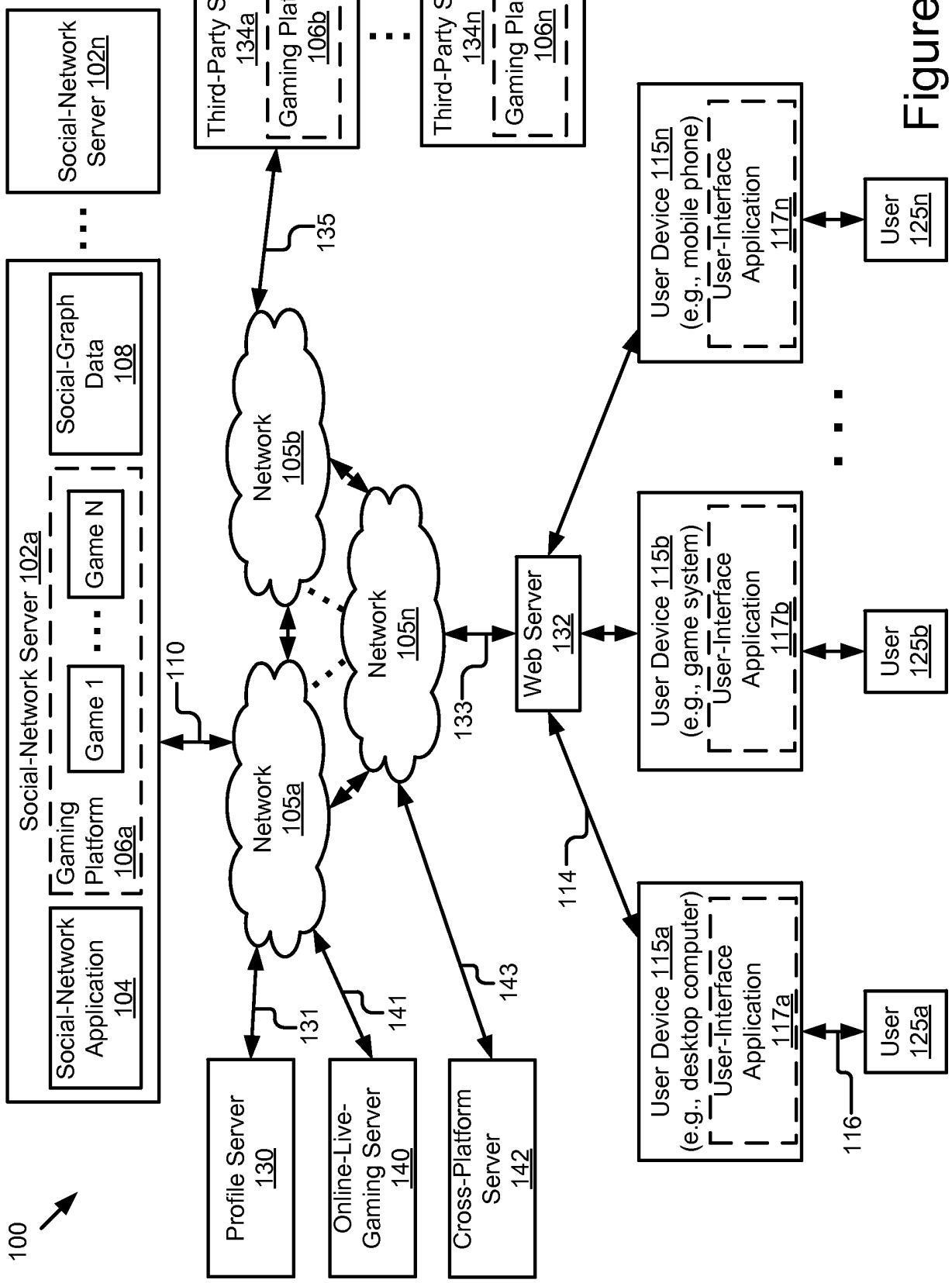
100
Social-Network Server 102a
Social-Network Application 104
Gaming Platform 106a
Game 1
Game N
Social-Graph Data 108
Social-Network Server 102n
110
Third-Party Server 134a
Gaming Platform 106b
Third-Party Server 134n
Gaming Platform 106n
135
Network 105b
Network 105a
Network 105n
131
141
143
133
Profile Server 130
Online-Live-Gaming Server 140
Cross-Platform Server 142
Web Server 132
114
User Device 115a (e.g., desktop computer)
User-Interface Application 117a
User Device 115b (e.g., game system)
User-Interface Application 117b
User Device 115n (e.g., mobile phone)
User-Interface Application 117n
116
User 125a
User 125b
User 125n

Figure 1

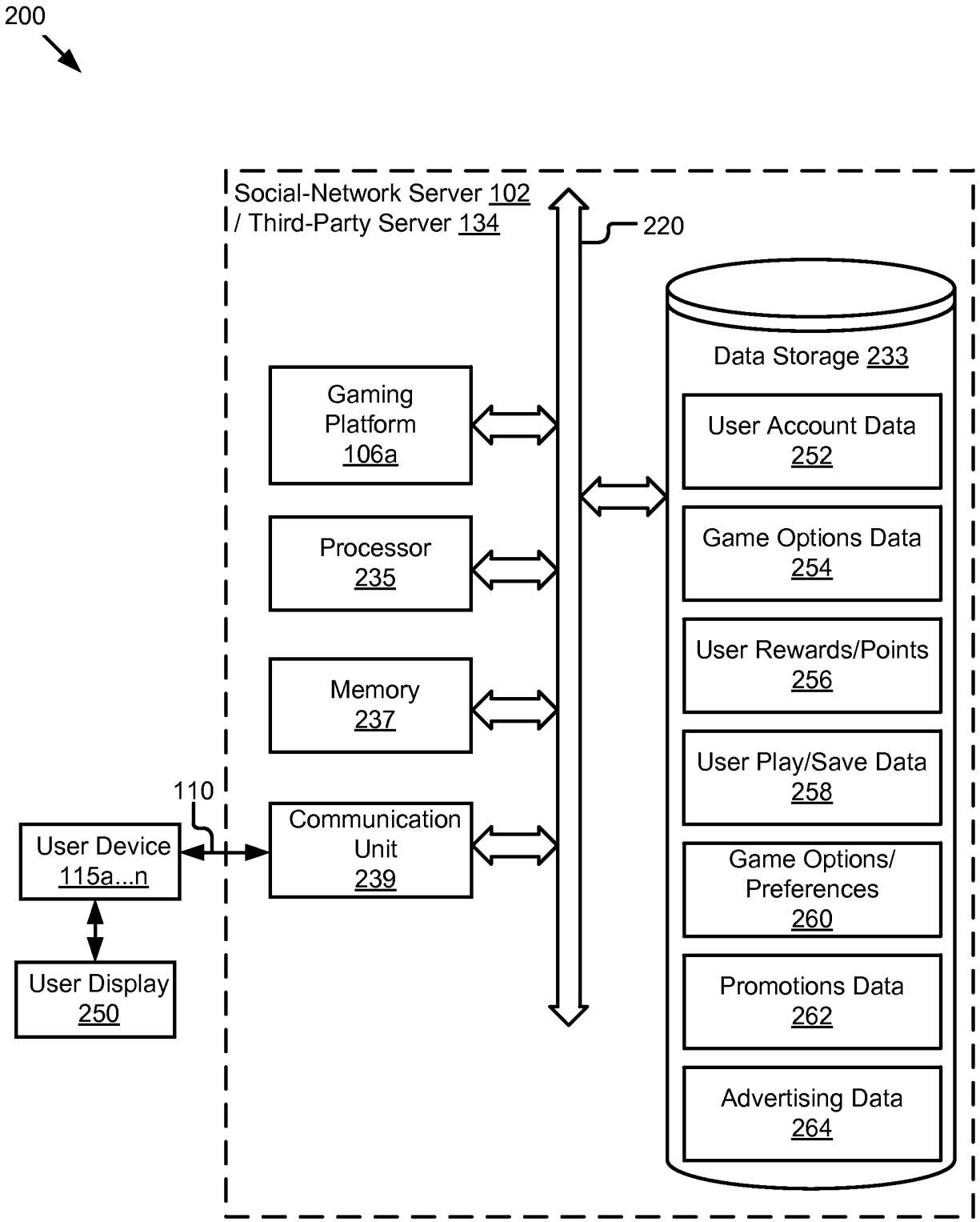
200
Social-Network Server 102
/ Third-Party Server 134
220
Data Storage 233
Gaming Platform 106a
Processor 235
Memory 237
Communication Unit 239
110
User Device 115a...n
User Display 250
User Account Data 252
Game Options Data 254
User Rewards/Points 256
User Play/Save Data 258
Game Options/ Preferences 260
Promotions Data 262
Advertising Data 264

Figure 2

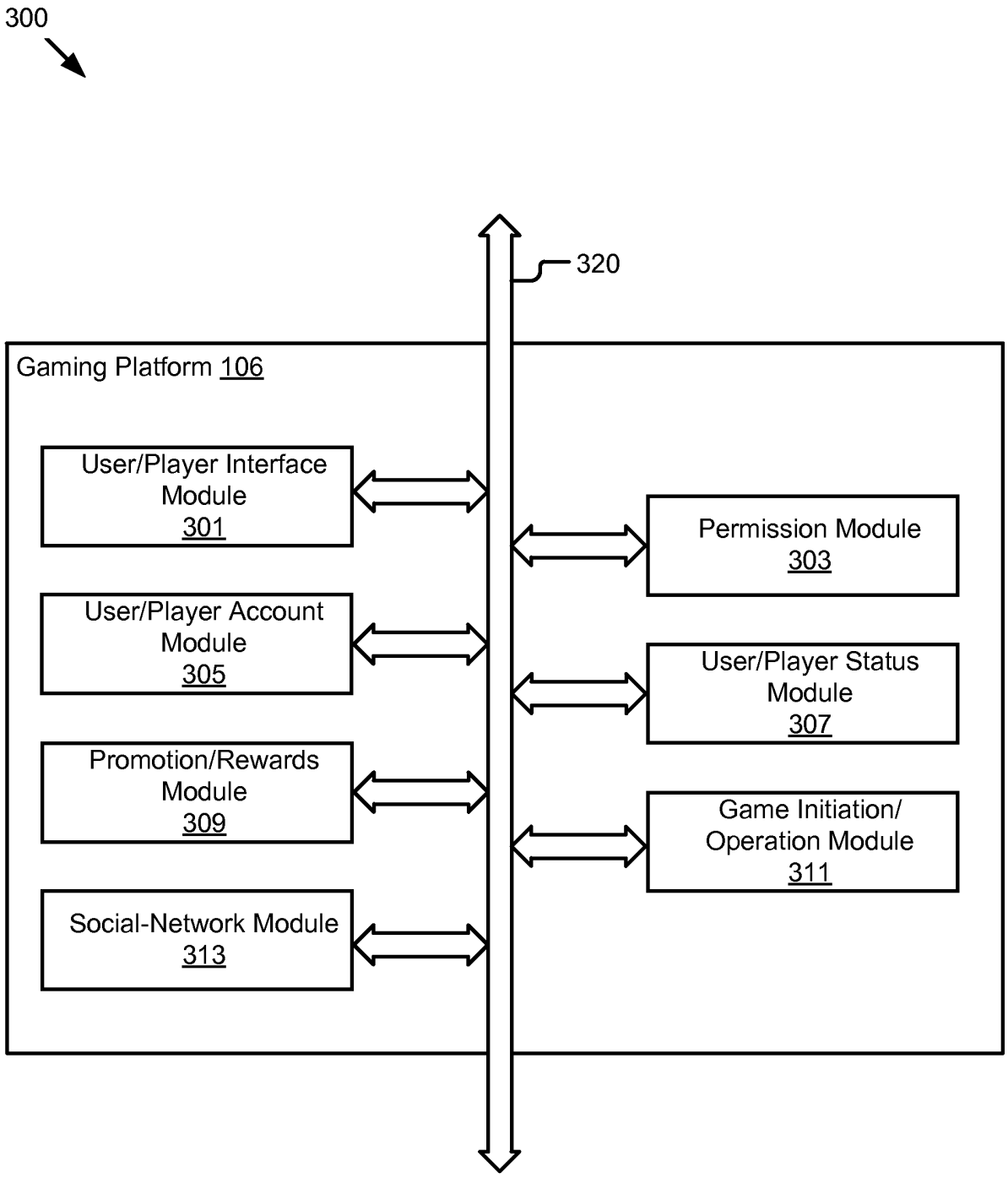
300
320
Gaming Platform 106
User/Player Interface Module 301
User/Player Account Module 305
Promotion/Rewards Module 309
Social-Network Module 313
Permission Module 303
User/Player Status Module 307
Game Initiation/ Operation Module 311

Figure 3

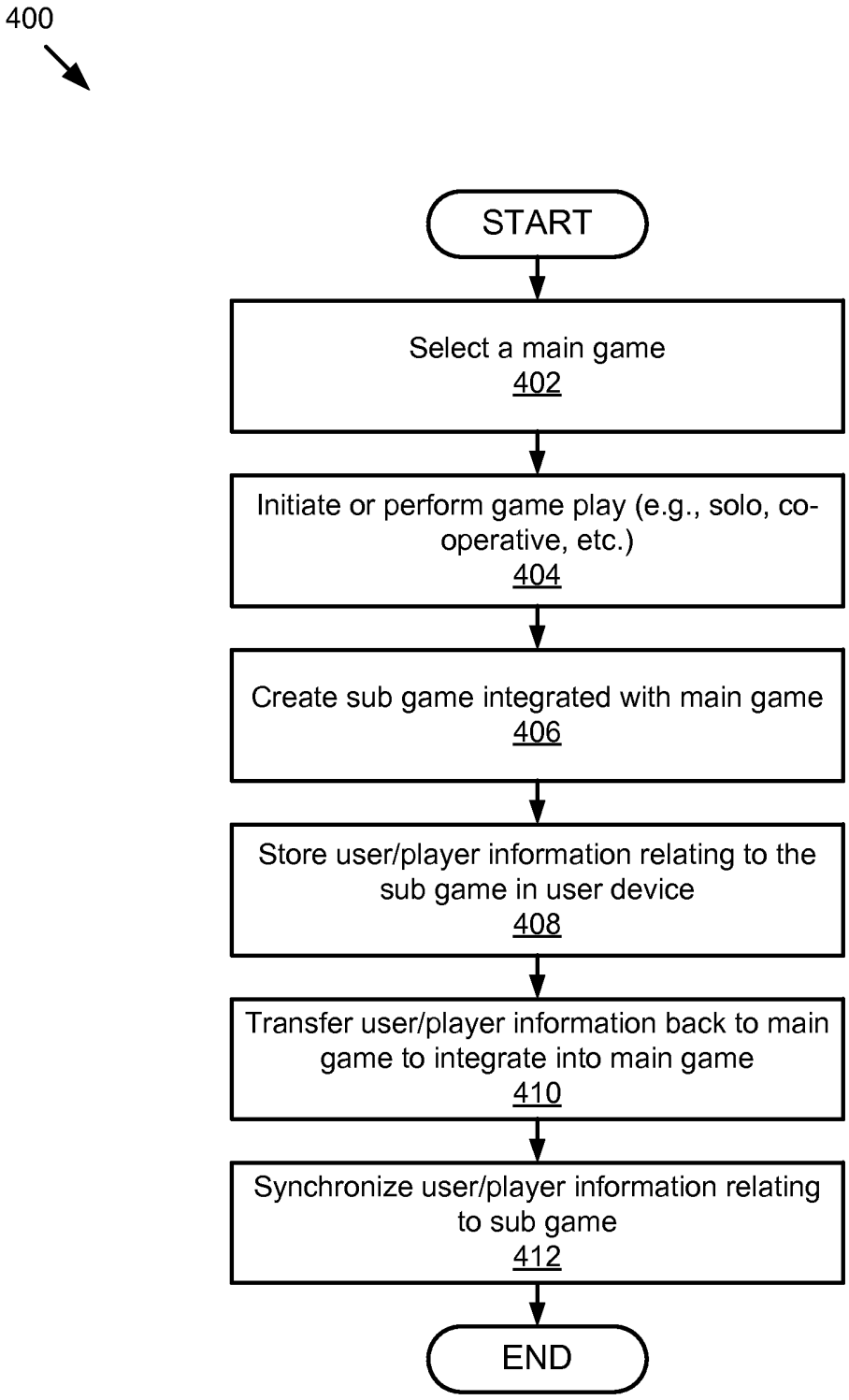
400
START
Select a main game
402
Initiate or perform game play (e.g., solo, co-operative, etc.)
404
Create sub game integrated with main game
406
Store user/player information relating to the sub game in user device
408
Transfer user/player information back to main game to integrate into main game
410
Synchronize user/player information relating to sub game
412
END

Figure 4

500

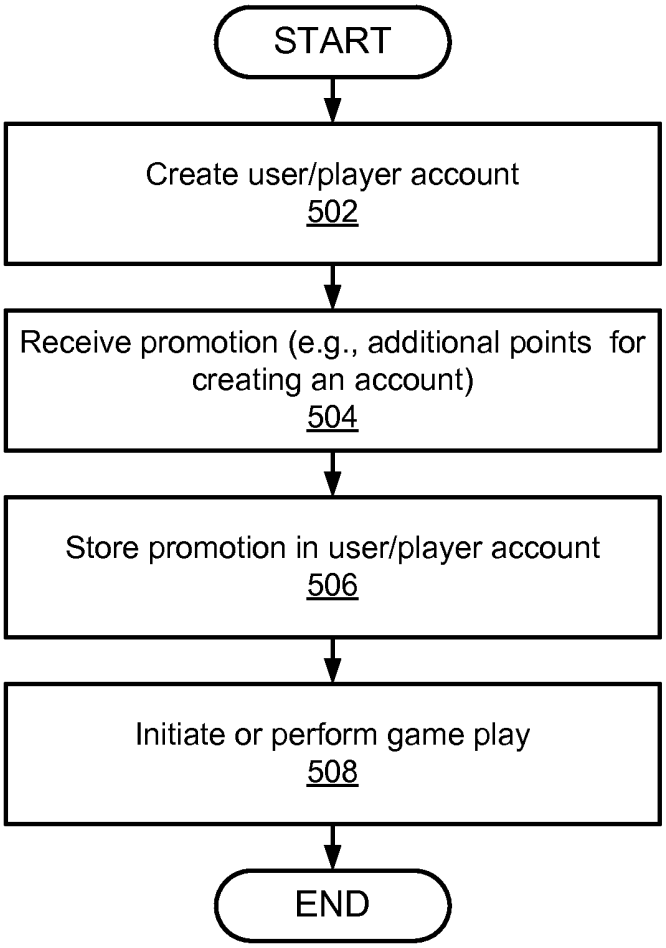
START
Create user/player account
502
Receive promotion (e.g., additional points for creating an account)
504
Store promotion in user/player account
506
Initiate or perform game play
508
END

Figure 5

600

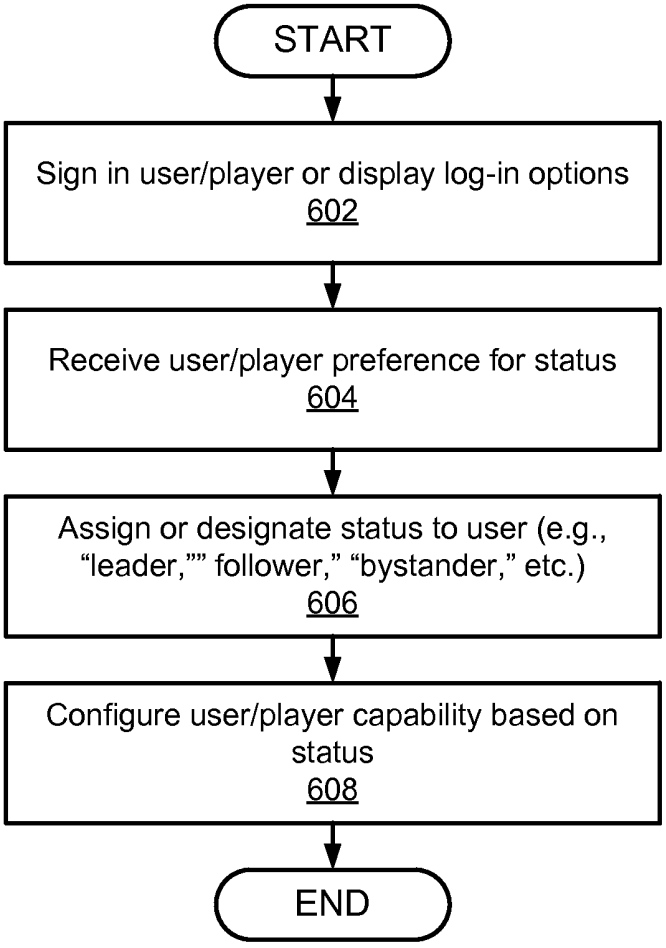
START
Sign in user/player or display log-in options
602
Receive user/player preference for status
604
Assign or designate status to user (e.g., “leader,”” follower,” “bystander,” etc.)
606
Configure user/player capability based on status
608
END

Figure 6

700

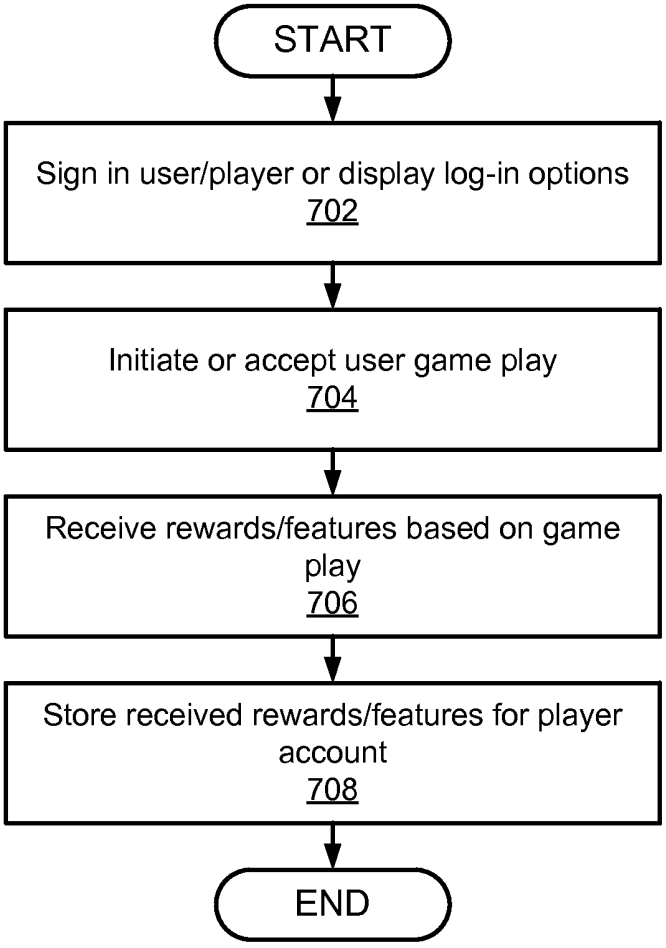
START
Sign in user/player or display log-in options
702
Initiate or accept user game play
704
Receive rewards/features based on game play
706
Store received rewards/features for player account
708
END

Figure 7

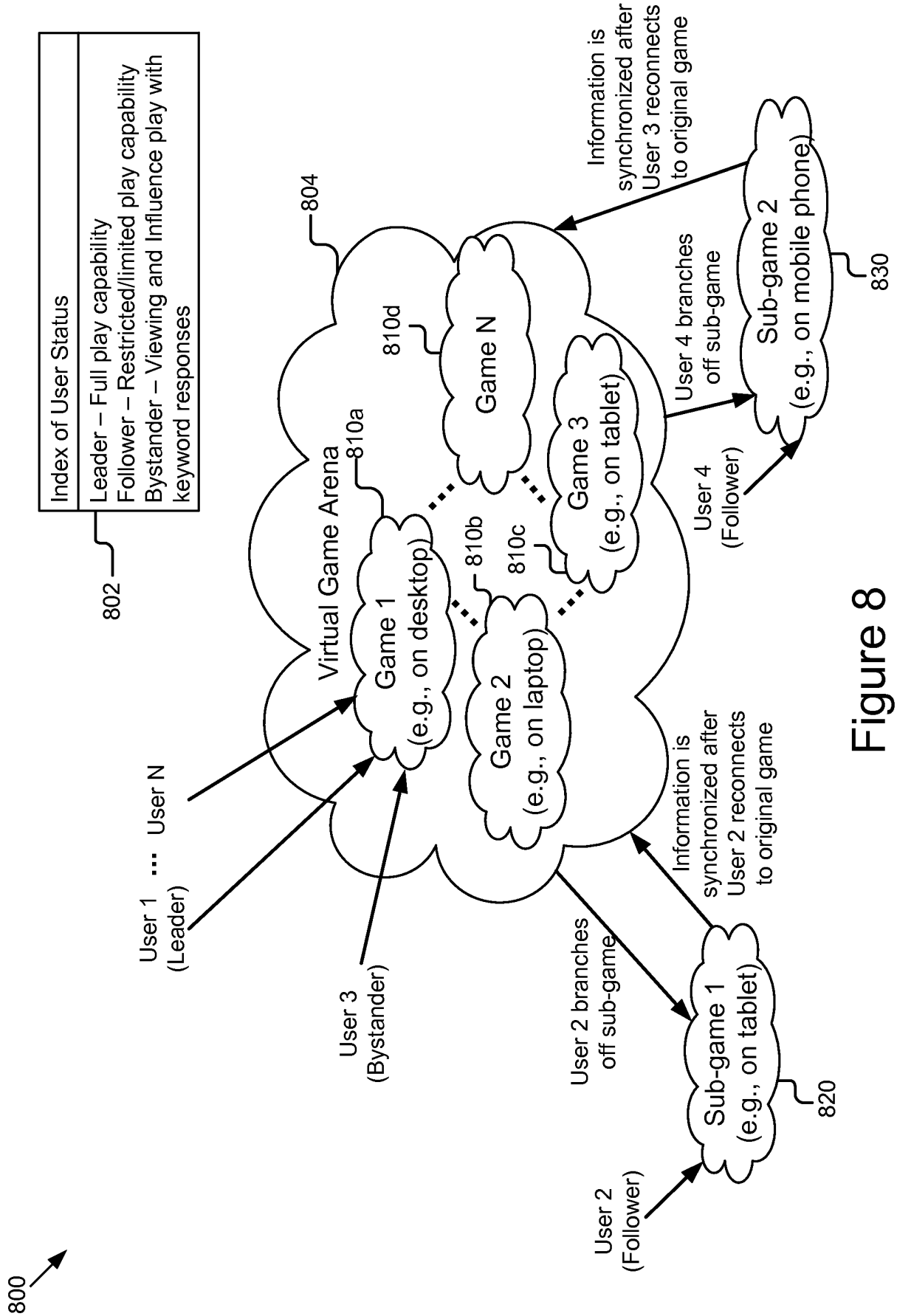
800
Index of User Status
Leader – Full play capability
Follower – Restricted/limited play capability
Bystander – Viewing and Influence play with keyword responses
802
804
Virtual Game Arena
810a
Game 1
(e.g., on desktop)
810b
Game 2
(e.g., on laptop)
810c
Game 3
(e.g., on tablet)
810d
Game N
User 1 (Leader)
... User N
User 3 (Bystander)
User 2 (Follower)
User 4 (Follower)
User 2 branches off sub-game
User 4 branches off sub-game
Sub-game 1
(e.g., on tablet)
820
Sub-game 2
(e.g., on mobile phone)
830
Information is synchronized after User 2 reconnects to original game
Information is synchronized after User 3 reconnects to original game

Figure 8

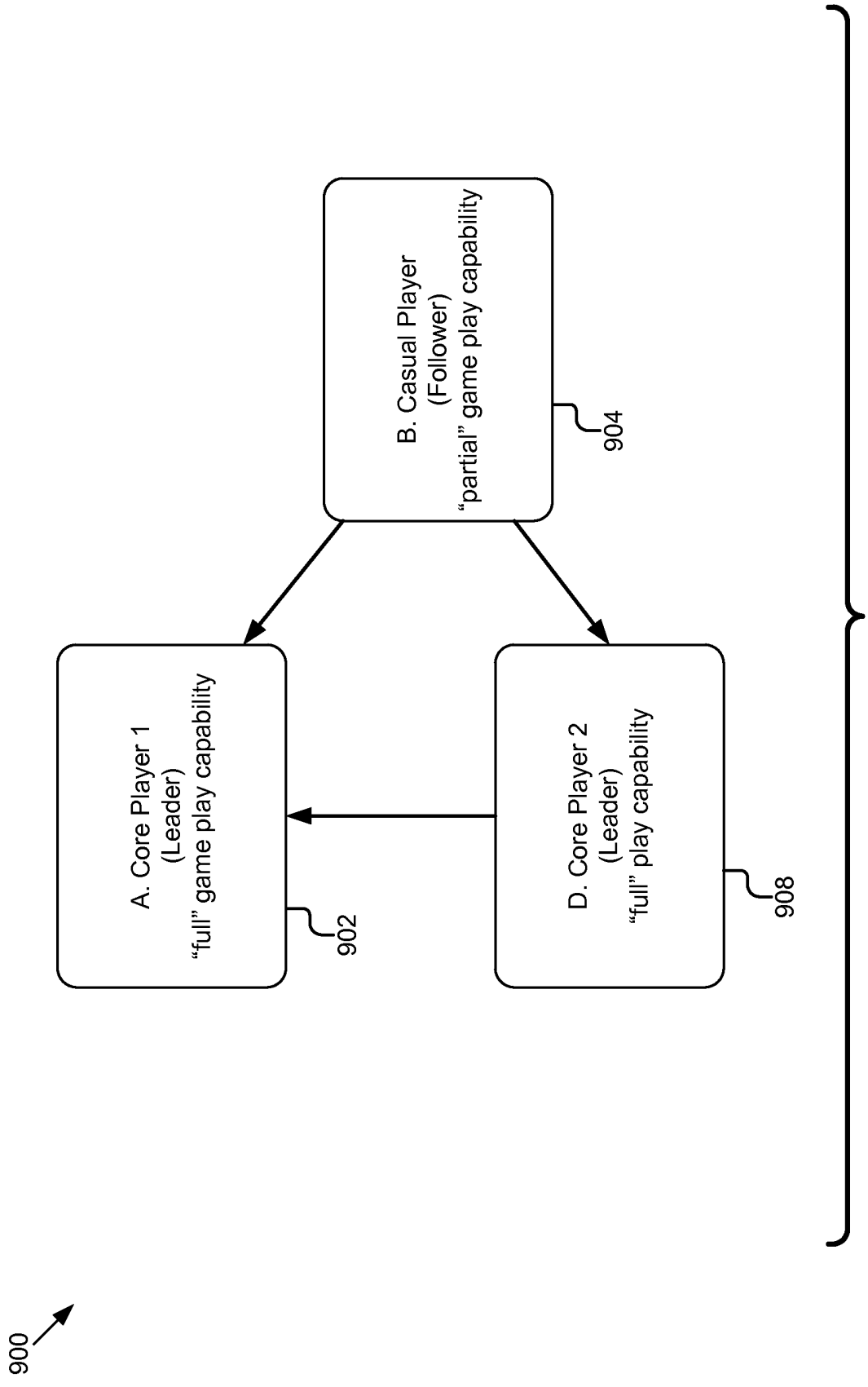
900
A. Core Player 1
(Leader)
"full" game play capability
902
B. Casual Player
(Follower)
"partial" game play capability
904
D. Core Player 2
(Leader)
"full" play capability
908
Example Game Structure

Figure 9

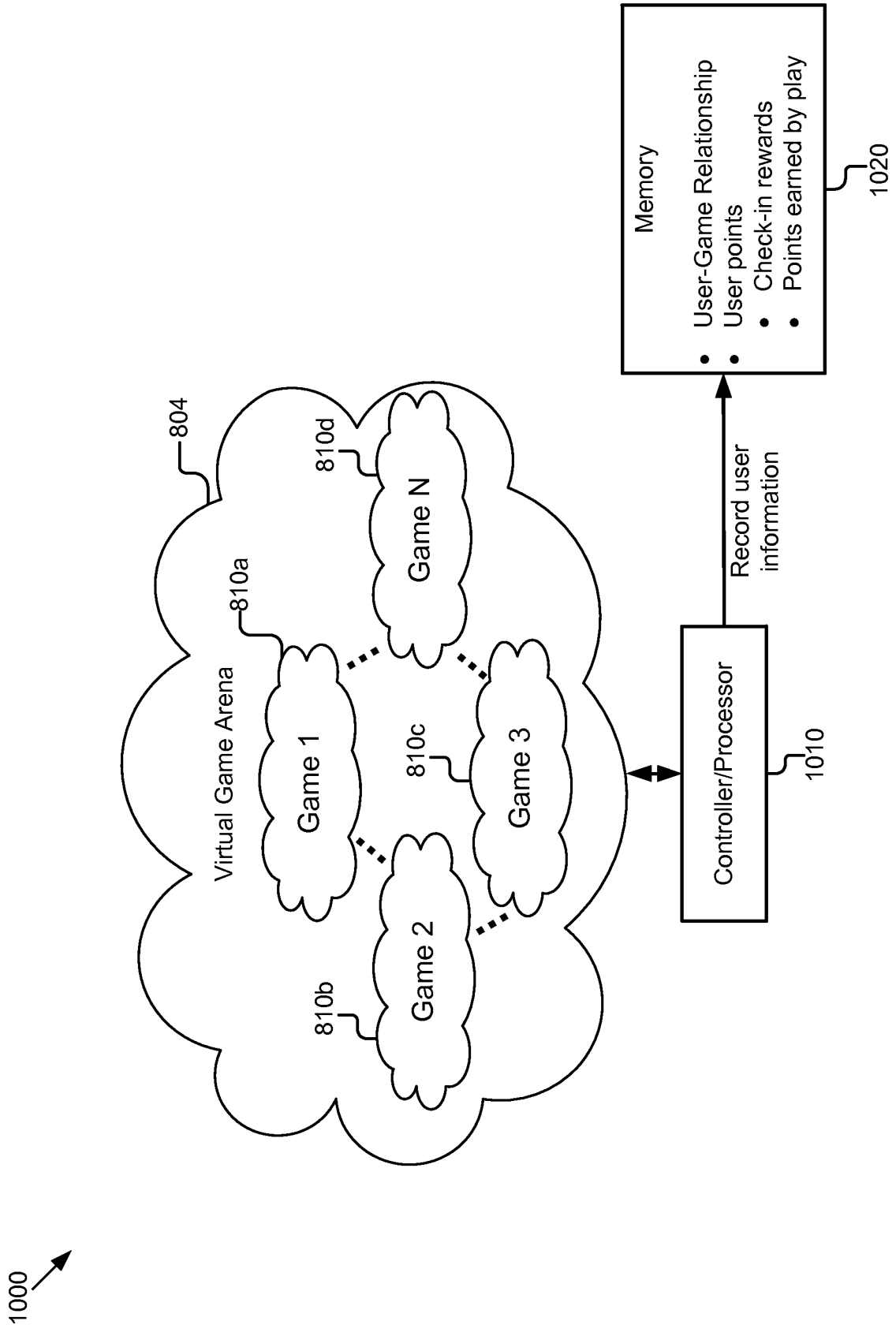
1000
804
Virtual Game Arena
810a
Game 1
810b
Game 2
810c
Game 3
810d
Game N
Controller/Processor
1010
Record user information
Memory
User-Game Relationship
User points
Check-in rewards
Points earned by play
1020

Figure 10

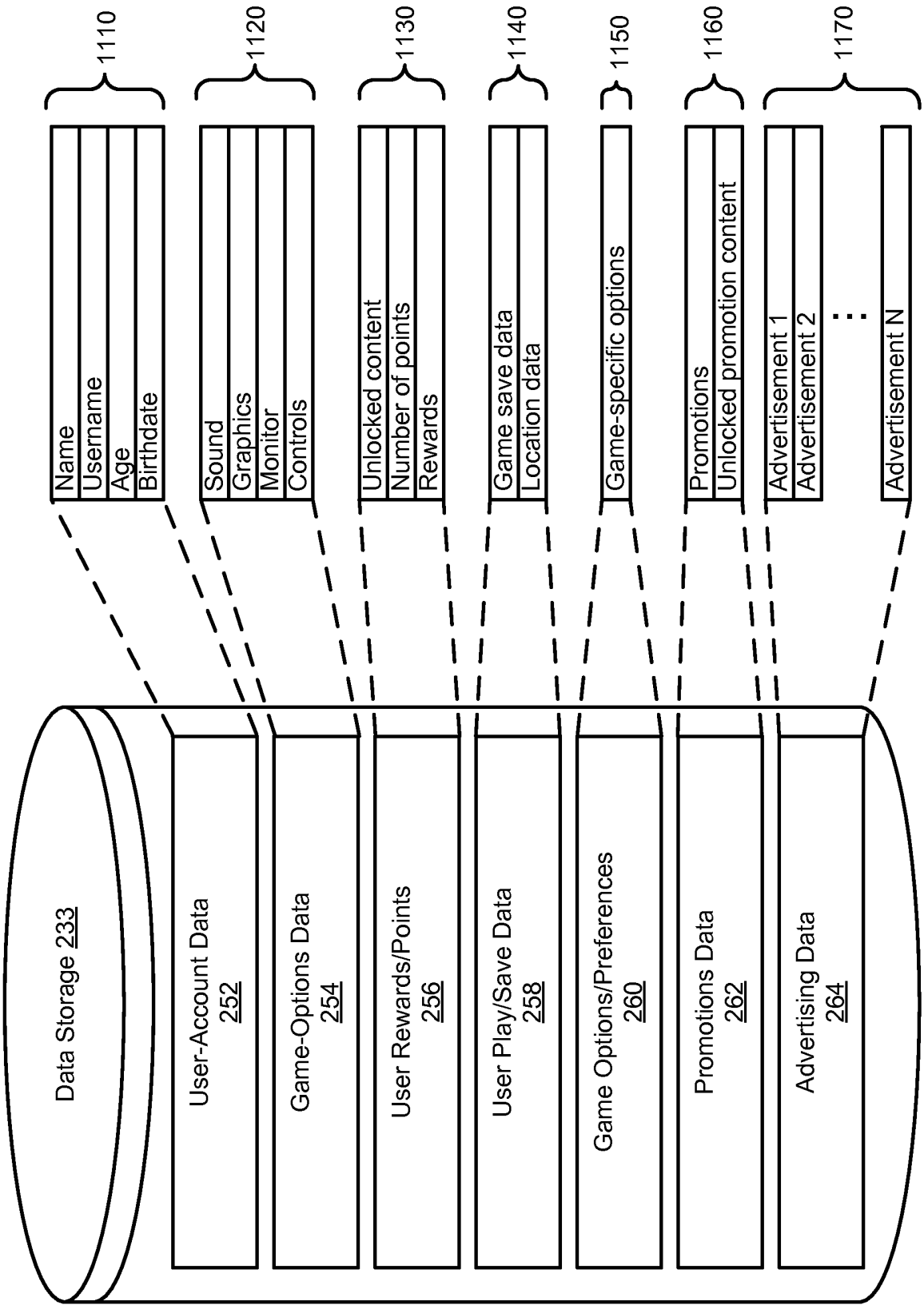
Data Storage 233
User-Account Data 252
Game-Options Data 254
User Rewards/Points 256
User Play/Save Data 258
Game Options/Preferences 260
Promotions Data 262
Advertising Data 264
Name
Username
Age
Birthdate
1110
Sound
Graphics
Monitor
Controls
1120
Unlocked content
Number of points
Rewards
1130
Game save data
Location data
1140
Game-specific options
1150
Promotions
Unlocked promotion content
1160
Advertisement 1
Advertisement 2
...
Advertisement N
1170

Figure 11

Electronic Patent Application Fee Transmittal

Application Number:	
Filing Date:	
Title of Invention:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Filer:	Reena Kuyper/Esther Kim
Attorney Docket Number:	10086-03475 US

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Utility application filing	1011	1	280	280
Utility Search Fee	1111	1	600	600
Utility Examination Fee	1311	1	720	720
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
		Total in USD ($)		**1600**

Electronic Acknowledgement Receipt

EFS ID:	15717772
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Reena Kuyper
Filer Authorized By:	
Attorney Docket Number:	10086-03475 US
Receipt Date:	07-MAY-2013
Filing Date:	
Time Stamp:	20:35:50
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$1600
RAM confirmation Number	6396
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Application Data Sheet	03475US_ADS.pdf	1503631 79cd2f17920f9bd8bc4e4b21853b9553b1f99a3a	no	7
Warnings:					
Information:					
2		03475US_Specification.pdf	186860 2263f584156030fd181c6f8a0c2b2d43cd578ada	yes	30

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Specification	1	26
	Claims	27	29
	Abstract	30	30

Warnings:					
Information:					
3	Drawings-only black and white line drawings	03475US_Drawings.pdf	69953 eb73b9e0c4dc60abd2a4a8483abe1a9d31437948	no	11
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	33125 a9f80779cb0f27ba1bec7b257770d05f19aab1bc	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1793569		

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

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

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

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 06/07/2013

MTEKLEMI ADJ #00000006 Mailroom Dt: 05/07/2013
Seq No: 6396 Sales Acctg Dt: 05/08/2013 13889276

01	FC : 1011	-280.00	OP
02	FC : 1111	-600.00	OP
03	FC : 1311	-720.00	OP

WHAT IS CLAIMED IS:

1. A computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming, comprising:

providing access, using the one or more computing devices, to a video gaming environment hosted on a server;

providing access, using the one or more computing devices, to the video gaming environment by a plurality of users; and

designating different status levels, using the one or more computing devices, to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment.

2. A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

3. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in association with a social network server.

4. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a third party server.

5. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in a cloud of distributed servers.

6. A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user electronic devices.

7. A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment for concurrent play.

8. A system for implementing a multilayer architecture for video gaming, comprising one or more computing devices, wherein the one or more computing devices provide instructions that cause the one or more computing devices to:

provide access to a video gaming environment hosted on a server;

provide access to the video gaming environment by a plurality of users;

designate different status levels to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment

9. A system according to claim 8, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

10. A system according to claim 8, wherein the video gaming environment is hosted in association with a social network server.

11. A system according to claim 8, wherein the video gaming environment is hosted on a third party server.

12. A system according to claim 8, wherein the video gaming environment is hosted in a cloud of distributed servers.

13. A system according to claim 8, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all of the user electronic devices.

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~~16.~~ 14. A system according to claim 8, wherein the plurality of users access the video gaming environment for concurrent play.

Rule 1.126

Twitch Interactive EX1003 Page 57

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Not Yet Known
GROUP ART UNIT:	Not Yet Known
ATTY. DKT. NO:	10086-03475 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacific Time Zone of the United States on the local date shown below:

Dated: June 4, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607

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P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

ASSERTION OF SMALL ENTITY STATUS

Sir/Madam:

This communication hereby notifies the United States Patent and Trademark Office that this application is entitled to small entity status. Applicant respectfully requests the 50% refund of the filing fee, search fee and examination fees which were paid at large entity rates.

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: June 4, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607
Attorney for Applicants
PATENT LAW WORKS LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111
Tel.: (801) 258-9835
Fax: (801) 355-0160
Email: kishihara@patentlawworks.net

Electronic Acknowledgement Receipt

EFS ID:	15940965
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Kanda Ishihara
Filer Authorized By:	
Attorney Docket Number:	10086-03475 US
Receipt Date:	04-JUN-2013
Filing Date:	
Time Stamp:	19:26:47
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	Assertion of entitlement to small entity status	03475US_ChangeInEntityStatus.pdf	55666 2cbe0581b43cebb4fa32655c3996cd79bfd4c7f4	no	2

Warnings:	
Information:	

Total Files Size (in bytes):	55666

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

Document code: WFEE

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		02	FC : 2111	300.00	OP
		03	FC : 2311	360.00	OP

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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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
13/889,276	05/07/2013	3714	730	10086-03475 US	14	2

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
165 South Main St
Suite 2
Salt Lake City, UT 84111

FILING RECEIPT

Date Mailed: 06/14/2013

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

Inventor(s)

Brian Joseph Wiklem, Costa Mesa, CA;
Christopher Robert Masterton, Westminster, CA;
Carrie Ann Cowan, Costa Mesa, CA;

Applicant(s)

Checkpoint Studios Inc., Costa Mesa, CA

Assignment For Published Patent Application

Checkpoint Studios Inc., Costa Mesa, CA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/643,352 05/07/2012

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.

If Required, Foreign Filing License Granted: 06/07/2013
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/889,276**
Projected Publication Date: Request for Non-Publication Acknowledged
Non-Publication Request: Yes
Early Publication Request: No
**** SMALL ENTITY ****

Title

Multilayer Framework and Architecture With Variable Video Gaming Capabilities

Preliminary Class

463

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

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Title 37, Code of Federal Regulations, 5.11 & 5.15

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/889,276	05/07/2013	Brian Joseph Wiklem	10086-03475 US

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
165 South Main St
Suite 2
Salt Lake City, UT 84111

FORMALITIES LETTER

OC000000061796598

Date Mailed: 06/14/2013

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing.

Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- A surcharge (for late submission of the basic filing fee, search fee, examination fee or inventor's oath or declaration) as set forth in 37 CFR 1.16(f) of $ **70** for a small entity in compliance with 37 CFR 1.27, must be submitted.

SUMMARY OF FEES DUE:

Total fee(s) required within **TWO MONTHS** from the date of this Notice is $ **70** for a small entity
- $ **70** Surcharge.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):
  All
  Applicant may submit the inventor's oath or declaration at any time before the Notice of Allowance and Fee(s) Due, PTOL-85, is mailed.

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

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If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/masfaw/

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: 13/889,276

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), 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(i))	14 minus 20 =	*	x 40 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 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			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	730		TOTAL	

APPLICATION AS AMENDED - PART II

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

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

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

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Not Yet Known
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10086-03475 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacific Time Zone of the United States on the local date shown below:

Dated: August 14, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF AN APPLICATION

Sir/Madam:

Responsive to the Notice of Missing Parts dated June 14, 2013, received in the above-identified application,

☒ Enclosed is:

☐ an executed Declaration;

☒ payment in the amount of $70 for the

☐ application filing fee;

(continued)

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

☐ fee for additional claims; and

☒ missing parts surcharge.

☐ Other: Application search fee

☒ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: August 14, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607
Attorney for Applicants
PATENT LAW WORKS LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111
Tel.: (801) 258-9835
Fax: (801) 355-0160
Email: patents@patentlawworks.net

Electronic Patent Application Fee Transmittal

Application Number:	13889276
Filing Date:	07-May-2013
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Filer:	Kanda Ishihara/Esther Kim
Attorney Docket Number:	10086-03475 US

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Late Filing Fee for Oath or Declaration	2051	1	70	70
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
		Total in USD ($)		**70**

Electronic Acknowledgement Receipt

EFS ID:	16594582
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Kanda Ishihara
Filer Authorized By:	
Attorney Docket Number:	10086-03475 US
Receipt Date:	14-AUG-2013
Filing Date:	07-MAY-2013
Time Stamp:	21:26:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$70
RAM confirmation Number	8029
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Applicant Response to Pre-Exam Formalities Notice	03475US_RNOMP.pdf	60136 fcb3822c2e2e40b56445d0436ecd5ff8ecb01be0	no	2
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30460 29a16b4e5aba65615b071a8a89389a8d183982b3	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	90596		

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 13/889,276

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	70		N/A	
SEARCH FEE (37 CFR 1.16(k), (i), 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(i))	14 minus 20 =	*	x 40 =	0.00	OR		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 =	*	x 210 =	0.00			
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MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				0.00			
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	730		TOTAL	

APPLICATION AS AMENDED - PART II

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/889,276	05/07/2013	3714	800	10086-03475 US	14	2

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

UPDATED FILING RECEIPT

OC000000063345563

Date Mailed: 09/05/2013

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

Inventor(s)

Brian Joseph Wiklem, Costa Mesa, CA;
Christopher Robert Masterton, Westminster, CA;
Carrie Ann Cowan, Costa Mesa, CA;

Applicant(s)

Checkpoint Studios Inc., Costa Mesa, CA

Assignment For Published Patent Application

Checkpoint Studios Inc., Costa Mesa, CA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/643,352 05/07/2012

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.

If Required, Foreign Filing License Granted: 06/07/2013
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/889,276**
Projected Publication Date: Request for Non-Publication Acknowledged
Non-Publication Request: Yes
Early Publication Request: No
**** SMALL ENTITY ****

Title

Multilayer Framework and Architecture With Variable Video Gaming Capabilities

Preliminary Class

463

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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

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UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/889,276	05/07/2013	Brian Joseph Wiklem	10086-03475 US

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

NOTICE

OC000000063345564

Date Mailed: 09/05/2013

INFORMATIONAL NOTICE TO APPLICANT

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

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

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):
  All
  Applicant may submit the inventor's oath or declaration at any time before the Notice of Allowance and Fee(s) Due, PTOL-85, is mailed.

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Not Assigned
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10086-03475 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacific Time Zone of the United States on the local date shown below:

Dated: September 13, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP UNDER RULE 37 CFR 1.48(f)

Sir/Madam:

The subject nonprovisional application was filed without the correct inventors named and without an executed declaration by any of the inventors. The Applicant hereby requests to correct the inventorship of the subject application by removing Christopher Robert Masterton as an inventor. The correct inventors are listed in the attached Corrected Application Data Sheet. The submission of an executed Declaration by each correct inventor is also attached herein.

(continued)

REQUEST TO CORRECT INVENTORSHIP UNDER RULE 37 CFR 1.48(f)

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: September 13, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607
Attorney for Applicants
PATENT LAW WORKS LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111
Tel.: (801) 258-9835
Fax: (801) 355-0160
Email: kishihara@patentlawworks.net

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	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

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
	Brian	Joseph	Wiklem	

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

City	Costa Mesa	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	2557 Santa Ana Avenue		
Address 2			
City	Costa Mesa	State/Province	CA
Postal Code	92627	Country	US

Inventor 2 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	~~Christopher~~	~~Robert~~	~~Masterton~~	

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

City	~~Westminster~~	State/Province	~~CA~~	Country of Residence	~~US~~

Mailing Address of Inventor:

Address 1	~~5901 Lancashire~~		
Address 2			
City	~~Westminster~~	State/Province	~~CA~~
Postal Code	~~92683~~	Country	~~US~~

Inventor 3 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Carrie	Ann	Cowan	

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

PTO/AIA/01 (06-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Title of Invention	Multilayer Framework and Architecture with Variable Video Gaming Capabilities

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 13/889,276 filed on May 7, 2013.

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: Brian Joseph Wiklem Date (Optional): _____

Signature: _____

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

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

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

PTO/AIA/01 (05-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	Multilayer Framework and Architecture with Variable Video Gaming Capabilities

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 13/889,276 filed on May 7, 2013.

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: Carrie Ann Cowan Date (Optional): _____

Signature: _____

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA/01 form for each additional inventor.

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

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

Electronic Acknowledgement Receipt

EFS ID:	16843261
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Kanda Ishihara
Filer Authorized By:	
Attorney Docket Number:	10086-03475 US
Receipt Date:	13-SEP-2013
Filing Date:	07-MAY-2013
Time Stamp:	14:37:08
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	Request under Rule 48 correcting inventorship	03475US_RequestToCorrectInventorship.pdf	61693 fb4cb2beffe5b304e294ab211b698284903db2ad	no	2

Warnings:	
Information:	

2	Application Data Sheet	03475US_CorrectedADS.pdf	34624 f231d31c857061754660491a07e873090616011c	no	1
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
3	Oath or Declaration filed	03475US_DeclarationToFile.pdf	554935 3ce274c132451f8224ea547803acac3f0c050825	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	651252		

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/889,276	05/07/2013	Brian Joseph Wiklem	10086-03475 US

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

IMPROPER CFR REQUEST

OC000000063878589

Date Mailed: 09/23/2013

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Power of Attorney, Claims, Fees, System Limitations, and Miscellaneous

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- The request to correct inventorship under 37 CFR 1.48(a) is deficient because a new or corrected application data sheet has not been submitted.
- The request to correct inventorship under 37 CFR 1.48(a) filed is deficient because the fee set forth in 37 CFR 1.17(i) has not been submitted.

/ydemisse/

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

PTO/AIA/82 (07-12)
Approved for use through 11/30/2014. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(c).

I hereby appoint:

☒ Practitioners associated with Customer Number: 93219

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignments documents attached to this form in accordance with 37 CFR 3.73(c).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(c) to:

☒ The address associated with Customer Number: 93219

OR

☐

Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	

Assignee Name and Address: Checkpoint Studios Inc.
275 McCormick Avenue, Building B
Costa Mesa, CA 92626

A copy of this form, together with a statement under 37 CFR 3.73(c) (Form PTO/AIA/96 or equivalent) is required to be Filed in each application in which this form is used. The statement under 37 CFR 3.73(c) may be completed by one of The practitioners appointed in this form, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	9/9/13
Name	Brian Wiklem	Telephone	650 396 3362
Title	Chief Executive Officer, Checkpoint Studios Inc.		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Electronic Acknowledgement Receipt

EFS ID:	17046081
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Kanda Ishihara
Filer Authorized By:	
Attorney Docket Number:	10086-03475 US
Receipt Date:	04-OCT-2013
Filing Date:	07-MAY-2013
Time Stamp:	17:11:47
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	Assignee showing of ownership per 37 CFR 3.73.	03475US_373c.pdf	49281 10de142fede1d2633982bac114f6e1ef47620c36	no	3

Warnings:	
Information:	

2	Power of Attorney	CheckpointPOA.pdf	290919 5fa4990722f4dca18b1f6e2cfc936be5d9c702b	no	1
Warnings:					
Information:					
			Total Files Size (in bytes):	340200	

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

PTO/AIA/96 (08-12)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: Brian Wiklem, Carrie Ann Cowan

Application No./Patent No.: 13/889,276 Filed/Issue Date: May 7, 2013

Titled: Multilayer Framework and Architecture with Variable Video Gaming Capabilities

Checkpoint Studios Inc., a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

A. ☑ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 031236, Frame 0225, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

   1. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

   2. From: _____ To: _____

      The document was recorded in the United States Patent and Trademark Office at

      Reel _____, Frame _____, or for which a copy thereof is attached.

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**.

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

PTO/AIA/96 (08-12)
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STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☑ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Kanda Ishihara/	Oct. 4, 2013
Signature	Date
Kanda V. Ishihara	56607
Printed or Typed Name	Title or Registration Number

Privacy Act Statement

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

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

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/889,276	05/07/2013	Brian Joseph Wiklem	10086-03475 US

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

POA ACCEPTANCE LETTER

OC000000064244501

Date Mailed: 10/15/2013

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 10/04/2013.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/mbeyene/

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

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Not Assigned
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10086-03475 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacific Time Zone of the United States on the local date shown below:

Dated: December 11, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP UNDER RULE 37 CFR 1.48(f)

Sir/Madam:

The subject nonprovisional application was filed without the correct inventors named and without an executed declaration by any of the inventors. The Applicant hereby requests to correct the inventorship of the subject application by removing Christopher Robert Masterton as an inventor. The correct inventors are listed in the attached Corrected Application Data Sheet. The submission of an executed Declaration by each correct inventor is also attached herein. The fee of $70 as set forth in 37 CFR 1.17(i)(1) is also included.

(continued)

REQUEST TO CORRECT INVENTORSHIP UNDER RULE 37 CFR 1.48(f)

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: December 11, 2013 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56,607
Attorney for Applicants
PATENT LAW WORKS LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111
Tel.: (801) 258-9835
Fax: (801) 355-0160
Email: kishihara@patentlawworks.net

PTO/AIA/14 (03-13)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

CORRECTED APPLICATION DATA SHEET

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	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

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
	Brian	Joseph	Wiklem	

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

City	Costa Mesa	State/Province	CA	Country of Residence	US

Mailing Address of Inventor:

Address 1	2557 Santa Ana Avenue
Address 2	

City	Costa Mesa	State/Province	CA
Postal Code	92627	Country	US

~~--Inventor---2--~~ Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	~~--Christopher--~~	~~--Robert--~~	~~--Masterton--~~	

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

City	~~--Westminster--~~	State/Province	~~--CA--~~	Country of Residence	~~--US--~~

Mailing Address of Inventor:

Address 1	~~--5901 Lancashire--~~
Address 2	

City	~~--Westminster--~~	State/Province	~~--CA--~~
Postal Code	~~--92683--~~	Country	~~--US--~~

Inventor ~~3~~ 2 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Carrie	Ann	Cowan	

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

CORRECTED APPLICATION DATA SHEET

PTO/AIA/14 (03-13)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

City	Costa Mesa	**State/Province**	CA	**Country of Residence**	US

Mailing Address of Inventor:

Address 1	2557 Santa Ana Avenue		
Address 2			
City	Costa Mesa	**State/Province**	CA
Postal Code	92627	**Country**	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	93219		
Email Address	docketing@patentlawworks.net	Add Email	Remove Email

Application Information:

Title of the Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities		
Attorney Docket Number	10086-03475 US	**Small Entity Status Claimed**	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		**Suggested Figure for Publication (if any)**	

Publication Information:

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

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

Representative Information:

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

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)

PTO/AIA/14 (03-13)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

CORRECTED APPLICATION DATA SHEET

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	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

Customer Number	93219

Domestic Benefit/National Stage Information:

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

Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	61643352	2012-05-07

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

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(d). 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(h)(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.

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

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access:

PTO/AIA/14 (03-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

CORRECTED APPLICATION DATA SHEET

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	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

☐ Authorization to Permit Access to the Instant Application by the Participating Offices

If 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 World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date o f filing this Authorization.

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

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

◉ Assignee	○ Legal Representative under 35 U.S.C. 117	○ Joint Inventor
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :	

If the Applicant is an Organization check here. ☒

Organization Name	Checkpoint Studios Inc.

PTO/AIA/14 (03-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

CORRECTED APPLICATION DATA SHEET

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	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

Mailing Address Information For Applicant:			
Address 1	275 McCormick Avenue, Bldg. B		
Address 2			
City	Costa Mesa	**State/Province**	CA
Country i	US	Postal Code	92626
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

Non-Applicant Assignee Information:

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

Assignee 1

Complete this section only if non-applicant assignee information is desired to be included on the patent application publication in accordance with 37 CFR 1.215(b). Do not include in this section 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), as the patent application publication will include the name of the applicant(s).

If the Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Non-Applicant Assignee:			
Address 1			
Address 2			
City		**State/Province**	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee Data may be generated within this form by selecting the Add button.

PTO/AIA/14 (03-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

CORRECTED APPLICATION DATA SHEET

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	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

Signature:

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

Signature	/Kanda Ishihara/			Date (YYYY-MM-DD)	2013-12-10
First Name	Kanda	Last Name	Ishihara	Registration Number	56,607

Additional Signature may be generated within this form by selecting the Add button.

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 Co o p eration 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.

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

Title of Invention	Multilayer Framework and Architecture with Variable Video Gaming Capabilities

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 13/889,276 filed on May 7, 2013.

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: Brian Joseph Wiklem Date (Optional): _____

Signature: _____

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA01 form for each additional inventor.

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

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

PTO/AIA/01 (05-12)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Title of Invention	Multilayer Framework and Architecture with Variable Video Gaming Capabilities

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 13/889,276 filed on May 7, 2013.

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: Carrie Ann Cowan Date (Optional): _____

Signature: _____

Note: An application data sheet (PTO/AIA/14 or equivalent), including naming the entire inventive entity, must accompany this form. Use an additional PTO/SB/AIA/01 form for each additional inventor.

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

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

Electronic Patent Application Fee Transmittal

Application Number:	13889276
Filing Date:	07-May-2013
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Filer:	Kanda Ishihara/Esther Kim
Attorney Docket Number:	10086-03475 US

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
PROCESSING FEE, EXCEPT PROV. APPLS.	2830	1	70	70
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
		Total in USD ($)		**70**

Electronic Acknowledgement Receipt

EFS ID:	17634164
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Kanda Ishihara
Filer Authorized By:	
Attorney Docket Number:	10086-03475 US
Receipt Date:	12-DEC-2013
Filing Date:	07-MAY-2013
Time Stamp:	01:04:13
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$70
RAM confirmation Number	11280
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1	Request under Rule 48 correcting inventorship	03475US_RequestToCorrectInventorship.pdf	62287 a863f857229dad25cfda243d0876cca9029e6acf	no	2
Warnings:					
Information:					
2	Application Data Sheet	03475US_MarkedUpADS.pdf	1005158 e442ee2734f3900a12799309fb8e0b566db86d5e	no	7
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
3	Oath or Declaration filed	03475US_Declaration.pdf	554935 3ce274c132451f8224ea547803acac3f0c050825	no	2
Warnings:					
Information:					
4	Fee Worksheet (SB06)	fee-info.pdf	30762 430385eab4912916d3529bfe52211fb1067d27a7	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1653142		

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

<u>New Applications Under 35 U.S.C. 111</u>
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/889,276	05/07/2013	3717	800	10086-03475 US	14	2

CONFIRMATION NO. 4267

CORRECTED FILING RECEIPT

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

OC000000065555505

Date Mailed: 12/23/2013

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

Inventor(s)

Brian Joseph Wiklem, Costa Mesa, CA;
Carrie Ann Cowan, Costa Mesa, CA;

Applicant(s)

Checkpoint Studios Inc., Costa Mesa, CA

Assignment For Published Patent Application

Checkpoint Studios Inc., Costa Mesa, CA

Power of Attorney: The patent practitioners associated with Customer Number 93219

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/643,352 05/07/2012

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.

If Required, Foreign Filing License Granted: 06/07/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/889,276**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

**** SMALL ENTITY ****

Title

Multilayer Framework and Architecture With Variable Video Gaming Capabilities

Preliminary Class

463

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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

SelectUSA

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit http://www.SelectUSA.gov or call +1-202-482-6800.

Doc Code: PA..

Document Description: Power of Attorney

PTO/AIA/82B(07-12)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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

POWER OF ATTORNEY BY APPLICANT

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

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

93219

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

Name	Registration Number	Name	Registration Number

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

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

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant:

☐ Inventor or Joint Inventor

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor

☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document)

SIGNATURE of Applicant for Patent

Signature		Date	1/1/14
Name	Lewis Miller	Telephone	831-641-7185
Title and Company	Managing Director of CF Studios LLC		

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

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

PTO/AIA/14 (03-13)
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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	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

☐ Authorization to Permit Access to the Instant Application by the Participating Offices

If 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 World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date o f filing this Authorization.

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

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

◉ Assignee	○ Legal Representative under 35 U.S.C. 117	○ Joint Inventor
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :	
If the Applicant is an Organization check here. ☒	
Organization Name	~~Checkpoint Studios Inc.~~ CP Studios LLC

PTO/AIA/14 (03-13)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

Mailing Address Information For Applicant:			
Address 1	~~275 McCormick Avenue, Bldg. B~~ 32 West 200 South #311		
Address 2			
City	~~Costa Mesa~~ Salt Lake City	**State/Province**	~~CA~~ UT
Country[i] US		Postal Code	~~92626~~ 84111
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

Non-Applicant Assignee Information:

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

Assignee 1

Complete this section only if non-applicant assignee information is desired to be included on the patent application publication in accordance with 37 CFR 1.215(b). Do not include in this section 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), as the patent application publication will include the name of the applicant(s).

If the Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Non-Applicant Assignee:			
Address 1			
Address 2			
City		**State/Province**	
Country[i]		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee Data may be generated within this form by selecting the Add button.

PTO/AIA/14 (03-13)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	10086-03475 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

Signature:

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

Signature	/Kanda Ishihara/			Date (YYYY-MM-DD)	2014-06-16
First Name	Kanda	Last Name	Ishihara	Registration Number	56607

Additional Signature may be generated within this form by selecting the Add button.

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

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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 Co o p eration Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

Electronic Acknowledgement Receipt

EFS ID:	19326896
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Kanda Ishihara
Filer Authorized By:	
Attorney Docket Number:	10086-03475 US
Receipt Date:	17-JUN-2014
Filing Date:	07-MAY-2013
Time Stamp:	19:38:20
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	04251US_RequestUnder146C.pdf	60624 79f304d04a24d3d3f04ef35126366f22c0decd51	no	2

Warnings:	
Information:	

2	Power of Attorney	04251US_POA.pdf	484837 c383da3b4950584116b644f2c7bdb7cef808cb6c	no	2
Warnings:					
Information:					
3	Application Data Sheet	04251US_MarkedUpADS.pdf	563818 faff7bbec7e7c2e7b84a2730e089444f20de3e11	no	4
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
			Total Files Size (in bytes):	1109279	

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Melba N. Bumgarner
GROUP ART UNIT:	3717
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	8093

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacfic Time Zone of the United States on the local date shown below:

Dated: June 17, 2014 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56607

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

REQUEST UNDER 37 CFR 1.46(c)

Sir/Madam:

Pursuant to 37 CFR 1.46(c), a request is being hereby submitted to change the listed Applicant from Checkpoint Studios Inc. to CP Studios LLC. in the above-identified application. We also request to update the mailing address information for each inventor.

As required by 37 CFR 1.46(c), enclosed are the following documents:

(continued)

REQUEST UNDER 37 CFR 1.46(c)

☒ the relevant section(s) of a new Application Data Sheet with markings to indicate changes; and

☒ an executed General Power of Attorney

☐ Other:

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: June 17, 2014 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56607
Attorney for Applicants
PATENT LAW WORKS
201 S. Main Street, Suite 250
Salt Lake City, UT 84111
Tel.: 650-537-4505
Fax: 801-355-0160
Email: kishihara@patentlawworks.net

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/889,276	05/07/2013	Brian Joseph Wiklem	10086-03475 US

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

IMPROPER CFR REQUEST

OC000000069149131

Date Mailed: 06/23/2014

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Power of Attorney, Claims, Fees, System Limitations, and Miscellaneous

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

- Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76 specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

/atesfai/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/889,276	05/07/2013	Brian Joseph Wiklem	10086-03475 US

CONFIRMATION NO. 4267

IMPROPER CPOA LETTER

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

OC00000006914910 8

Date Mailed: 06/23/2014

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the power of attorney filed 06/17/2014. The power of attorney in this application is not accepted for the reason(s) listed below:

- The power of attorney has not been accepted because the party who is giving power has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A party who is not the applicant must become the applicant in accordance with 37 CFR 1.46(c) and appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. For a reissue application, reexamination proceeding, or supplemental examination proceeding, a patent owner who was not the applicant under 37 CFR 1.46 must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).

/atesfai/

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

Doc Code: PA..

Document Description: Power of Attorney

PTO/AIA/82B(07-12)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY BY APPLICANT

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

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

93219

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A or equivalent):

Name	Registration Number	Name	Registration Number

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

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

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant:

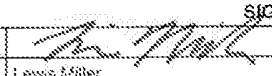
☐ Inventor or Joint Inventor

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor

☒ Assignee or Person to Whom the Inventor is Under an Obligation to Assign

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document)

SIGNATURE of Applicant for Patent

Signature		Date	1/1/14
Name	Lewis Miller	Telephone	831-641-7185
Title and Company	Managing Director of CF Studios LLC		

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

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

Privacy Act Statement

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

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

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

PTO/AIA/96 (08-12)
Approved for use through 01/31/2013. OMB 0651-0031
U.S. Patent and Trademark Office;U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of1995, no persons arerequired to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(c)

Applicant/Patent Owner: Brian Joseph Wiklem, Carrie Ann Cowan

Application No./Patent No.: 13/889,276 Filed/Issue Date: May 7, 2013

Titled: Multilayer Framework and Architecture with Variable Video Gaming Capabilities

CP Studios LLC, a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that, for the patent application/patent identified above, it is (choose **one** of options 1, 2, 3 or 4 below):

1. ☑ The assignee of the entire right, title, and interest.

2. ☐ An assignee of less than the entire right, title, and interest (check applicable box):

   ☐ The extent (by percentage) of its ownership interest is _____%. Additional Statement(s) by the owners holding the balance of the interest must be submitted to account for 100% of the ownership interest.

   ☐ There are unspecified percentages of ownership. The other parties, including inventors, who together own the entire right, title and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

3. ☐ The assignee of an undivided interest in the entirety (a complete assignment from one of the joint inventors was made). The other parties, including inventors, who together own the entire right, title, and interest are:

   Additional Statement(s) by the owner(s) holding the balance of the interest must be submitted to account for the entire right, title, and interest.

4. ☐ The recipient, via a court proceeding or the like (*e.g.*, bankruptcy, probate), of an undivided interest in the entirety (a complete transfer of ownership interest was made). The certified document(s) showing the transfer is attached.

The interest identified in option 1, 2 or 3 above (not option 4) is evidenced by either (choose **one** of options A or B below):

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

B. ☑ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

   1. From: Brian Joseph Wiklem, Carrie Ann Cowan To: Checkpoint Studios Inc.

      The document was recorded in the United States Patent and Trademark Office at
      Reel 031236, Frame 0225, or for which a copy thereof is attached.

   2. From: Checkpoint Studios Inc. To: CP Studios LLC

      The document was recorded in the United States Patent and Trademark Office at
      Reel 032005, Frame 0544, or for which a copy thereof is attached.

This collection of information is required by37 CFR3.73(b). The information is required toobtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentialityis governed by35 U.S.C. 122and 37 CFR1.11 and1.14. Thiscollection is estimated to take 12 minutes to complete, including gathering, preparing, and submittingthe 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 tothe Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**

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

PTO/AIA/96 (08-12)
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STATEMENT UNDER 37 CFR 3.73(c)

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

4. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

5. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

6. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at

Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☑ As required by 37 CFR 3.73(c)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Kanda Ishihara/	August 27, 2014
Signature	Date
Kanda V. Ishihara	56607
Printed or Typed Name	Title or Registration Number

Privacy Act Statement

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

The informationprovided 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 informationin 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 InternationalApplication 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, arecord 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 thissystem of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Melba N. Bumgarner
GROUP ART UNIT:	3717
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	8093

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacific Time Zone of the United States on the local date shown below:

Dated: August 28, 2014 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56607

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

REQUEST UNDER 37 CFR 1.46(c)

Sir/Madam:

Pursuant to 37 CFR 1.46(c), a request is being hereby submitted to change the listed Applicant from Checkpoint Studios Inc. to CP Studios LLC. in the above-identified application. We also request to update the mailing address information for each inventor.

As required by 37 CFR 1.46(c), enclosed are the following documents:

☒ the relevant section(s) of a new Application Data Sheet with markings to indicate changes;

(continued)

REQUEST UNDER 37 CFR 1.46(c)

☒ a Statement Under 3.73(c); and

☒ an executed General Power of Attorney

☐ Other:

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: August 28, 2014 By: /Kanda Ishihara/

Kanda V. Ishihara, Reg. No. 56607
Attorney for Applicants
PATENT LAW WORKS
201 S. Main Street, Suite 250
Salt Lake City, UT 84111
Tel.: 650-537-4505
Fax: 801-355-0160
Email: kishihara@patentlawworks.net

Electronic Acknowledgement Receipt

EFS ID:	19987675
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Kanda Ishihara
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	28-AUG-2014
Filing Date:	07-MAY-2013
Time Stamp:	12:25:40
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	Application Data Sheet	04251_US_20140827_MarkedUpApplicationDataSheet.pdf	136127 d245202aa555c146fc25e4252b2b5c26ef77a136	no	6

Warnings:	
Information:	

This is not an USPTO supplied ADS fillable form					
2	Transmittal Letter	04251_US_20140827_TransmittalforPowerofAttorney.pdf	40067 3822301d67b919969f4525a1204590c3d21ef5d4	no	1
Warnings:					
Information:					
3	Power of Attorney	04251_US_20140827_PowerofAttorney.pdf	484837 c383da3b4950584116b644f2c7bdb7cef808cb6c	no	2
Warnings:					
Information:					
4	Assignee showing of ownership per 37 CFR 3.73.	04251_US_20140827_StatementUnder37CFR373c.pdf	120869 e4109432471d60b0afca2155e41b69288e0e6fb7	no	3
Warnings:					
Information:					
5	Transmittal Letter	04251_146Request.pdf	72267 71f69f30121f160830f49270ceb8d12576ccdd54	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	854167		

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

MARKED UP APPLICATION DATA SHEET

PTO/AIA/14 (03-13)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	~~10086-03475 US~~ 10177-04251 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

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
	Brian	Joseph	Wiklem	

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

City	~~Costa Mesa~~ Salt Lake City	State/Province	~~CA~~ UT	Country of Residence	US

Mailing Address of Inventor:

Address 1	~~2557 Santa Ana Avenue~~ 32 West 200 South #311		
Address 2			
City	~~Costa Mesa~~ Salt Lake City	State/Province	~~CA~~ UT
Postal Code	~~92627~~ 84111	Country	US

Inventor 2 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Carrie	Ann	Cowan	

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

City	~~Costa Mesa~~ Salt Lake City	State/Province	~~CA~~ UT	Country of Residence	US

Mailing Address of Inventor:

Address 1	~~2557 Santa Ana Avenue~~ 32 West 200 South #311		
Address 2			
City	~~Costa Mesa~~ Salt Lake City	State/Province	~~CA~~ UT
Postal Code	~~92627~~ 84111	Country	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

MARKED UP APPLICATION DATA SHEET

PTO/AIA/14 (03-13)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	~~10086-03475 US~~ 10177-04251 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

☐ **An Address is being provided for the correspondence Information of this application.**			
Customer Number	93219		
Email Address	docketing@patentlawworks.net	Add Email	Remove Email

Application Information:

Title of the Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities		
Attorney Docket Number	~~10086-03475 US~~ 10177-04251 US	**Small Entity Status Claimed**	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)		**Suggested Figure for Publication (if any)**	

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)
☒ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

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

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	93219		

Domestic Benefit/National Stage Information:

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

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	non provisional of	61643352	2012-05-07

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.

MARKED UP APPLICATION DATA SHEET

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	~~10086-03475 US~~ 10177-04251 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

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(d). 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(h)(1) and (2). Under the PDX program, ~~a~~pplicant 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.

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

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.

Authorization to Permit Access:

☐ Authorization to Permit Access to the Instant Application by the Participating Offices

If 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 World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date o f filing this Authorization.

MARKED UP APPLICATION DATA SHEET

PTO/AIA/14 (03-13)
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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	~~10086-03475 US~~ 10177-04251 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

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

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

◉ Assignee	○ Legal Representative under 35 U.S.C. 117	○ Joint Inventor
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor :

If the Applicant is an Organization check here. ☒

Organization Name	~~Checkpoint Studios Inc.~~ CP Studios LLC

Mailing Address Information For Applicant:

Address 1	~~275 McCormick Avenue, Bldg. B~~ 32 West 200 South #311		
Address 2			
City	~~Costa Mesa~~ Salt Lake City	**State/Province**	~~CA~~ UT
Country US		Postal Code	~~92626~~ 84111
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

Non-Applicant Assignee Information:

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

MARKED UP APPLICATION DATA SHEET

PTO/AIA/14 (03-13)
Approved for use through 01/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	~~10086-03475-US~~ 10177-04251 US
	Application Number	
Title of Invention	Multilayer Framework and Architecture With Variable Video Gaming Capabilities	

Assignee 1

Complete this section only if non-applicant assignee information is desired to be included on the patent application publication in accordance with 37 CFR 1.215(b). Do not include in this section 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), as the patent application publication will include the name of the applicant(s).

If the Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Non-Applicant Assignee:

Address 1			
Address 2			
City		**State/Province**	
Country i		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee Data may be generated within this form by selecting the Add button.

Signature:

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

Signature	/Kanda Ishihara/			Date (YYYY-MM-DD)	2014-08-27
First Name	Kanda	Last Name	Ishihara	Registration Number	56607

Additional Signature may be generated within this form by selecting the Add button.

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.

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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 Co o p eration 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.

Doc Code: PA..
Document Description: Power of Attorney

PTO/AIA/82A (07-13)
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TRANSMITTAL FOR POWER OF ATTORNEY TO ONE OR MORE REGISTERED PRACTITIONERS

NOTE: This form is to be submitted with the Power of Attorney by Applicant form (PTO/AIA/82B) to identify the application to which the Power of Attorney is directed, in accordance with 37 CFR 1.5, unless the application number and filing date are identified in the Power of Attorney by Applicant form. If neither form PTO/AIA/82A nor form PTO/AIA82B identifies the application to which the Power of Attorney is directed, the Power of Attorney will not be recognized in the application.

Application Number	13/889,276
Filing Date	May 7, 2013
First Named Inventor	Brian Joseph Wiklem
Title	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
Art Unit	3717
Examiner Name	Melba N. Bumgarner
Attorney Docket Number	10177-04251 US

SIGNATURE of Applicant or Patent Practitioner

Signature	/Kanda Ishihara/	Date (Optional)	August 27, 2014
Name	Kanda V. Ishihara	Registration Number	56607
Title (if Applicant is a juristic entity)	Attorney for Applicant		
Applicant Name (if Applicant is a juristic entity)	CP Studios LLC		

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

☑ *Total of 1 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	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

POA ACCEPTANCE LETTER

OC000000070518075

Date Mailed: 09/04/2014

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/28/2014.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/qtran/

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

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/889,276	05/07/2013	3717	800	10177-04251 US	14	2

CONFIRMATION NO. 4267

93219
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

REPLACEMENT FILING RECEIPT

OC000000070518004

Date Mailed: 09/04/2014

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

Inventor(s)

Brian Joseph Wiklem, Salt Lake City, UT;
Carrie Ann Cowan, Salt Lake City, UT;

Applicant(s)

CP Studios LLC, Salt lake City, UT

Power of Attorney: The patent practitioners associated with Customer Number 93219

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/643,352 05/07/2012

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.

If Required, Foreign Filing License Granted: 06/07/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/889,276**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No
**** SMALL ENTITY ****

Title

Multilayer Framework and Architecture With Variable Video Gaming Capabilities

Preliminary Class

463

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

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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

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

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

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

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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NOT GRANTED

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

93219 7590 01/16/2015

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER
THOMAS, ERIC M

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
01/16/2015	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):

docketing@patentlawworks.net
patents@patentlawworks.net
mfurubayashi@patentlawworks.net

Office Action Summary	Application No. 13/889,276	Applicant(s) WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	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 *5/7/13*.

☐ 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) *1-14* 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) *1-14* 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

Claim Objections

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 16 been renumbered 14.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

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

1. Claims 1 – 14 are rejected under 35 U.S.C. 101 101 because the claimed invention is directed to non-statutory subject matter. Based upon consideration of all the relevant factors with respect to the claim as a whole, claims 1 – 11 are held to claim an abstract idea, and therefore rejected as ineligible subject matter under 35 U.S.C. 101.

1. The rationale for this finding is explained below, which is a result of careful consideration of the listed factors when analyzing the claim(s) as a whole to evaluate whether a method claim is directed to an abstract idea. These factors are not intended to be exclusive or exhaustive.

I. Factors weighing toward eligibility are:

a) Recitation of a machine or transformation: In particular, machine or transformation meaningfully limits the execution of the steps, a machine implements the claimed steps, the article being transformed is particular, an object or substance, the article undergoes a change in state or thing (objectively different function or use);

b) Practically applying a law of nature to meaningfully limit the execution of the steps; or

c) The claim is more than a mere statement of a concept: It describes a particular solution of the problem to be solved; implements a concept in a tangible way, performance of steps are observable and verifiable.

II. Factors weighing against eligibility are:

a) No recitation or insufficient recitation of a machine or transformation:

+ Insufficient involvement of the machine or transformation, merely nominally, insignificantly, or intangibly related to the performance of the steps, (e.g., data gathering, or merely recites a field in which the method is intended to be applied).

+ Machine is generically recited such that it covers any machine capable of performing the claimed step(s) or merely an object on which the method operates.

+ Transformation involves only a change in position or location of the article.

b) Improperly applying a law of nature that would monopolize a natural force or patent a scientific fact (e.g., by claiming every mode of producing an effect of that law of nature); or applied in a merely subjective determination or merely nominally, insignificantly, or tangentially related to the performance of the steps; or

c) The claim is a mere statement of a general concept: Use of the concept, as expressed in the method, would effectively grant a monopoly over the concept; or both known and unknown uses of the concept are covered, and can be performed through any existing or future-devised machinery, or even without any apparatus; or states only a problem to be solved; or general concept is disembodied; or mechanism by which the step(s) are implemented is subjective or imperceptible.

+ Examples of general concepts: Basic economic practices or theories, basic legal theories, mathematical concepts, mental activity, interpersonal relations or relationships, teaching concepts, human behavior, and instructing how business should be conducted.

There is no recitation or insufficient recitation of a machine or transformation Insufficient involvement of the machine or transformation, merely nominally, insignificantly, or intangibly related to the performance of the steps, (e.g., data gathering, or merely recites a field in which the method is intended to be applied).

Claims 1 - 14 recite ineligible subject matter because the claimed limitations include no recitation of a machine or transformation nor are they directed to a proper application of a law of nature. The claimed invention merely recites providing access to game hosted on a server that comprises a plurality of gaming devices operated by a plurality of users wherein the computing device used to provide the game is viewed upon as performing a generic function, which does not render the invention a patent-eligible technological innovation.

Please refer to sections 2106, 2106.01 of the MPEP and the Supreme Court in Bilski v. Kappos, 130 S. Ct 3218 – 2010.

Claim Rejections - 35 USC § 102

1. 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.

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.

3. Claims 1 – 14 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Supercell's "Clash of Clans" (released August 2012).

4. Regarding claim 1, Clash of Clans, (hereinafter Coc), discloses a computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming comprising access to a video gaming environment hosted on a server for a plurality of users, **("Clash of Clans is a hugely popular PvP strategy title for the iPhone and iPad from developer Supercell", lines 1 – 2, first paragraph),** designating different status levels, **("Your trophy level determines the difficulty of the opponents you go up against", Farming Strategy),** wherein each of the different status levels provides different capabilities to the plurality

of users within the video game environment, **("As you upgrade your town hall, the amount of wall that you can build increases", Defense Strategy),** the different status levels including a first player status that accords full access and play within the video gaming environment, **(highest town hall level provides access to all game features),** a second player status that accords restricted access and play within the video gaming environment, **("As you upgrade your town hall, the amount of wall that you can build increases", Defense Strategy),** and a third player status that accords reactive access and play within the video gaming environment, **(Attack and Defense Strategy).**

5. Regarding claims 2 and 9, Coc discloses wherein the plurality of users access the video gaming environment via user electronic devices including at least a mobile device or tablet, **("Clash of Clans is a hugely popular PvP strategy title for the iPhone and iPad from developer Supercell", lines 1 – 2, first paragraph).**

6. Regarding claims 3 – 6 and 10 - 13, Coc discloses wherein the video gaming environment is hosted in association with a social network server, , third party server, cloud of distributed servers, and accessible by all user devices, **("Clash of Clans is a hugely popular PvP strategy title for the iPhone and iPad from developer Supercell", lines 1 – 2, first paragraph).**

7. Regarding claims 7 and 14, Coc discloses wherein the plurality of users accesses the video gaming environment for concurrent play, **("To earn trophies in Clash of Clans multiplayer, you need to win battles. You 'win' by 1) destroying >50% of the enemy base, or 2) destroying the town hall. You can win a battle**

without destroying the town hall as long as you reach 50% total damage. The more damage you can do, the more trophies you will win", Attack Strategy).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC M. THOMAS whose telephone number is (571)272-1699. The examiner can normally be reached on 7a.m. - 3p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on (571) 272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/E. M. T./

Examiner, Art Unit 3714

/DAVID L LEWIS/

Supervisory Patent Examiner, Art Unit 3714

Notice of References Cited	Application/Control No. 13/889,276	Applicant(s)/Patent Under Reexamination WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,628,688	12-2009	Hinami, Masahiro	463/9
*	B	US-2010/0197380	08-2010	Shackleton, David	463/22
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
*	U	Clash of Clans Stragegy Guide - Tapscape www.tapscape.com/clash-of-clans-strategy-guide/
*	V	http://forum.supercell.net
	W	
	X	

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

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	15462	video game architecture network player status access	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:57
L2	19921	((A63F13/12).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
L3	2799	L2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
L4	352	L2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 15:58
L5	23	L2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 15:58
L6	352	L2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:01
L7	7	L2 and (status level access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:02
L8	0	L2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:26
L9	0	L2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:26
L10	12	L2 and (status level capable)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
L11	31914	video game network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
L12	780	L11 and (player status)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:27
L13	8	L12 and (restrict access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:28
L14	454	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
L15	56	L14 and (player level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
L16	55	L15 and (access or permission)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	ADJ	OFF	2015/01/10 16:36

			DERWENT; IBM_TDB			
L17	0	supercell.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:37
L18	0	L14 and supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
L19	981	supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
L20	53	L19 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
L21	15	supercell.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
L22	36	L14 and (player access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 17:12
L23	647	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:50
L24	20048	((A63F13/12 OR A63F2300/5566 OR A63F13/822).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:52

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C:\Users\ethomas1\Documents\EAST\Workspaces\13889276.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	Art Unit
	ERIC M THOMAS	3714

CPC- SEARCHED		
Symbol	Date	Examiner
A63F13/12, 2300, 822	1/10/2015	EMT

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
East search	1/10/2015	EMT

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

/E.M.T./ Examiner.Art Unit 3714	

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	**Art Unit**
	ERIC M THOMAS	3714

✓	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	01/10/2015								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
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	9	✓								
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	12	✓								
	13	✓								
	14	✓								

PTO/SB/08a (01-10)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	8287341		2012-10-16	Reynolds et al.	
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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20100216553		2010-08-26	Chudley et al.	
	2	20100228614		2010-09-09	Zhang et al.	
	3	20110034246		2011-02-10	Amitzur	
	4	20120254764		2012-10-04	Ayloo et al.	
	5	20130006709		2013-01-03	Kosta	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

	6	20130184064		2013-07-18	Manning et al.	

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

CERTIFICATION STATEMENT

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

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

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

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

☐ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2015-02-09
Name/Print	Paige M. Alsbury	Registration Number	72965

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

Electronic Acknowledgement Receipt

EFS ID:	21440874
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Paige McDede Alsbury
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	09-FEB-2015
Filing Date:	07-MAY-2013
Time Stamp:	16:40:27
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	Information Disclosure Statement (IDS) Form (SB08)	04251US_20150209_IDS_SB08.pdf	661351 e527992c069a101747f49ab91ac5868dfc3758d0	no	4

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

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

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

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Eric M. Thomas
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Pacific Time Zone of the United States on the local date shown below:

Dated: April 7, 2015 By: /Greg T. Sueoka/

Greg T. Sueoka, Reg. No. 33,800

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RESPONSE A

Responsive to the Non-Final Office Action mailed on January 16, 2015, which sets a shortened statutory period for response that expires on April 16, 2015, please consider the following remarks.

IN THE CLAIMS

All pending claims are reproduced below.

1. (Original) A computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming, comprising:

providing access, using the one or more computing devices, to a video gaming environment hosted on a server;

providing access, using the one or more computing devices, to the video gaming environment by a plurality of users; and

designating different status levels, using the one or more computing devices, to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment.

2. (Original) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

3. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in association with a social network server.

4. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a third party server.

5. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in a cloud of distributed servers.

6. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user electronic devices.

7. (Original) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment for concurrent play.

8. (Original) A system for implementing a multilayer architecture for video gaming, comprising one or more computing devices, wherein the one or more computing devices provide instructions that cause the one or more computing devices to:

provide access to a video gaming environment hosted on a server;

provide access to the video gaming environment by a plurality of users;

designate different status levels to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment

9. (Original) A system according to claim 8, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

10. (Original) A system according to claim 8, wherein the video gaming environment is hosted in association with a social network server.

11. (Original) A system according to claim 8, wherein the video gaming environment is hosted on a third party server.

12. (Original) A system according to claim 8, wherein the video gaming environment is hosted in a cloud of distributed servers.

13. (Original) A system according to claim 8, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all of the user electronic devices.

14. (Original) A system according to claim 8, wherein the plurality of users access the video gaming environment for concurrent play.

REMARKS

Claims 1-14 were presented for examination. Claims 1-14 stand rejected in the Office Action dated January 16, 2015 (hereinafter, "Office Action"). Claims 1-14 are pending upon entry of this response.

Summary of Office Action

1. Claims 1-14 are rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter.

2. Claims 1-14 are rejected under pre-AIA 35 U.S.C. § 102(b) as allegedly being anticipated by Supercell's (*Clash of Clan Strategy Guide*, hereinafter "Supercell").

Response to Rejections under 35 U.S.C. § 101

Claims 1-14 are rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. The Office Action cites MPEP 2106, which states: "There are two criteria for determining subject matter eligibility and both must be satisfied. The claimed invention (1) must be directed to one of the four statutory categories, and (2) must not be wholly directed to subject matter encompassing a judicially recognized exception..."

Independent claim 1 is clearly a process, defined by MPEP 2106 (I)(i) as "an act, or series of acts or steps," so it passes the first of the two criteria that it must be directed toward one of the four statutory categories. Similarly, independent claim 8 is clearly a machine, as defined by MPEP 2106 (I)(ii) as "a concrete thing, consisting of parts, or of certain devices and

combination of devices," because it includes "A system… comprising one or more computing devices…"

The claims also pass the second of the two criteria, that is, they are not "wholly directed to subject matter encompassing a judicially recognized exception." MPEP 2105(II), *citing Bilski v. Kappos*, provides judicially recognized exceptions, which are "laws of nature, physical phenomena, and abstract ideas." The present claims are not directed to laws of nature, nor are they directed to physical phenomena. Similarly, the claims are not an abstract idea, nor are they wholly directed toward one of these judicially recognized exceptions.

The elements in the independent claims, for example, are much more specific than just "merely…providing access to a game hosted on a server that comprises a plurality of gaming devices operated by a plurality of users", as asserted on page 4 of the Office Action. For instance, independent claim 1 depends on several concrete elements and steps, including "*providing access, using the one or more computing devices, to a video gaming environment hosted on a server*," "*providing access, using the one or more computing devices, to the video gaming environment by a plurality of users*," and "*designating different status levels, using the one or more computing devices, to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment*," for example. The claimed solution meaningfully limits the execution of the steps and is necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computers.

Finally, Applicants respectfully submit that application of the machine-or-transformation test is insufficient to make a *prima facie* rejection under 35 U.S.C. § 101 and further, Applicants' claims are compliant with 35 U.S.C. § 101 because the claims are not directed to abstract ideas,

laws of nature or natural phenomena. Even assuming, *arguendo*, that the Office Action's assertion that the claims fail the machine-or-transformation test, the test is not dispositive of whether or not the claims recite patentable subject matter.[1]

Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 101 of claim 1, and all claims depending therefrom, be withdrawn. As for claim 8, while differing from claim 1 in scope and statutory class, is patentable for at least reasons analogous to those discussed above regarding claim 1. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. § 101 of claim 8, and all claims depending therefrom, also be withdrawn.

Response to Rejections under 35 U.S.C. § 102

Claims 1-14 are rejected under pre-AIA 35 U.S.C. § 102(b) as being anticipated by Supercell.

The Application properly incorporates by reference and claims the benefit of priority under 35 U.S.C. §119(e) to U.S. Provisional Application No. 61/643,352 entitled "Multilayer Framework Architecture and User Interfaces for Video Gaming Applications," filed on May 07, 2012, by Brian Joseph Wiklem, Christopher Robert Masterton, and Carrie Ann Cowan.

Provisional application 61/643,352 provides support for all elements of the independent claims 1 and 8. For instance, support for the following limitations of claim 1 may be found as follows:

- "A computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming", see paragraph 30 of the provisional application, for example;

[1] *See* MPEP 2106(II)(B); *see also Bilski v. Kappos*, 130 S.Ct. 3218, 3227 (2010).

- "providing access, using the one or more computing devices, to a video gaming environment hosted on a server", see paragraphs 7 and 75 of the provisional application, for example;
- "providing access, using the one or more computing devices, to the video gaming environment by a plurality of users", see paragraphs 75 and 76 of the provisional application, for example;
- "designating different status levels, using the one or more computing devices, to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example;
- "the different status levels including a first player status that accords full access and play within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example;
- "a second player status that accords restricted access and play within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example; and
- "a third player status that accords reactive access and play within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example.

Thus, all elements of the independent claims are fully supported by the provisional application having a priority date of May 7, 2012. Conversely, page 5 of the Office Action alleges that the Supercell reference has a § 102 (b) date of August 2012. Accordingly, the priority date of the claims precedes that of the Supercell reference and the Office Action's

rejection under 35 U.S.C. § 102 is moot. Applicants therefore, respectfully request that the rejection under § 102 be withdrawn.

CONCLUSION

Allowance of all claims is requested. If the Examiner believes that direct contact with Applicants' attorney will advance the prosecution of this case, the Examiner is encouraged to contact the undersigned as indicated below.

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: April 7, 2015 By: /Greg T. Sueoka/

Greg T. Sueoka, Reg. No. 33,800
Attorney for Applicants
PATENT LAW WORKS LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111
Tel.: (801) 258-9821
Fax: (801) 355-0160
Email: gsueoka@patentlawworks.net

GTS:kkt

Electronic Acknowledgement Receipt

EFS ID:	21997560
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Greg T. Sueoka
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	07-APR-2015
Filing Date:	07-MAY-2013
Time Stamp:	19:30:39
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	04251_US_2015-04-02_-_Amendment_Av2.pdf	130256 64c75d851c2ccad961773f46e780a722ada4ca95	no	9

Warnings:	
Information:	

Total Files Size (in bytes):	130256

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/889,276	Filing Date 05/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	04/07/2015	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 14	Minus	** 20	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**0**

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

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

LIE
/MARIA LOREDO/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/08a (01-10)
Approved for use through 07/31/2012. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

U.S.PATENTS Remove

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

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

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20110320401	A1	2011-12-29	Mahajan et al.	
	2	20130097517	A1	2013-04-18	Reiss et al.	
	3	20130196732	A1	2013-08-01	Oochi et al.	

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

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

If you wish to add additional Foreign Patent Document citation information please click the Add button			Add
NON-PATENT LITERATURE DOCUMENTS			Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐
If you wish to add additional non-patent literature document citation information please click the Add button			Add

EXAMINER SIGNATURE			
Examiner Signature		Date Considered	

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

CERTIFICATION STATEMENT

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

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

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

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

☐ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2015-06-04
Name/Print	Paige M. Alsbury	Registration Number	72965

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

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

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

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

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

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

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

Electronic Acknowledgement Receipt

EFS ID:	22549146
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Paige McDede Alsbury
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	05-JUN-2015
Filing Date:	07-MAY-2013
Time Stamp:	14:51:49
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	Information Disclosure Statement (IDS) Form (SB08)	04251US_IDS.pdf	612285 4bbce3c1158394b8233096fd318e9edb7c9a31cc	no	4

Warnings:	
Information:	

Total Files Size (in bytes):	612285

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

New International Application Filed with the USPTO as a Receiving Office
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

93219 7590 07/30/2015

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER	
THOMAS, ERIC M	

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
07/30/2015	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):

docketing@patentlawworks.net
patents@patentlawworks.net

Office Action Summary	Application No. 13/889,276	Applicant(s) WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	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 *4/7/15*.

☐ 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) *1-14* 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) *1-14* 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 *2/9/15, 6/5/15*.

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

4) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

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.

1. 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.

Claims 1 – 14 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Supercell's "Clash of Clans" (released August 2012).

Regarding claim 1, Clash of Clans, (hereinafter Coc), discloses a computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming comprising access to a video gaming environment hosted on a server for a plurality of users, **("Clash of Clans is a hugely popular PvP strategy title for the iPhone and iPad from developer Supercell", lines 1 – 2, first paragraph),** designating different status levels, **("Your trophy level determines the difficulty of the opponents you go up against", Farming Strategy),** wherein each of the different status levels provides different capabilities to the plurality

of users within the video game environment, **("As you upgrade your town hall, the amount of wall that you can build increases", Defense Strategy),** the different status levels including a first player status that accords full access and play within the video gaming environment, **(highest town hall level provides access to all game features),** a second player status that accords restricted access and play within the video gaming environment, **("As you upgrade your town hall, the amount of wall that you can build increases", Defense Strategy),** and a third player status that accords reactive access and play within the video gaming environment, **(Attack and Defense Strategy).**

Regarding claims 2 and 9, Coc discloses wherein the plurality of users access the video gaming environment via user electronic devices including at least a mobile device or tablet, **("Clash of Clans is a hugely popular PvP strategy title for the iPhone and iPad from developer Supercell", lines 1 – 2, first paragraph).**

Regarding claims 3 – 6 and 10 - 13, Coc discloses wherein the video gaming environment is hosted in association with a social network server, , third party server, cloud of distributed servers, and accessible by all user devices, **("Clash of Clans is a hugely popular PvP strategy title for the iPhone and iPad from developer Supercell", lines 1 – 2, first paragraph).**

Regarding claims 7 and 14, Coc discloses wherein the plurality of users accesses the video gaming environment for concurrent play, **("To earn trophies in Clash of Clans multiplayer, you need to win battles. You 'win' by 1) destroying >50% of the enemy base, or 2) destroying the town hall. You can win a battle**

without destroying the town hall as long as you reach 50% total damage. The more damage you can do, the more trophies you will win", Attack Strategy).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC M. THOMAS whose telephone number is (571)272-1699. The examiner can normally be reached on 7a.m. - 3p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on (571) 272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/E. M. T./

Examiner, Art Unit 3714

/DAVID L LEWIS/

Supervisory Patent Examiner, Art Unit 3714

Notice of References Cited	Application/Control No. 13/889,276	Applicant(s)/Patent Under Reexamination WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2009/0307226	12-2009	Koster et al.	707/10
*	B	US-7,955,175	06-2011	Holloway et al.	463/42
*	C	US-2011/0201414	08-2011	Barclay et al.	463/25
	D	US-			
	E	US-			
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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

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	1	20110320401	A1	2011-12-29	Mahajan et al.	
	2	20130097517	A1	2013-04-18	Reiss et al.	
	3	20130196732	A1	2013-08-01	Oochi et al.	

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Examiner Signature	/Eric Thomas/	Date Considered	07/26/2015

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Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2015-06-04
Name/Print	Paige M. Alsbury	Registration Number	72965

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Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	**Art Unit**
	ERIC M THOMAS	3714

✓	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	07/26/2015								
	1	✓								
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	13	✓								
	14	✓								

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Attorney Docket Number	10177-04251 US

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	8287341		2012-10-16	Reynolds et al.	

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	1	20100216553		2010-08-26	Chudley et al.	
	2	20100228614		2010-09-09	Zhang et al.	
	3	20110034246		2011-02-10	Amitzur	
	4	20120254764		2012-10-04	Ayloo et al.	
	5	20130006709		2013-01-03	Kosta	

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	6	20130184064		2013-07-18	Manning et al.	

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Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2015-02-09
Name/Print	Paige M. Alsbury	Registration Number	72965

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	ERIC M THOMAS	3714

CPC- SEARCHED		
Symbol	Date	Examiner
A63F13/12, 2300, 822	7/26/2015	EMT

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Class	Subclass	Date	Examiner

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

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

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

Electronic Acknowledgement Receipt

EFS ID:	23190415
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Paige McDede Alsbury
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	12-AUG-2015
Filing Date:	07-MAY-2013
Time Stamp:	15:37:52
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	Information Disclosure Statement (IDS) Form (SB08)	04251US_IDS.pdf	612285 4bbce3c1158394b8233096fd318e9edb7c9a31cc	no	4

Warnings:	
Information:	

Total Files Size (in bytes):	612285

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New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Eric M. Thomas
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Mountain Time Zone of the United States on the local date shown below:

Dated: November 30, 2015 By: /Lance A. Topham/

Lance A. Topham, Reg. No. 70,276

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

RESPONSE B

Responsive to the Non-Final Office Action mailed on July 30, 2015, which sets a shortened statutory period for response that expires on November 30, 2015, please consider the following remarks. Additionally, a one-month extension of time is requested and the fee for which is submitted herewith.

IN THE CLAIMS

All pending claims are reproduced below.

1. (Original) A computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming, comprising:

providing access, using the one or more computing devices, to a video gaming environment hosted on a server;

providing access, using the one or more computing devices, to the video gaming environment by a plurality of users; and

designating different status levels, using the one or more computing devices, to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment.

2. (Original) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

3. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in association with a social network server.

4. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a third party server.

5. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in a cloud of distributed servers.

6. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user electronic devices.

7. (Original) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment for concurrent play.

8. (Original) A system for implementing a multilayer architecture for video gaming, comprising one or more computing devices, wherein the one or more computing devices provide instructions that cause the one or more computing devices to:

provide access to a video gaming environment hosted on a server;

provide access to the video gaming environment by a plurality of users;

designate different status levels to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment, the different status levels including a first player status that accords full access and play within the video gaming environment, a second player status that accords restricted access and play within the video gaming environment; and a third player status that accords reactive access and play within the video gaming environment

9. (Original) A system according to claim 8, wherein the plurality of users access the video gaming environment via user electronic devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

10. (Original) A system according to claim 8, wherein the video gaming environment is hosted in association with a social network server.

11. (Original) A system according to claim 8, wherein the video gaming environment is hosted on a third party server.

12. (Original) A system according to claim 8, wherein the video gaming environment is hosted in a cloud of distributed servers.

13. (Original) A system according to claim 8, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all of the user electronic devices.

14. (Original) A system according to claim 8, wherein the plurality of users access the video gaming environment for concurrent play.

REMARKS

Claims 1-14 were presented for examination. Claims 1-14 stand rejected in the Office Action dated July 30, 2015 (hereinafter, "Office Action"). Claims 1-14 are pending upon entry of this response.

INTERVIEW SUMMARY

On Thursday, September 21, 2015, Applicants' representative, Lance Topham conducted an Examiner Interview with Examiner Eric Thomas. Applicants' representative asserted that the Office Action had mistakenly repeated the Supercell reference, which had previously been invalidated as prior art. Examiner Thomas agreed that the Office Action was erroneous and stated that he would send a new non-final office action with corrected references and arguments.

Summary of Office Action

1. Claims 1-14 are rejected under pre-AIA 35 U.S.C. § 102(b) as allegedly being anticipated by Supercell (*Clash of Clan Strategy Guide*, hereinafter "Supercell").

Response to Rejections under 35 U.S.C. § 102

Claims 1-14 are rejected under pre-AIA 35 U.S.C. § 102(b) as allegedly being anticipated by Supercell.

The Office Action relies on Supercell, which was previously invalidated as prior art because the priority date of this application precedes the published date of Supercell. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections of claims 1-14 under 35 U.S.C. § 102(b). Additionally, if a new office action is issued by the Examiner, it

should be made non-final consistent with the provisions of the Manual of Patent Examining Procedure 706.07.

The Application properly incorporates by reference and claims the benefit of priority under 35 U.S.C. §119(e) to U.S. Provisional Application No. 61/643,352 entitled "Multilayer Framework Architecture and User Interfaces for Video Gaming Applications," filed on May 07, 2012, by Brian Joseph Wiklem, Christopher Robert Masterton, and Carrie Ann Cowan.

Provisional application 61/643,352 provides support for all elements of the independent claims 1 and 8. For instance, support for the following limitations of claim 1 may be found as follows:

- "A computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming", see paragraph 30 of the provisional application, for example;
- "providing access, using the one or more computing devices, to a video gaming environment hosted on a server", see paragraphs 7 and 75 of the provisional application, for example;
- "providing access, using the one or more computing devices, to the video gaming environment by a plurality of users", see paragraphs 75 and 76 of the provisional application, for example;
- "designating different status levels, using the one or more computing devices, to the plurality of users wherein each of the different status levels provides different capabilities to the plurality of users within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example;

- "the different status levels including a first player status that accords full access and play within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example;
- "a second player status that accords restricted access and play within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example; and
- "a third player status that accords reactive access and play within the video gaming environment", see paragraphs 39, and 74-74 of the provisional application, for example.

Thus, all elements of the independent claims are fully supported by the provisional application having a priority date of May 7, 2014. Conversely, page 5 of the Office Action alleges that the Supercell reference has a § 102 (b) date of August 2012. Accordingly, the priority date of the claims precedes that of the Supercell reference and the Office Action's rejection under 35 U.S.C. § 102 is moot. Applicants therefore, respectfully request that the rejection under § 102 be withdrawn.

CONCLUSION

Allowance of all claims is requested. If the Examiner believes that direct contact with Applicants' attorney will advance the prosecution of this case, the Examiner is encouraged to contact the undersigned as indicated below.

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: November 30, 2015 By: /Lance A. Topham/

Lance A. Topham, Reg. No. 70,276
Attorney for Applicants
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Email: ltopham@patentlawworks.net

GTS:kkt

Electronic Patent Application Fee Transmittal	
Application Number:	13889276
Filing Date:	07-May-2013
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Filer:	Lance Adrian Topham/Jodee Butler
Attorney Docket Number:	10177-04251 US

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:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

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

Electronic Acknowledgement Receipt	
EFS ID:	24216650
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Lance Adrian Topham
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	30-NOV-2015
Filing Date:	07-MAY-2013
Time Stamp:	18:02:22
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$100
RAM confirmation Number	6531
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		04251US_20151130_Amendment_B.pdf	109775 74bc6e45b04334a8a9e3595ca4d9f16c2c0d5668	yes	8

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	4
	Applicant Arguments/Remarks Made in an Amendment	5	8

Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30681 b5f1312c51d17d07d736e0c9bd166c3a75720852	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	140456		

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/889,276	Filing Date 05/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	11/30/2015	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 14	Minus	** 20	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**0**

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

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

LIE
/DIANA BATES/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

93219 7590 03/11/2016

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER
THOMAS, ERIC M

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
03/11/2016	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):

docketing@patentlawworks.net
patents@patentlawworks.net

Office Action Summary	Application No. 13/889,276	Applicant(s) WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	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 *11/30/15*.

☐ 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) *1-14* 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) *1-14* 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 *8/12/15*.

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

4) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This is in response to the arguments filed on 11/30/15. Claims 1 – 14 are pending in the current application.

Claim Rejections - 35 USC § 101

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

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

Claims 1 - 14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter since the claim as a whole, considering all claim elements both individually and in combination, do not amount to significantly more than an abstract idea. The claims are directed towards providing access to a video game environment using one or more computing devices hosted by a server. The claims further recite designating status levels to plurality of users within the video gaming environment. The claims are directed towards managing a game or organizing human activities which have been identified by the courts as abstract ideas. The claimed component, the server, is a component that is well-known, routine and conventional that does not add anything significantly more to the abstract idea. The Supreme Court found that claim recitations of a "data processing system" are purely functional and generic, (Alice at 16).

The claimed server is recited at a high level of generality, and comprises only providing access to a video game environment. Generic components performing

generic functions, alone, do not amount to significantly more than the abstract idea. Viewed as a whole, the present claim elements do not provide meaningful limitations to transform the abstract idea into a patent eligible application of the abstract idea such that the claim amounts to significantly more than the abstract idea itself. Accordingly, the claims are not patent-eligible.

Claim Rejections - 35 USC § 102

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.

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 –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 4, 6 – 11, 13, and 14 are rejected under pre-AIA 35 U.S.C. 102(e) as being anticipated by Kirmse et al. (U.S. 6,699,125).

Regarding claims 1 and 8, Kirmse discloses a computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming, **("a game and messenger client-server system", col. 2, lines 29 – 31),**

providing access, using the one or more computing devices, to a video gaming environment hosted on a server, **(fig. 1),** providing access to the video gaming environment by a plurality of users, **("allow multiple users to interact in a game", col. 2, line 32),** designating different status levels to the plurality of users wherein each of the different status levels provides different capabilities including a first player status that accords full access and play within the video gaming environment, **(fig. 15, a player is allowed to create a table game, left of fig. 15),** a second player status that accords restricted access and play within the video environment, **(fig. 15, a player is allowed to join the created table game, middle of fig. 15),** and a third player status that accords reactive access and play within the video gaming environment, **(fig. 15, a player is allowed to just watch a table game, middle of fig. 15).**

Regarding claims 2 and 9, Kirmse discloses wherein the plurality of users access the video gaming environment via at least a laptop, **("laptop computers", col. 4, lines 38 – 40).**

Regarding claims 3 and 10, Kirmse discloses wherein the video gaming environment is hosted in associated with a social network server, **(part 18 of fig. 1).**

Regarding claims 4 and 11, Kirmse discloses wherein the video gaming environment is hosted on a third party server, **(part 14 of fig. 1).**

Regarding claims 6 and 13, Kirmse discloses wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user electronic devices, **("In a specific implementation, user computers 12 are Internet-connectable computers (desktop computers, laptop computers, palm-sized**

computers, wearable computers, set-top boxes, embedded TCP/IP clients, wireless phones with a user interface, and the like", col. 4, lines 37 – 42).

Regarding claims 7 and 14, Kirmse discloses wherein the plurality of users access the video gaming environment for concurrent play, **(fig. 15).**

Claim Rejections - 35 USC § 103

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.

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

Claims 5 and 12 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kirmse et al. (U.S. 6,699,125) as applied to claims 1 and 8 above, and further in view of Geiss et al. (U.S. 8,200,020).

Regarding claims 5 and 12, Kirmse, as cited above, discloses a plurality of servers, but is silent on the issue of comprising a cloud of distributed servers. In a related art, however, Geiss discloses a computer-implemented method using one or more computing devices for implementing a gaming application, **("gaming**

applications", col. 10, lines 10 – 12) and a cloud of distributed servers, **("server device 110 and server data storage device 112 may be referred to as " cloud-based" devices that are housed at various remote locations", col. 7, lines 26 – 29).**

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cloud servers of Geiss into the art disclosed by Kirmse in order to offload processing and data storage from client devices, thereby simplifying the design and requirements of these client devices, as disclosed by Geiss, (col. 7, lines 29 – 31).

Response to Arguments

Applicant's arguments with respect to claims 1 - 14 have been considered but are moot based on new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC M. THOMAS whose telephone number is (571)272-1699. The examiner can normally be reached on 9 a.m. - 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on (571) 272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/E. M. T./
Examiner, Art Unit 3714
/DAVID L LEWIS/
Supervisory Patent Examiner, Art Unit 3714

Notice of References Cited	Application/Control No. 13/889,276	Applicant(s)/Patent Under Reexamination WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	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-6,699,125 B2	03-2004	Kirmse; Chris	A63F13/12	463/42
*	B	US-7,955,175 B1	06-2011	Holloway; Jason S.	A63F13/12	273/317.1
*	C	US-8,200,020 B1	06-2012	Geiss; Ryan	G06K9/00979	382/190
	D	US-				
	E	US-				
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	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.

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L8	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/04 00:43
S1	15462	video game architecture network player status access	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:57
S2	19921	((A63F13/12).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S3	2799	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S4	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 15:58
S5	23	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 15:58
S6	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:01
S7	7	S2 and (status level access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:02
S8	0	S2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:26
S9	0	S2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:26
S10	12	S2 and (status level capable)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S11	31914	video game network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S12	780	S11 and (player status)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:27
S13	8	S12 and (restrict access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:28
S14	454	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S15	56	S14 and (player level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36

S16	55	S15 and (access or permission)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S17	0	supercell.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:37
S18	0	S14 and supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S19	981	supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S20	53	S19 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S21	15	supercell.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S22	36	S14 and (player access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 17:12
S23	647	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:50
S24	20048	((A63F13/12 OR A63F2300/5566 OR A63F13/822).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:52
S25	784	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S26	526	S25 and level	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S27	500	S26 and server	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S28	84	S27 and (level increase)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:51
S29	50	S27 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:57
S30	643	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2016/03/03 21:28
S31	904	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:28
S32	0	S31 and (player bystander)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S33	45	S31 and (player leader)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S34	2	S31 and (player follower)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33

S35	2	S33 and (player follower)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:34
S36	16	S31 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S37	0	S36 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S38	129902	gaming and network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S39	2226	S38 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S40	114	S39 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S41	0	S40 and bystander	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S42	12471	yahoo.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36
S43	0	S42 and spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36
S44	112	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:36
S45	62	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:37
S46	30	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:37
S47	8	S42 and (network game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:38
S48	0	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:41
S49	14	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:42
S50	145	S42 and (online game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:44
S51	10	S50 and lobby	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:44
S52	235	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:46
S53	9	S52 and lobby	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:46

S54	1111	S42 and games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S55	14	S54 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S56	83	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S57	1	S56 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S58	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
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S61	316	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2016/03/03 21:52
S62	0	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:52
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S64	2	("20050212214").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:00
S65	3	("6712702").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S66	2393	S42 and card	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S67	33	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 22:04
S68	26	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 22:04
S69	530	kirmse.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:04
S70	36	S69 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:05
S71	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:06
S72	4	S42 and lounge	USPAT; USOCR	OR	OFF	2016/03/03 22:08
S73	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:10

S74	155	social network game	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S75	111	S74 and cloud	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S76	4	S74 and (cloud server)	USPAT; USOCR	NEAR	OFF	2016/03/03 22:15
S77	29	S74 and (cloud server)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S78	0	S74 and (cloud server benefit)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S79	0	S74 and (cloud server benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S80	2	S74 and (cloud benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S81	2	S74 and (cloud advantage)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S82	273	cloud server advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:17
S83	49	S82 and game	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S84	326	network cloud advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S85	68	S84 and gaming	USPAT; USOCR	SAME	OFF	2016/03/03 22:18

EAST Search History (Interference)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20110320401	A1	2011-12-29	Mahajan et al.	
	2	20130097517	A1	2013-04-18	Reiss et al.	
	3	20130196732	A1	2013-08-01	Cochi et al.	ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ET/

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Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] ¡	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐

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EXAMINER SIGNATURE

Examiner Signature	/Eric Thomas/	Date Considered	03/04/2016

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

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ET/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

CERTIFICATION STATEMENT

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

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

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

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

☐ A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2015-06-04
Name/Print	Paige M. Alsbury	Registration Number	72965

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /EM/

Privacy Act Statement

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

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

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

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

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals. ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ET/

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.

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	**Art Unit**
	ERIC M THOMAS	3714

✓	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	03/04/2016								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								
	10	✓								
	11	✓								
	12	✓								
	13	✓								
	14	✓								

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	Examiner	Art Unit

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner

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

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

PTO/SB/08a (03-15)
Approved for use through 07/31/2016. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6386980	B1	2002-05-14	Nishino et al.	
	2	6478679	B1	2002-11-12	Himoto et al.	

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20040266529	A1	2004-12-30	Chatani	
	2	20070087797	A1	2007-04-19	Van Luchene	
	3	20080004117	A1	2008-01-03	Stamper et al.	
	4	20130035164	A1	2013-02-07	Osvald et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

	5	20130103447	A1	2013-04-25	Melander et al.	
	6	20140004951	A1	2014-01-02	Kern et al.	

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	1							

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	1		

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

CERTIFICATION STATEMENT

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

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

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

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

A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2016-04-14
Name/Print	Paige Alsbury	Registration Number	72,965

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

Electronic Acknowledgement Receipt

EFS ID:	25497593
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Paige McDede Alsbury
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	14-APR-2016
Filing Date:	07-MAY-2013
Time Stamp:	18:38:43
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	Information Disclosure Statement (IDS) Form (SB08)	04251US_20160414_IDS_SB08.pdf	1052779 f43b10d1dcdad990cb299b2173121f03ce5ca5bb	no	4
Warnings:					
Information:					

Total Files Size (in bytes):	1052779

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National Stage of an International Application under 35 U.S.C. 371
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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANT:	Brian Joseph Wiklem et al.
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Eric M. Thomas
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Mountain Time Zone of the United States on the local date shown below:

Dated: June 13, 2016 By: /Lance A. Topham/

Lance A. Topham, Reg. No. 70,276

COMMISSIONER FOR PATENTS
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AMENDMENT C

Responsive to the Non-Final Office Action mailed on March 11, 2016, which sets a shortened statutory period for response that expires on June 11, 2016, please consider the following remarks.

IN THE CLAIMS

All pending claims are reproduced below.

1. (Currently Amended) A computer-implemented method ~~using one or more computing devices~~ for implementing a multilayer architecture for video gaming, comprising:

providing ~~access, using the one or more computing devices, to~~ a video gaming environment hosted on a server;

providing access, using the server ~~one or more computing devices~~, to the video gaming environment by a plurality of user devices associated with a plurality of users; and

designating ~~different status levels~~, using the server ~~one or more computing devices~~, a status level from a plurality of status levels to each user of[[to]] the plurality of users, wherein each status level of the ~~different~~ plurality of status levels provides a different capability ~~capabilities to the plurality of users~~ within the video gaming environment, the plurality of ~~different~~ status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a user having the third player status level influences gameplay by reacting to, via the server, an action of a user having the first player status level.

2. (Currently Amended) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment via the user ~~electronic~~

devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

3. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in association with a social network server.

4. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a third party server.

5. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in a cloud of distributed servers.

6. (Currently Amended) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user ~~electronic~~ devices.

7. (Original) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment for concurrent play.

8. (Currently Amended) A system for implementing a multilayer architecture for video gaming, comprising a processor and a memory ~~one or more computing devices~~, wherein the memory provides ~~one or more computing devices provide~~ instructions that cause the processor ~~one or more computing devices~~ to:

provide ~~access to~~ a video gaming environment hosted on a server;

provide access to the video gaming environment by a plurality of user devices associated with a plurality of users;

designate a status level from a plurality of status levels to each user of ~~different status levels to~~ the plurality of users, wherein each status level of the ~~different~~ plurality of status levels provides a different capability ~~capabilities to the plurality of users~~ within the video gaming environment, the plurality of ~~different~~ status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a user having the third player status level influences gameplay by reacting to, via the server, an action of a user having the first player status level.

9. (Currently Amended) A system according to claim 8, wherein the plurality of users access the video gaming environment via the user ~~electronic~~ devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

10. (Original) A system according to claim 8, wherein the video gaming environment is hosted in association with a social network server.

11. (Original) A system according to claim 8, wherein the video gaming environment is hosted on a third party server.

12. (Original) A system according to claim 8, wherein the video gaming environment is hosted in a cloud of distributed servers.

13. (Currently Amended) A system according to claim 8, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all of the user ~~electronic~~ devices.

14. (Original) A system according to claim 8, wherein the plurality of users access the video gaming environment for concurrent play.

Twitch Interactive EX1003 Page 248

REMARKS

Claims 1-14 were presented for examination. Claims 1-14 stand rejected in the Office Action dated March 11, 2016 (hereinafter, "Office Action"). Claims 1-2, 6, 8-9, and 13 are amended. Support for the amendments to claims 1-2, 6, 8-9, and 13 may be found throughout the specification, for example, at least in paragraphs 28, 31, and 72 and Figure 1 of the application as originally filed. Thus, no new matter has been added by way of this amendment. Claims 1-14 are pending upon entry of this response.

INTERVIEW SUMMARY

On Tuesday, June 7, 2016, Applicants' representative, Lance Topham conducted an Examiner Interview with Examiner Eric Thomas. Applicants' representative presented amendments included herein. The amendments were discussed in light of the rejections under 35 U.S.C. §101 and 35 U.S.C. §103. Examiner Thomas agreed that the amendments overcome the rejection under §103, but indicated that further search would be required. No further agreement was reached.

Summary of Office Action

1. Claims 1-14 were rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter.

2. Claims 1-4, 6-11, 13, and 14 were rejected under pre-AIA 35 U.S.C. § 102(e) as allegedly being anticipated by Kirmse et al. (U.S. Patent No. 6,699,125, hereinafter "Kirmse").

3. Claims 5 and 12 were rejected under pre-AIA 35 U.S.C. § 103(a) as allegedly being unpatentable over Kirmse in view of Geiss et al. (U.S. Patent No. 8,200,020, hereinafter "Geiss").

Response to Rejections under 35 U.S.C. § 101

Claims 1-14 were rejected under 35 U.S.C. § 101 for allegedly being directed to non-statutory subject matter. Without acquiescing to the propriety of this rejection, Applicants have amended independent claims 1 and 8. MPEP 2106 states: "There are two criteria for determining subject matter eligibility and both must be satisfied. The claimed invention (1) must be directed to one of the four statutory categories, and (2) must not be wholly directed to subject matter encompassing a judicially recognized exception..."

Independent claim 1 is clearly a process, defined by MPEP 2106 (I)(i) as "an act, or series of acts or steps," so it passes the first of the two criteria that it must be directed toward one of the four statutory categories. Similarly, independent claim 8 is clearly a machine, as defined by MPEP 2106 (I)(ii) as "a concrete thing, consisting of parts, or of certain devices and combination of devices," because it includes "A system for implementing a multilayer architecture for video gaming, comprising a processor and a memory …"

The claims also pass the second of the two criteria, that is, they are not "wholly directed to subject matter encompassing a judicially recognized exception." MPEP 2105(II), *citing Bilski v. Kappos*, provides judicially recognized exceptions, which are "laws of nature, physical phenomena, and abstract ideas." The present claims are not directed to laws of nature, nor are they directed to physical phenomena. Similarly, the claims are not an abstract idea, nor are they wholly directed toward one of these judicially recognized exceptions.

Applicants have amended claims 1 and 8, which include concrete transformative steps such as "providing **a video gaming environment hosted on a server,**" "providing **access**, using the server, **to the video gaming environment by a plurality of user devices** associated with a plurality of users," and "designating, using the one or more computing devices, a status level from a plurality of status levels to each user of the plurality of users, **wherein each of the status level of the plurality of status levels provides a different capability within the video gaming environment**, the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a user having the **third player status level influences gameplay by reacting to, via the server, an action of a user having the first player status level**." Therefore, the claims are not laws of nature, physical phenomena, or abstract ideas, rather, the claims recite concrete computer implemented steps, which are not subjective or imperceptible, nor do they purport to claim a general concept. Specifically, the claims recite a specific patent eligible method of providing synchronized and integrated video gaming.

Therefore, Applicants respectfully request that the Examiner withdraw the rejections under 35 U.S.C. § 101 of claims 1 and 8 and all claims depending therefrom.

Response to Rejections under 35 U.S.C. § 102 and § 103

Claims 1-4, 6-11, 13, and 14 were rejected under pre-AIA 35 U.S.C. § 102(e) as allegedly being anticipated by Kirmse.

Claims 5 and 12 were rejected under pre-AIA 35 U.S.C. § 103(a) as allegedly being unpatentable over Kirmse in view of Geiss.

The rejections are addressed by reference to the independent claims.

Independent Claim 1

Applicants' amended claim 1 recites, in part:

> ...providing a video gaming environment hosted on a server;
> providing access, using the server, to the video gaming environment by a plurality of user devices associated with a plurality of users; and
> designating, using the server, a status level from a plurality of status levels to each user of the plurality of users, wherein each status level of the plurality of status levels provides a different capability within the video gaming environment, the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, **the reactive access specifying that a user having the third player status level influences gameplay by reacting to, via the social networking server, an action of a user having the first player status level**. (Emphasis added)

The cited portions of the references, alone or in combination, do not disclose or suggest, among other aspects, the above quoted limitations as recited by amended claim 1.

The Examiner asserts on pages 3-4 of the Office Action that Kirmse discloses

> "a computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming," at col. 2, lines 29 - 31;
> "providing access, using the one or more computing devices, to a video gaming environment hosted on a server," at Figure 1;
> "providing access to the video gaming environment by a plurality of users" at col. 2, line 32;
> "designating different status levels to the plurality of users wherein each of the different status levels provides different capabilities including a first player status that accords full access and play within the video gaming environment" at Figure 15;
> "a second player status that accords restricted access and play within the video environment" at Figure 15; and

"and a third player status that accords reactive access and play within the video gaming environment" at Figure 15.

However, the cited portions of Kirmes do not teach the limitations of claim 1, as amended herein, specifically "the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, **the reactive access specifying that a user having the third player status level influences gameplay by reacting to, via the social networking server, an action of a user having the first player status level**." Specifically, Applicants reproduce Figure 15 of Kirmse below:

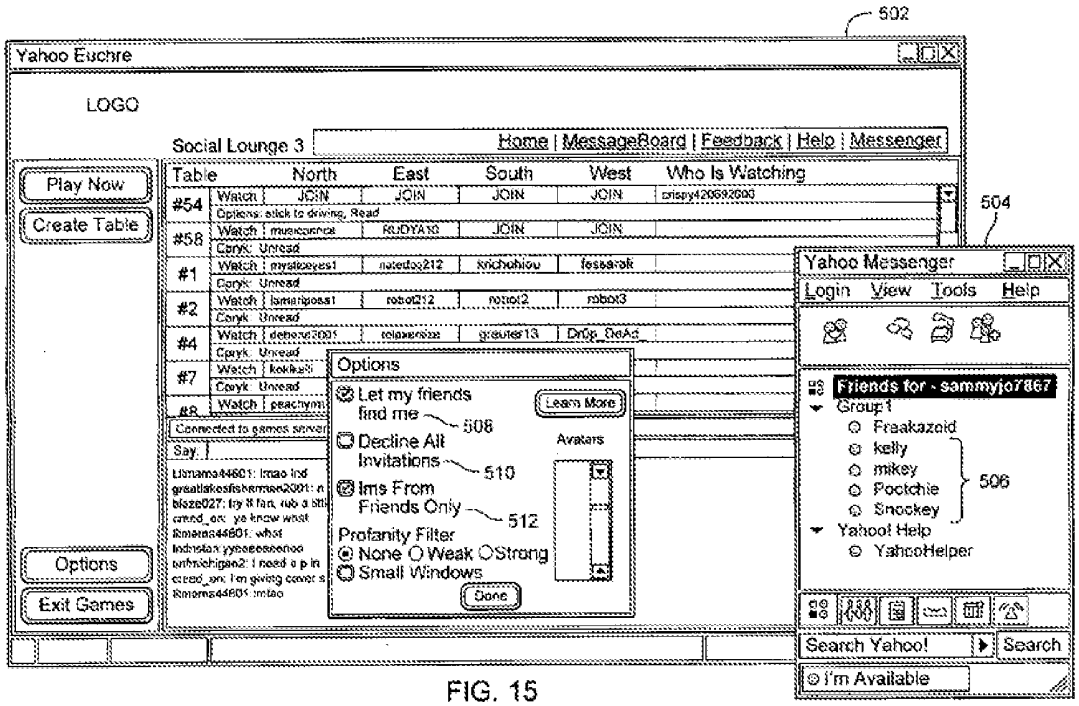

FIG. 15

The cited portions of Kirmse, at best, describe that "FIG. 15 illustrates a screen shot 502 generated using an exemplary inviter game client and messenger client according to one embodiment of the present invention. As shown, "user sammjo7867" is, or is about to

participant in an online game of Euchre. Sammyjo7867 plays Euchre with the use of the game client as described herein. Also shown is a messenger window 504 including Sammyjo7867's friends on a Group1 friends list 506 (i.e., Freakazoid, kelly, mikey, Pootchie, and Snookey). Although each of the friends are shown to be inactive or unavailable, the messenger window will indicate that a friend is online by changing an icon adjacent to the online friend's ID to match the change in status (i.e., change in state). As user sammjo7867 continues playing a game, sammyjo7867 may optionally elect to allow his/her "friends to find me" 508 by, for example, checking such a selection or may play in stealth or invisible mode. Additionally, user sammyjo7867 may decline all invitations 510 or restrict instant messages (IMs) from only friends 512 on an associated friends list,"[1] which is not the same as the limitations of amended claim 1. Accordingly, the portions of Kirmse cited in support of the rejection of claim 1 do not disclose the limitations of claim 1, as amended herein.

The Examiner cites additional portions of Kirmse in support of the rejections of the dependent claims under 35 U.S.C. § 102 and § 103; however, the additional portions of Kirmse cited in support of the rejections of the dependent claims fail to remedy the deficiencies noted above.

The Examiner further asserts, on pages 5-6 of the Office Action, that Geiss discloses the features of claims 5 and 12; however, the cited portions of Geiss, alone or as a proposed combination with Kirmse, do not teach or suggest the limitations of claim 1, as amended herein. The cited portions of Giess, at best, disclose "robust image alignment using block sums."[2] Accordingly, the cited portions of Geiss fail to remedy the deficiencies of Kirmse noted above.

---

[1] Kirmse, col. 17, line 66 - col 18, line 17.
[2] Geiss, title.

Therefore the cited portions of the references, even as a proposed combination, do not disclose or suggest each and every element of claim 1, as amended herein. Accordingly, Applicants respectfully request that Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 102.

Claims 2-7 depend from claim 1 and are therefore patentable for at least similar reasons as claim 1, as well as the additional limitations they recite. Accordingly, Applicants respectfully request that Examiner withdraw the rejection of claims 2-7 under 35 U.S.C. § 102 and § 103.

Independent Claim 8

The cited portions of the reference, alone or in combination, do not disclose or suggest the above-quoted features of Applicants' claim 8 as amended herein for at least similar reasons as those described for claim 1. Therefore, the cited portions of the references do not disclose or suggest every limitation of claim 8 as amended herein. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 8 under 35 U.S.C. § 102. Claims 9-14 depend from claim 8 and are therefore patentable over the cited portions of the references for similar reasons as claim 8. Accordingly, Applicants respectfully request that the Examiner also withdraw the rejection of claims 9-14 under 35 U.S.C. § 103.

CONCLUSION

Allowance of all claims is requested. If the Examiner believes that direct contact with Applicant's attorney will advance the prosecution of this case, the Examiner is encouraged to contact the undersigned as indicated below.

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: June 13, 2016 By: /Lance A. Topham/

Lance A. Topham, Reg. No. 70,276
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Email: ltopham@patentlawworks.net

LAT:kkt

Electronic Acknowledgement Receipt

EFS ID:	26050673
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Lance Adrian Topham
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	13-JUN-2016
Filing Date:	07-MAY-2013
Time Stamp:	18:36:16
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		04251US_20160613_Amendment_C.pdf	178641 6c606e84865200e76fb28e239bfff72838ad16c3	yes	13

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	5
	Applicant Arguments/Remarks Made in an Amendment	6	13
Warnings:			
Information:			
	Total Files Size (in bytes):	178641	

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/889,276	Filing Date 05/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☒ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	**140**
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	**140**

APPLICATION AS AMENDED – PART II

AMENDMENT	06/13/2016	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 14	Minus	** 20	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**0**

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

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

LIE
/TER JACKSON WOODRUFF/

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.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

93219 7590 09/14/2016

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER
THOMAS, ERIC M

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
09/14/2016	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):

docketing@patentlawworks.net
patents@patentlawworks.net

Office Action Summary	Application No. 13/889,276	Applicant(s) WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	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 *6/13/16*.

☐ 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) *1-14* 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) *1-14* 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 *4/14/16*.

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

4) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This is in response to the amendments filed on 6/13/16. Claims 1, 2, 6, 8, 9, and 13 have been amended. Claims 1 – 14 are pending in the current application.

Claim Rejections - 35 USC § 103

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.

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 negatived by the manner in which the invention was made.

Claims 1 – 4, 6 – 11, 13, and 14 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kirmse et al. (U.S. 6,699,125) in view of Madden NFL 11 (released August 2010).

Regarding claims 1 and 8, Kirmse discloses a computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming, **("a game and messenger client-server system", col. 2, lines 29 – 31),** providing access, using the one or more computing devices, to a video gaming environment hosted on a server, **(fig. 1),** providing access to the video gaming

environment by a plurality of users, **("allow multiple users to interact in a game", col. 2, line 32),** designating different status levels to the plurality of users wherein each of the different status levels provides different capabilities including a first player status that accords full access and play within the video gaming environment, **(fig. 15, a player is allowed to create a table game, left of fig. 15),** a second player status that accords restricted access and play within the video environment, **(fig. 15, a player is allowed to join the created table game, middle of fig. 15),** and a third player status that accords reactive access and play within the video gaming environment, **(fig. 15, a player is allowed to just watch a table game, middle of fig. 15).**

Kirmse, however, is silent on the issue of the third player reactive access influencing gameplay. In a related art, Madden discloses a video gaming method using one or more computing devices for implementing a multiplayer video game, **(paragraph 1 of NPL),** wherein Madden discloses three player status levels, quarterback, running back, and receiver, **(paragraph 1 of NPL).** The Examiner views the quarterback as being equivalent to the first player status, the running back being equivalent to the second player status, and the receiver as the third player status. The quarterback is viewed upon as the first player since the quarterback has more access to game play options, **(i.e. play calling, throwing a pass, running the ball),** running as the second player status because of restricted access to game play options, **(i.e. receiving a handoff and catching the ball),** and the receiver as the third player access since the receiver has reactive access to game play options, **(i.e. receiving a pass),** wherein the

receiver influences gameplay by reacting to an action of a user having a the first player status level, **(catching/dropping a pass thrown by the quarterback).**

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the reactive access to gameplay teachings in Madden in order to encourage teamwork and communication among teammates in the video gaming environment, **(paragraph 1 of NPL).**

Regarding claims 2 and 9, Kirmse discloses wherein the plurality of users access the video gaming environment via at least a laptop, **("laptop computers", col. 4, lines 38 – 40).**

Regarding claims 3 and 10, Kirmse discloses wherein the video gaming environment is hosted in associated with a social network server, **(part 18 of fig. 1).**

Regarding claims 4 and 11, Kirmse discloses wherein the video gaming environment is hosted on a third party server, **(part 14 of fig. 1).**

Regarding claims 6 and 13, Kirmse discloses wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user electronic devices, **("In a specific implementation, user computers 12 are Internet-connectable computers (desktop computers, laptop computers, palm-sized computers, wearable computers, set-top boxes, embedded TCP/IP clients, wireless phones with a user interface, and the like", col. 4, lines 37 – 42).**

Regarding claims 7 and 14, Kirmse discloses wherein the plurality of users access the video gaming environment for concurrent play, **(fig. 15).**

Claims 5 and 12 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kirmse et al. (U.S. 6,699,125) in view of Madden NFL 2011 as applied to claims 1 and 8 above, and further in view of Geiss et al. (U.S. 8,200,020).

Regarding claims 5 and 12, Kirmse, as cited above, discloses a plurality of servers, but is silent on the issue of comprising a cloud of distributed servers. In a related art, however, Geiss discloses a computer-implemented method using one or more computing devices for implementing a gaming application, **("gaming applications", col. 10, lines 10 – 12)** and a cloud of distributed servers, **("server device 110 and server data storage device 112 may be referred to as " cloud-based" devices that are housed at various remote locations", col. 7, lines 26 – 29).**

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cloud servers of Geiss into the art disclosed by Kirmse in order to offload processing and data storage from client devices, thereby simplifying the design and requirements of these client devices, as disclosed by Geiss, **(col. 7, lines 29 – 31).**

Response to Arguments

Applicant's arguments, with respect to the 35 U.S.C. 101 rejection have been fully considered and are persuasive. The 101 rejection of claims 1 - 14 has been withdrawn.

Applicant's arguments with respect to the prior art rejection of claims 1 - 14 have been considered but are moot base on new grounds of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC M. THOMAS whose telephone number is (571)272-1699. The examiner can normally be reached on 9 a.m. - 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on (571) 272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/E. M. T./
Examiner, Art Unit 3714
/DAVID L LEWIS/
Supervisory Patent Examiner, Art Unit 3714

Notice of References Cited	Application/Control No. 13/889,276	Applicant(s)/Patent Under Reexamination WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	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-6,699,125 B2	03-2004	Kirmse; Chris	A63F13/12	463/42
*	B	US-7,955,175 B1	06-2011	Holloway; Jason S.	A63F13/822	273/317.1
*	C	US-8,200,020 B1	06-2012	Geiss; Ryan	G06K9/00979	382/190
	D	US-				
	E	US-				
	F	US-				
	G	US-				
	H	US-				
	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	www.kotaku.com - madden nfl 11
	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.

PTO/SB/08a (03-15)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	6386980	B1	2002-05-14	Nishino et al.	
	2	6478679	B1	2002-11-12	Himoto et al.	

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20040266529	A1	2004-12-30	Chatani	
	2	20070087797	A1	2007-04-19	Van Luchene	
	3	20080004117	A1	2008-01-03	Stamper et al.	
	4	20130035164	A1	2013-02-07	Osvald et al.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ET/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

	5	20130103447	A1	2013-04-25	Melander et al.	
	6	20140004951	A1	2014-01-02	Kern et al.	

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	1		

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EXAMINER SIGNATURE

Examiner Signature	/Eric Thomas/	Date Considered	09/03/2016

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

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ET/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

CERTIFICATION STATEMENT

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

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

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

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

A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2016-04-14
Name/Print	Paige Alsbury	Registration Number	72,965

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /ET/

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	**Art Unit**
	ERIC M THOMAS	3714

✓	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	09/03/2016								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								
	10	✓								
	11	✓								
	12	✓								
	13	✓								
	14	✓								

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L3	0	(13/889276).APP.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:13
L4	0	("(videoorcomputerorvirtual)neargame").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:15
L5	7732844	(video or computer or virtual)neargame	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:15
L6	140320	(video or computer or virtual) near game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:15
L7	271	L6 and (assign status player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:16
L8	26	L6 and (assign status player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:16
L9	21	L6 and (assign player role)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:17
L10	0	L6 and (assign player role access)	US-PGPUB;	WITH	OFF	2016/09/03

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			18:19
L11	3	L6 and (assign player role access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:19
L12	5996	L6 and football	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:20
L13	827	L12 and (multiple players)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:20
L14	414	L13 and positions	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:20
L15	0	L13 and (football cooperative player positions)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:21
L16	293	L12 and (team play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:25
L17	16	L16 and madden	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:26
L18	1	L12 and (cooperative team play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	NEAR	OFF	2016/09/03 18:33

			IBM_TDB			
S1	15462	video game architecture network player status access	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:57
S2	19921	((A63F13/12).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S3	2799	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S4	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 15:58
S5	23	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 15:58
S6	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:01
S7	7	S2 and (status level access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:02
S8	0	S2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:26
S9	0	S2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS;	SAME	OFF	2015/01/10 16:26

			EPO; JPO; DERWENT; IBM_TDB			
S10	12	S2 and (status level capable)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S11	31914	video game network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S12	780	S11 and (player status)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:27
S13	8	S12 and (restrict access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:28
S14	454	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S15	56	S14 and (player level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S16	55	S15 and (access or permission)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S17	0	supercell.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:37
S18	0	S14 and supercell	US-PGPUB; USPAT;	ADJ	OFF	2015/01/10 16:38

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S19	981	supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S20	53	S19 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S21	15	supercell.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S22	36	S14 and (player access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 17:12
S23	647	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:50
S24	20048	((A63F13/12 OR A63F2300/5566 OR A63F13/822).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:52
S25	784	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S26	526	S25 and level	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51

S27	500	S26 and server	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S28	84	S27 and (level increase)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:51
S29	50	S27 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:57
S30	643	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2016/03/03 21:28
S31	904	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:28
S32	0	S31 and (player bystander)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S33	45	S31 and (player leader)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S34	2	S31 and (player follower)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S35	2	S33 and (player follower)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	SAME	OFF	2016/03/03 21:34

			DERWENT; IBM_TDB			
S36	16	S31 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S37	0	S36 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S38	129902	gaming and network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S39	2226	S38 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S40	114	S39 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S41	0	S40 and bystander	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S42	12471	yahoo.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36
S43	0	S42 and spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36
S44	112	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR;	SAME	OFF	2016/03/03 21:36

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S45	62	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:37
S46	30	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:37
S47	8	S42 and (network game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:38
S48	0	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:41
S49	14	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:42
S50	145	S42 and (online game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:44
S51	10	S50 and lobby	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:44
S52	235	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:46
S53	9	S52 and lobby	US-PGPUB;	WITH	OFF	2016/03/03

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			21:46
S54	1111	S42 and games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S55	14	S54 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S56	83	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S57	1	S56 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S58	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S59	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:49
S60	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:50
S61	316	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	AND	OFF	2016/03/03 21:52

			IBM_TDB			
S62	0	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:52
S63	3	("20060121990").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 21:56
S64	2	("20050212214").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:00
S65	3	("6712702").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S66	2393	S42 and card	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S67	33	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 22:04
S68	26	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 22:04
S69	530	kirmse.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:04
S70	36	S69 and game	US-PGPUB; USPAT; USOCR; FPRS;	OR	OFF	2016/03/03 22:05

			EPO; JPO; DERWENT; IBM_TDB			
S71	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:06
S72	4	S42 and lounge	USPAT; USOCR	OR	OFF	2016/03/03 22:08
S73	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:10
S74	155	social network game	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S75	111	S74 and cloud	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S76	4	S74 and (cloud server)	USPAT; USOCR	NEAR	OFF	2016/03/03 22:15
S77	29	S74 and (cloud server)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S78	0	S74 and (cloud server benefit)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S79	0	S74 and (cloud server benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S80	2	S74 and (cloud benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S81	2	S74 and (cloud advantage)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S82	273	cloud server advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:17
S83	49	S82 and game	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S84	326	network cloud advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S85	68	S84 and gaming	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S86	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/04 00:43

EAST Search History (Interference)

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9/3/2016 7:23:08 PM
C:\Users\ethomas1\Documents\EAST\Workspaces\13889276.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	Art Unit
	ERIC M THOMAS	3714

CPC- SEARCHED		
Symbol	Date	Examiner
A63F13/12, 2300, 822	9/3/2016	EMT

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
East search	9/3/2016	EMT

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

/E.M.T./ Examiner.Art Unit 3714	

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

PTO/SB/08a (03-15)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

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	2	20050049022	A1	2005-03-03	Mullen	
	3	20140038721	A1	2014-02-06	Archer et al.	

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EFS Web 2.1.17

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
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CERTIFICATION STATEMENT

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

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

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

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

A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2016-10-11
Name/Print	Paige Alsbury	Registration Number	72,965

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

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

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

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

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

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

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

Electronic Patent Application Fee Transmittal

Application Number:	13889276
Filing Date:	07-May-2013
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Filer:	Paige McDede Alsbury/Jodee Butler
Attorney Docket Number:	10177-04251 US

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:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	90	90
		Total in USD ($)		**90**

Electronic Acknowledgement Receipt

EFS ID:	27184717
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Paige McDede Alsbury
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	11-OCT-2016
Filing Date:	07-MAY-2013
Time Stamp:	20:04:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	$90
RAM confirmation Number	6907
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	04251US_20161011_IDS_SB08.pdf	1098430 391bb8008567e2ff2b6fcf3a6c07d96e1f47ee79	no	4
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31003 d5b02939e184bc932efff4b496ef275a2efb7571	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1129433		

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

Doc Code: A.NE.AFCP
Document Description: After Final Consideration Pilot Program Request

PTO/SB/434 (05-13)

CERTIFICATION AND REQUEST FOR CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0

Practitioner Docket No.:	Application No.:	Filing Date:
10177-04251 US	13/889,276	2013-05-07
First Named Inventor:	**Title:**	
Brian Joseph Wiklem	Multilayer Framework and Architecture with Variable Video Gaming Capabilities	

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS CONSIDERATION UNDER THE AFTER FINAL CONSIDERATION PILOT PROGRAM 2.0 (AFCP 2.0) OF THE ACCOMPANYING RESPONSE UNDER 37 CFR 1.116.

1. The above-identified application is (i) an original utility, plant, or design nonprovisional application filed under 35 U.S.C. 111(a) [a continuing application (*e.g.*, a continuation or divisional application) is filed under 35 U.S.C. 111(a) and is eligible under (i)], or (ii) an international application that has entered the national stage in compliance with 35 U.S.C. 371(c).
2. The above-identified application contains an outstanding final rejection.
3. Submitted herewith is a response under 37 CFR 1.116 to the outstanding final rejection. The response includes an amendment to at least one independent claim, and the amendment does not broaden the scope of the independent claim in any aspect.
4. This certification and request for consideration under AFCP 2.0 is the only AFCP 2.0 certification and request filed in response to the outstanding final rejection.
5. Applicant is willing and available to participate in any interview requested by the examiner concerning the present response.
6. This certification and request is being filed electronically using the Office's electronic filing system (EFS-Web).
7. Any fees that would be necessary consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, extension of time fees, are being concurrently filed herewith. [There is no additional fee required to request consideration under AFCP 2.0.]
8. By filing this certification and request, applicant acknowledges the following:
    - Reissue applications and reexamination proceedings are not eligible to participate in AFCP 2.0.
    - The examiner will verify that the AFCP 2.0 submission is compliant, *i.e.*, that the requirements of the program have been met (see items 1 to 7 above). For compliant submissions:
        - The examiner will review the response under 37 CFR 1.116 to determine if additional search and/or consideration (i) is necessitated by the amendment and (ii) could be completed within the time allotted under AFCP 2.0. If additional search and/or consideration is required but cannot be completed within the allotted time, the examiner will process the submission consistent with current practice concerning responses after final rejection under 37 CFR 1.116, *e.g.*, by mailing an advisory action.
        - If the examiner determines that the amendment does not necessitate additional search and/or consideration, or if the examiner determines that additional search and/or consideration is required and could be completed within the allotted time, then the examiner will consider whether the amendment places the application in condition for allowance (after completing the additional search and/or consideration, if required). If the examiner determines that the amendment does not place the application in condition for allowance, then the examiner will contact the applicant and request an interview.
            - The interview will be conducted by the examiner, and if the examiner does not have negotiation authority, a primary examiner and/or supervisory patent examiner will also participate.
            - If the applicant declines the interview, or if the interview cannot be scheduled within ten (10) calendar days from the date that the examiner first contacts the applicant, then the examiner will proceed consistent with current practice concerning responses after final rejection under 37 CFR 1.116.

Signature	Date
/Lance A. Topham/	November 2, 2016
Name (Print/Typed) Lance A. Topham	**Practitioner Registration No.** 70,276

***Note**: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required, see below*.*

[✓] * Total of One (1) forms are submitted.

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.

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

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

FIRST INVENTOR:	Brian Joseph Wiklem
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Eric M. Thomas
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION

Pursuant to 240 OG 45 and the Legal Framework For EFS-Web, I hereby certify that this follow-on correspondence is being officially submitted through the USPTO EFS-Web system from the Mountain Time Zone of the United States on the local date shown below:

Dated: November 2, 2016 By: /Lance A. Topham/

Lance A. Topham, Reg. No. 70,276

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT D

Responsive to the Final Office Action mailed on September 14, 2016, which sets a shortened statutory period for response that expires on December 14, 2016, please consider the following remarks.

Twitch Interactive EX1003 Page 296

IN THE CLAIMS

All pending claims are reproduced below.

1. (Currently Amended) A computer-implemented method for implementing a multilayer architecture for video gaming, comprising:

providing a video gaming environment hosted on a server;

providing access, using the server, to the video gaming environment by a plurality of user devices associated with a plurality of users; and

designating, using the server, a status level from a plurality of status levels to each user of the plurality of users, wherein each status level of the plurality of status levels provides a different capability within the video gaming environment, the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a user having the third player status level influences gameplay by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level ~~reacting to, via the server, an action of a user having the first player status level~~.

2. (Previously Presented) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment via the user devices

including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

3. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in association with a social network server.

4. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a third party server.

5. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in a cloud of distributed servers.

6. (Previously Presented) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user devices.

7. (Original) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment for concurrent play.

8. (Currently Amended) A system for implementing a multilayer architecture for video gaming, comprising a processor and a memory, wherein the memory provides instructions that cause the processor to:

provide a video gaming environment hosted on a server;

provide access to the video gaming environment by a plurality of user devices associated with a plurality of users;

designate a status level from a plurality of status levels to each user of the plurality of users, wherein each status level of the plurality of status levels provides a different capability within the video gaming environment, the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a user having the third player status level influences gameplay by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level ~~reacting to, via the server, an action of a user having the first player status level~~.

9. (Previously Presented) A system according to claim 8, wherein the plurality of users access the video gaming environment via the user devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

10. (Original) A system according to claim 8, wherein the video gaming environment is hosted in association with a social network server.

11. (Original) A system according to claim 8, wherein the video gaming environment is hosted on a third party server.

12. (Original) A system according to claim 8, wherein the video gaming environment is hosted in a cloud of distributed servers.

13. (Previously Presented) A system according to claim 8, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all of the user devices.

14. (Original) A system according to claim 8, wherein the plurality of users access the video gaming environment for concurrent play.

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REMARKS

Claims 1-14 were presented for examination. Claims 1-14 stand rejected in the Office Action dated September 14, 2016 (hereinafter, "Office Action"). Claims 1 and 8 are amended. Support for the amendments to claims 1 and 8 may be found throughout the specification, for example, at least in paragraphs 6, 28, and 72 of the specification as originally filed as well as in the applications which are incorporated by reference. Thus, no new matter has been added by way of this amendment. Claims 1-14 are pending upon entry of this response.

INTERVIEW SUMMARY

On Tuesday, November 1, 2016, Applicants' representative, Lance Topham conducted an Examiner Interview with Examiner Eric Thomas. Applicants' representative presented amendments included herein. The amendments were discussed in light of the rejections under 35 U.S.C. §103. Examiner Thomas indicated that the amendments overcome the rejection under §103 over the art cited in the Office Action.

Summary of Office Action

1. Claims 1-4, 6-11, 13, and 14 were rejected under pre-AIA 35 U.S.C. § 103(a) as allegedly being unpatentable over Kirmse et al. (U.S. Patent No. 6,699,125, hereinafter "Kirmse"), in view of Madden NFL 11(released August 2010, hereinafter "Madden").

2. Claims 5 and 12 were rejected under pre-AIA 35 U.S.C. § 103(a) as allegedly being unpatentable over Kirmse, in view of Madden, and further in view of Geiss et al. (U.S. Patent No. 8,200,020, hereinafter "Geiss").

Response to Rejections under 35 U.S.C. § 103

Claims 1-4, 6-11, 13, and 14 were rejected under pre-AIA 35 U.S.C. § 103(a) as allegedly being unpatentable over Kirmse, in view of Madden.

Claims 5 and 12 were rejected under pre-AIA 35 U.S.C. § 103(a) as allegedly being unpatentable over Kirmse, in view of Madden, and further in view of Geiss.

The rejections are addressed by reference to the independent claims.

Independent Claim 1

Applicants' amended claim 1 recites, in part:

> … the reactive access specifying that a user having the third player status level influences gameplay by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level.

The cited portions of the references, alone or in combination, do not disclose or suggest, among other aspects, the above quoted limitations as recited by amended claim 1.

The Examiner asserts on pages 2-3 of the Office Action that Kirmse discloses:

> "a computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming," at col. 2, lines 29 - 31;
> "providing access, using the one or more computing devices, to a video gaming environment hosted on a server," at Figure 1;
> "providing access to the video gaming environment by a plurality of users" at col. 2, line 32;
> "designating different status levels to the plurality of users wherein each of the different status levels provides different capabilities including a first player status that accords full access and play within the video gaming environment" at Figure 15;
> "a second player status that accords restricted access and play within the video environment" at Figure 15; and
> "and a third player status that accords reactive access and play within the video gaming environment" at Figure 15.

However, the cited portions of Kirmse do not teach the limitations of claim 1, as amended herein, specifically "the reactive access specifying that a user having the third player status level

Twitch Interactive EX1003 Page 302

influences gameplay by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level."

The cited portions of Kirmse, at best, describe that "FIG. 15 illustrates a screen shot 502 generated using an exemplary inviter game client and messenger client according to one embodiment of the present invention. As shown, 'user sammjo7867' is, or is about to participant in an online game of Euchre. Sammyjo7867 plays Euchre with the use of the game client as described herein. Also shown is a messenger window 504 including Sammyjo7867's friends on a Group1 friends list 506 (i.e., Freakazoid, kelly, mikey, Pootchie, and Snookey). Although each of the friends are shown to be inactive or unavailable, the messenger window will indicate that a friend is online by changing an icon adjacent to the online friend's ID to match the change in status (i.e., change in state). As user sammjo7867 continues playing a game, sammyjo7867 may optionally elect to allow his/her 'friends to find me' 508 by, for example, checking such a selection or may play in stealth or invisible mode. Additionally, user sammyjo7867 may decline all invitations 510 or restrict instant messages (IMs) from only friends 512 on an associated friends list,"[1] which is not the same as the limitations of amended claim 1. Accordingly, the portions of Kirmse cited in support of the rejection of claim 1 do not disclose the limitations of claim 1, as amended herein.

The Examiner cites additional portions of Kirmse in support of the rejections of the dependent claims under 35 U.S.C. § 103; however, the additional portions of Kirmse cited in support of the rejections of the dependent claims fail to remedy the deficiencies noted above.

On pages 3-4 of the Office Action, the Examiner states that "Kirmse, however, is silent on the issue of the third player reactive access influencing gameplay. In a related art, Madden

[1] Kirmse, col. 17, line 66 - col 18, line 17.

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discloses a video gaming method using one or more computing devices for implementing a multiplayer video game … wherein Madden discloses three player status levels, quarterback, running back, and receiver" at paragraph 1. The Examiner continues to assert that the Examiner views "the receiver as the third player access since the receiver has reactive access to game play options, (**i.e. receiving a pass**), wherein the receiver influences gameplay by reacting to an action of a user having a the first player status level, (**catching/dropping a pass thrown by the quarterback**) (emphasis in the original)." However, Madden does not disclose the limitations of claim 1, as amended herein.

Madden, at most, discloses "If you are playing as receivers with a bot QB, you can also call for the ball if you get open and have it delivered. We didn't do this, but paired up with another human receiver, you can go completely off message with your routes and run it sandlot-style, risking the pick or a sack of course, but it's there,"[2] which is not the same as the limitations of amended claim 1, specifically, "the reactive access specifying that a user having the third player status level influences gameplay by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level." Accordingly, the cited portions of Madden do not remedy the deficiencies of Kirmse noted above.

The Examiner further asserts, on pages 5-6 of the Office Action, that Geiss discloses the features of claims 5 and 12; however, the cited portions of Geiss, alone or as a proposed combination with Kirmse and Madden, do not teach or suggest the limitations of claim 1, as amended herein. The cited portions of Giess, at best, disclose "robust image alignment using

[2] Madden, paragraph 4.

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block sums."[3] Accordingly, the cited portions of Geiss fail to remedy the deficiencies of Kirmse and Madden noted above.

Therefore the cited portions of the references, even as a proposed combination, do not disclose or suggest each and every element of claim 1, as amended herein. Accordingly, Applicants respectfully request that Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 103.

Claims 2-7 depend from claim 1 and are therefore patentable for at least similar reasons as claim 1, as well as the additional limitations they recite. Accordingly, Applicants respectfully request that Examiner withdraw the rejection of claims 2-7 under 35 U.S.C. § 103.

Independent Claim 8

The cited portions of the reference, alone or in combination, do not disclose or suggest the above-quoted features of Applicants' claim 8 as amended herein for at least similar reasons as those described for claim 1. Therefore, the cited portions of the references do not disclose or suggest every limitation of claim 8 as amended herein. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 8 under 35 U.S.C. § 103. Claims 9-14 depend from claim 8 and are therefore patentable over the cited portions of the references for similar reasons as claim 8. Accordingly, Applicants respectfully request that the Examiner also withdraw the rejection of claims 9-14 under 35 U.S.C. § 103.

[3] Geiss, title.

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CONCLUSION

Allowance of all claims is requested. If the Examiner believes that direct contact with Applicant's attorney will advance the prosecution of this case, the Examiner is encouraged to contact the undersigned as indicated below.

Respectfully submitted,
BRIAN JOSEPH WIKLEM ET AL.

Dated: November 2, 2016 By: /Lance A. Topham/

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LAT:kkt

Twitch Interactive EX1003 Page 306

Electronic Acknowledgement Receipt

EFS ID:	27398431
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Lance Adrian Topham
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	02-NOV-2016
Filing Date:	07-MAY-2013
Time Stamp:	15:36:30
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	After Final Consideration Program Request	04251US_20161102_AFCR.pdf	227112 3197a48792133422a98a46e49481efa26ae56b81	no	2
Warnings:					

Information:					
2	Response After Final Action	04251US_20161102_Amendment_D.pdf	116559 82d2a1c5e1a0379e530ee2f43a240453727d1e6d	no	11
Warnings:					
Information:					
			Total Files Size (in bytes):	343671	

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New Applications Under 35 U.S.C. 111

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

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

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

New International Application Filed with the USPTO as a Receiving Office

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

PTO/SB/06 (09-11)
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/889,276	Filing Date 05/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	11/02/2016	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 14	Minus	** 20	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	**0**

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

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

LIE
/GLORIA NORRIS/

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

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

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

PTO/SB/08a (03-15)
Approved for use through 07/31/2016. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

U.S.PATENTS Remove

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

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20030038805	A1	2003-02-27	Wong et al.	
	2	20120220377	A1	2012-08-30	Cantor	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	

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

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

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	13889276
	Filing Date	2013-05-07
	First Named Inventor	Brian Joseph Wiklem
	Art Unit	3714
	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

CERTIFICATION STATEMENT

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

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

OR

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.

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

A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2017-01-31
Name/Print	Paige M. Alsbury	Registration Number	72,965

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

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

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

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

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

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

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

Electronic Patent Application Fee Transmittal	
Application Number:	13889276
Filing Date:	07-May-2013
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Filer:	Paige McDede Alsbury/Jodee Butler
Attorney Docket Number:	10177-04251 US

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:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
SUBMISSION- INFORMATION DISCLOSURE STMT	2806	1	90	90
		Total in USD ($)		**90**

Electronic Acknowledgement Receipt

EFS ID:	28218253
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Paige McDede Alsbury
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	31-JAN-2017
Filing Date:	07-MAY-2013
Time Stamp:	15:46:22
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$90
RAM confirmation Number	020117INTEFSW15465800
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	04251US20170131_IDS_SB08.pdf	1035243 cffc5c7ac8a82e031558d67fefe29403cc49652e	no	4
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	31003 e7238fe5a1fc17670f5c6aa596c2fa86f25005d3	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1066246		

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New Applications Under 35 U.S.C. 111
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New International Application Filed with the USPTO as a Receiving Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

93219 7590 03/10/2017

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER
THOMAS, ERIC M

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
03/10/2017	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):

docketing@patentlawworks.net
patents@patentlawworks.net

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 13/889,276	**Applicant(s)** WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	**Art Unit** 3714	**AIA (First Inventor to File) Status** No

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

THE REPLY FILED 02 November 2016 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

NO NOTICE OF APPEAL FILED

1. ☒ The reply was filed after a final rejection. No Notice of Appeal has been filed. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance;
(2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114 if this is a utility or plant application. Note that RCEs are not permitted in design applications. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action; or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
   c) ☐ A prior Advisory Action was mailed more than 3 months after the mailing date of the final rejection in response to a first after-final reply filed within 2 months of the mailing date of the final rejection. The current period for reply expires months from the mailing date of *the prior Advisory Action* or SIX MONTHS from the mailing date of the final rejection, whichever is earlier.
   Examiner Note: If box 1 is checked, check either box (a), (b) or (c). ONLY CHECK BOX (b) WHEN THIS ADVISORY ACTION IS THE FIRST RESPONSE TO APPLICANT'S FIRST AFTER-FINAL REPLY WHICH WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. ONLY CHECK BOX (c) IN THE LIMITED SITUATION SET FORTH UNDER BOX (c). See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) or (c) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendments filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
   b) ☐ They raise the issue of new matter (see NOTE below);
   c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.
   NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): (a) ☐ will not be entered, or (b) ☐ will be entered, and an explanation of how the new or amended claims would be rejected is provided below or appended.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
9. ☐ The affidavit or other evidence filed after final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
10. ☐ The affidavit or other evidence filed after the date of filing the Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
11. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

12. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
13. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
14. ☐ Other: _____.

STATUS OF CLAIMS

15. The status of the claim(s) is (or will be) as follows:
    Claim(s) allowed: .
    Claim(s) objected to: .
    Claim(s) rejected: .
    Claim(s) withdrawn from consideration: .

/DAVID L LEWIS/ Supervisory Patent Examiner, Art Unit 3714	/E. M. T./ Examiner, Art Unit 3714

Continuation of 3: The new limitations in claims 1 and 8 would require a further considerdation and/or search.

Twitch Interactive EX1003 Page 320

Doc code: RCEX
Doc description: Request for Continued Examination (RCE)

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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

Application Number	13/889,276	Filing Date	2013-05-07	Docket Number (if applicable)	10177-04251 US	Art Unit	3714
First Named Inventor	Brian Joseph Wiklem			Examiner Name	Eric M. Thomas		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, to any international application that does not comply with the requirements of 35 U.S.C. 371, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV.

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the orde in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s entered, applicant must request non-entry of such amendment(s).

☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

☒ Other Amendment D filed November 2, 2016.

☐ Enclosed

☐ Amendment/Reply

☐ Information Disclosure Statement (IDS)

☐ Affidavit(s)/ Declaration(s)

☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

☐ The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

Applicant Signature

PTO/SB/30EFS (07-14)
Approved for use through 07/31/2016. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Lance A. Topham/	Date (YYYY-MM-DD)	2017-03-10
Name	Lance A. Topham	Registration Number	70276

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is t file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Tim will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions f reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

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

Privacy Act Statement

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

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

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

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

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

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

Electronic Patent Application Fee Transmittal	
Application Number:	13889276
Filing Date:	07-May-2013
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Filer:	Lance Adrian Topham/Jodee Butler
Attorney Docket Number:	10177-04251 US

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:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
RCE- 1st Request	2801	1	600	600
		Total in USD ($)		**600**

Electronic Acknowledgement Receipt	
EFS ID:	28593095
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Lance Adrian Topham
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	10-MAR-2017
Filing Date:	07-MAY-2013
Time Stamp:	12:48:52
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	$600
RAM confirmation Number	031017INTEFSW12503200
Deposit Account	
Authorized User	
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Continued Examination (RCE)	04251US20170310_RCE.pdf	1350177 f06d3cb439f67e21a8a45344d4fc43bd513430a1	no	3
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30716 b6cab24166ba905afb1bced9a89817afd46aca52	no	2
Warnings:					
Information:					
		Total Files Size (in bytes):	1380893		

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

New Applications Under 35 U.S.C. 111
If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

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

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

PTO/SB/06 (09-11)
Approved for use through 1/31/2014. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/889,276	Filing Date 05/07/2013	☐ To be Mailed

ENTITY: ☐ LARGE ☒ SMALL ☐ MICRO

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	RATE ($)	FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	03/10/2017	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 14	Minus	** 20	= 0	X $40 =	0
	Independent (37 CFR 1.16(h))	* 2	Minus	***3	= 0	X $210 =	0
	☐ Application Size Fee (37 CFR 1.16(s))						
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
						TOTAL ADD'L FEE	0

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

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

LIE
DORRETTA BROOKS

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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UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

93219 7590 06/16/2017

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER	
THOMAS, ERIC M	

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
06/16/2017	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):

docketing@patentlawworks.net
patents@patentlawworks.net

Office Action Summary	Application No. 13/889,276	Applicant(s) WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	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 *3/10/17*.

☐ 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) *1-14* 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) *1-14* 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

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/1017 has been entered.

Response to Amendment

This is in response to the amendments filed on 3/10/17. Claims 1 and 8 have been amended. Claims 1 – 14 are pending in the current application.

Claim Rejections - 35 USC § 103

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.

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 negatived by the manner in which the invention was made.

Claims 1 – 4, 6 – 11, 13, and 14 is/are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kirmse et al. (U.S. 6,699,125) in view of Madden NFL 11 (released August 2010) and in further view of Naik et al. (U.S. 8,366,546).

Regarding claims 1 and 8, Kirmse discloses a computer-implemented method using one or more computing devices for implementing a multilayer architecture for video gaming, **("a game and messenger client-server system", col. 2, lines 29 – 31),** providing access, using the one or more computing devices, to a video gaming environment hosted on a server, **(fig. 1),** providing access to the video gaming environment by a plurality of users, **("allow multiple users to interact in a game", col. 2, line 32),** designating different status levels to the plurality of users wherein each of the different status levels provides different capabilities including a first player status that accords full access and play within the video gaming environment, **(fig. 15, a player is allowed to create a table game, left of fig. 15),** a second player status that accords restricted access and play within the video environment, **(fig. 15, a player is allowed to join the created table game, middle of fig. 15),** and a third player status that accords reactive access and play within the video gaming environment, **(fig. 15, a player is allowed to just watch a table game, middle of fig. 15).**

Kirmse, however, is silent on the issue of the third player reactive access influencing gameplay. In a related art, Madden discloses a video gaming method using one or more computing devices for implementing a multiplayer video game, **(paragraph 1 of NPL),** wherein Madden discloses three player status levels, quarterback, running back, and receiver, **(paragraph 1 of NPL).** The Examiner views the quarterback as

being equivalent to the first player status, the running back being equivalent to the second player status, and the receiver as the third player status. The quarterback is viewed upon as the first player since the quarterback has more access to game play options, **(i.e. play calling, throwing a pass, running the ball),** running as the second player status because of restricted access to game play options, **(i.e. receiving a handoff and catching the ball),** and the receiver as the third player access since the receiver has reactive access to game play options, **(i.e. receiving a pass),** wherein the receiver influences gameplay by reacting to an action of a user having a the first player status level, **(catching/dropping a pass thrown by the quarterback),** but both Madden and Kirmse are silent on the issue of influencing gameplay based on a social network post. In a related art, however, Naik discloses a computer-implemented method for implementing a multilayer architecture for video gaming, **("a method for displaying an online game", col. 1, lines 23 - 24),** wherein Naik further discloses influences gameplay by commenting a keyword response on a social network wall post of a user, **("the game players as wells as friends of user YOU 528b are allowed to comment on the game activity that is ongoing, as shown in comment section", col. 10, lines 2 - 4).**

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the comment section of Naik and the reactive access to gameplay teachings in Madden in order to encourage teamwork and communication among teammates in the video gaming environment, **(paragraph 1 of NPL).**

Regarding claims 2 and 9, Kirmse discloses wherein the plurality of users access the video gaming environment via at least a laptop, **("laptop computers", col. 4, lines 38 – 40).**

Regarding claims 3 and 10, Kirmse discloses wherein the video gaming environment is hosted in associated with a social network server, **(part 18 of fig. 1).**

Regarding claims 4 and 11, Kirmse discloses wherein the video gaming environment is hosted on a third party server, **(part 14 of fig. 1).**

Regarding claims 6 and 13, Kirmse discloses wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user electronic devices, **("In a specific implementation, user computers 12 are Internet-connectable computers (desktop computers, laptop computers, palm-sized computers, wearable computers, set-top boxes, embedded TCP/IP clients, wireless phones with a user interface, and the like", col. 4, lines 37 – 42).**

Regarding claims 7 and 14, Kirmse discloses wherein the plurality of users access the video gaming environment for concurrent play, **(fig. 15).**

Claims 5 and 12 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Kirmse et al. (U.S. 6,699,125) in view of Madden NFL 2011 as applied to claims 1 and 8 above, and further in view of Geiss et al. (U.S. 8,200,020).

Regarding claims 5 and 12, Kirmse, as cited above, discloses a plurality of servers, but is silent on the issue of comprising a cloud of distributed servers. In a related art, however, Geiss discloses a computer-implemented method using one or

more computing devices for implementing a gaming application, **("gaming applications", col. 10, lines 10 – 12)** and a cloud of distributed servers, **("server device 110 and server data storage device 112 may be referred to as " cloud-based" devices that are housed at various remote locations", col. 7, lines 26 – 29).**

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the cloud servers of Geiss into the art disclosed by Kirmse in order to offload processing and data storage from client devices, thereby simplifying the design and requirements of these client devices, as disclosed by Geiss, **(col. 7, lines 29 – 31).**

Response to Arguments

Applicant's arguments with respect to claims 1 - 14 have been considered but are moot based on new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC M. THOMAS whose telephone number is (571)272-1699. The examiner can normally be reached on 9 a.m. - 5 p.m.

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, David Lewis can be reached on (571) 272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/E. M. T./
Examiner, Art Unit 3714
/DAVID L LEWIS/
Supervisory Patent Examiner, Art Unit 3714

Notice of References Cited	Application/Control No. 13/889,276	Applicant(s)/Patent Under Reexamination WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	CPC Classification	US Classification
*	A	US-8,366,546 B1	02-2013	Naik; Samir	A63F13/12	463/31
*	B	US-6,699,125 B2	03-2004	Kirmse; Chris	A63F13/12	463/42
*	C	US-7,955,175 B1	06-2011	Holloway; Jason S.	G06Q10/00	273/317.1
	D	US-				
	E	US-				
	F	US-				
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	I	US-				
	J	US-				
	K	US-				
	L	US-				
	M	US-				

FOREIGN PATENT DOCUMENTS

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

NON-PATENT DOCUMENTS

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

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

Index of Claims	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	**Art Unit**
	ERIC M THOMAS	3714

✓	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	06/11/2017								
	1	✓								
	2	✓								
	3	✓								
	4	✓								
	5	✓								
	6	✓								
	7	✓								
	8	✓								
	9	✓								
	10	✓								
	11	✓								
	12	✓								
	13	✓								
	14	✓								

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	15462	video game architecture network player status access	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:57
S2	19921	((A63F13/12).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S3	2799	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S4	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 15:58
S5	23	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 15:58
S6	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:01
S7	7	S2 and (status level access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:02
S8	0	S2 and (status level different capabilities)	US-PGPUB;	WITH	OFF	2015/01/10

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			16:26
S9	0	S2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:26
S10	12	S2 and (status level capable)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S11	31914	video game network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S12	780	S11 and (player status)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:27
S13	8	S12 and (restrict access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:28
S14	454	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S15	56	S14 and (player level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S16	55	S15 and (access or permission)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	ADJ	OFF	2015/01/10 16:36

			IBM_TDB			
S17	0	supercell.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:37
S18	0	S14 and supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S19	981	supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S20	53	S19 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S21	15	supercell.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S22	36	S14 and (player access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 17:12
S23	647	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:50
S24	20048	((A63F13/12 OR A63F2300/5566 OR A63F13/822).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:52
S25	784	social network game	US-PGPUB; USPAT; USOCR; FPRS;	NEAR	OFF	2015/07/26 20:51

			EPO; JPO; DERWENT; IBM_TDB			
S26	526	S25 and level	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S27	500	S26 and server	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S28	84	S27 and (level increase)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:51
S29	50	S27 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:57
S30	643	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2016/03/03 21:28
S31	904	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:28
S32	0	S31 and (player bystander)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S33	45	S31 and (player leader)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S34	2	S31 and (player follower)	US-PGPUB; USPAT;	SAME	OFF	2016/03/03 21:33

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S35	2	S33 and (player follower)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:34
S36	16	S31 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S37	0	S36 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S38	129902	gaming and network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S39	2226	S38 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S40	114	S39 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S41	0	S40 and bystander	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S42	12471	yahoo.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36

S43	0	S42 and spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36
S44	112	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:36
S45	62	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:37
S46	30	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:37
S47	8	S42 and (network game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:38
S48	0	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:41
S49	14	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:42
S50	145	S42 and (online game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:44
S51	10	S50 and lobby	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	WITH	OFF	2016/03/03 21:44

			DERWENT; IBM_TDB			
S52	235	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:46
S53	9	S52 and lobby	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:46
S54	1111	S42 and games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S55	14	S54 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S56	83	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S57	1	S56 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S58	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S59	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:49
S60	0	yahoo spades	US-PGPUB; USPAT; USOCR;	SAME	OFF	2016/03/03 21:50

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S61	316	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2016/03/03 21:52
S62	0	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:52
S63	3	("20060121990").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 21:56
S64	2	("20050212214").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:00
S65	3	("6712702").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S66	2393	S42 and card	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S67	33	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 22:04
S68	26	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 22:04
S69	530	kirmse.inv.	US-PGPUB;	OR	OFF	2016/03/03

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			22:04
S70	36	S69 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:05
S71	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:06
S72	4	S42 and lounge	USPAT; USOCR	OR	OFF	2016/03/03 22:08
S73	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:10
S74	155	social network game	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S75	111	S74 and cloud	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S76	4	S74 and (cloud server)	USPAT; USOCR	NEAR	OFF	2016/03/03 22:15
S77	29	S74 and (cloud server)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S78	0	S74 and (cloud server benefit)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S79	0	S74 and (cloud server benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S80	2	S74 and (cloud benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S81	2	S74 and (cloud advantage)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S82	273	cloud server advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:17
S83	49	S82 and game	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S84	326	network cloud advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S85	68	S84 and gaming	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S86	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/04 00:43
S87	0	(13/889276).APP.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:13
S88	0	("(videoorcomputerorvirtual)neargame").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2016/09/03 18:15

			DERWENT; IBM_TDB			
S89	7732844	(video or computer or virtual)neargame	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:15
S90	140320	(video or computer or virtual) near game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:15
S91	271	S90 and (assign status player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:16
S92	26	S90 and (assign status player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:16
S93	21	S90 and (assign player role)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:17
S94	0	S90 and (assign player role access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:19
S95	3	S90 and (assign player role access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:19
S96	5996	S90 and football	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:20
S97	827	S96 and (multiple players)	US-PGPUB; USPAT; USOCR;	NEAR	OFF	2016/09/03 18:20

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S98	414	S97 and positions	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:20
S99	0	S97 and (football cooperative player positions)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:21
S100	293	S96 and (team play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:25
S101	16	S100 and madden	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:26
S102	1	S96 and (cooperative team play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:33
S103	0	(13/889284).APP.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/12/04 21:35
S104	0	wiklem.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/12/04 21:36
S105	7460	cowan.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/12/04 21:36
S106	16	S105 and keywords	US-PGPUB;	OR	OFF	2016/12/04

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			21:36
S114	3	("8550920").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/02/04 16:45
S115	25	gaming network spectator	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 13:43
S116	22513	((A63F13/86 OR A63F2300/577 OR A63F13/12 OR A63F2300/305 OR A63F13/87).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 13:44
S117	1032	S116 and (social network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/02/14 13:45
S118	37	S116 and (social network) same comment	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/02/14 13:45
S119	0	(13/889276).APP.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/02/14 13:47
S120	22513	((A63F13/86 OR A63F2300/577 OR A63F13/12 OR A63F2300/305 OR A63F13/87).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:11
S121	9	S120 and (social network) same (comment) with (game near play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	NEAR	OFF	2017/02/14 14:11

			IBM_TDB			
S122	1368	(game near play) same influence	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/02/14 14:16
S123	15	S122 and (social network post)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:16
S124	0	S122 same (social network post)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:16
S125	3	S122 and (social network comment)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:18
S126	2	("20130260896").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/02/14 14:21
S145	2	("20110320401").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/03/06 11:01
S146	2	("20110320536").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/03/06 11:03
S147	47	broadcast game comments	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/03/06 11:12
S148	2	("20120220377").PN.	US-PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2017/06/11 19:28

S149	2	("20140364207").PN.	US-PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2017/06/11 19:32
S150	3	("20120072855").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/06/11 19:41
S151	1132	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/06/11 19:45
S152	85	S151 and spectator	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/06/11 19:45
S153	3	S152 and (spectator comment)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2017/06/11 19:46

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S107	807	social network game	US-PGPUB; USPAT	NEAR	OFF	2016/12/04 21:03
S108	7064	((A63F13/12 OR A63F2300/572 OR A63F13/86).CPC.)	US-PGPUB; USPAT	NEAR	OFF	2016/12/04 21:04
S109	318	S108 and (watching games)	US-PGPUB; USPAT	SAME	OFF	2016/12/04 21:04
S110	240	S108 and (watching games)	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:04
S111	276	((A63F13/86).CPC.)	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:05
S112	95	S111 and (watch game)	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:05
S113	15	S112 and comment	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:05
S127	4477	social network game	US-PGPUB; USPAT	WITH	OFF	2017/02/14 13:55
S128	108	S127 and spectator	US-PGPUB; USPAT	WITH	OFF	2017/02/14 13:55
S129	4	S127 and (spectator comment)	US-PGPUB; USPAT	WITH	OFF	2017/02/14 13:56
S130	0	S127 and (spectator influence)	US-PGPUB;	WITH	OFF	2017/02/14

			USPAT			14:02
S131	0	S127 and (spectator influence)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:02
S132	4	S127 and (spectator comment)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:02
S133	0	S127 and (spectator affects)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:03
S134	2	S127 and (spectator affect$3)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:03
S135	0	spectator influence gameplay	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:04
S136	61	spectator influence	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:04
S137	38	spectator influence	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:04
S138	4	S137 gaming	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:04
S139	22	S136 and gaming	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:06
S140	1	S139 and (social network)	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:07
S141	5712	social network post	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:10
S142	1379	social network post	US-PGPUB; USPAT	NEAR	OFF	2017/02/14 14:10
S143	0	(social network post) same (comment with gameplay)	US-PGPUB; USPAT	NEAR	OFF	2017/02/14 14:10
S144	0	S142 and (comment with gameplay)	US-PGPUB; USPAT	NEAR	OFF	2017/02/14 14:11
S154	409	shiraiwa.inv.	US-PGPUB; USPAT	SAME	OFF	2017/06/11 19:33
S155	87	S154 and recording	US-PGPUB; USPAT	SAME	OFF	2017/06/11 19:33

6/11/2017 11:37:29 PM
C:\Users\ethomas1\Documents\EAST\Workspaces\13889276.wsp

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	Art Unit
	ERIC M THOMAS	3714

CPC- SEARCHED		
Symbol	Date	Examiner
A63F13/12, 2300, 822	6/11/2017	EMT

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

SEARCH NOTES		
Search Notes	Date	Examiner
East search	6/11/2017	EMT
P.G. Pubs	6/11/2017	EMT
Inventor name search	6/11/2017	EMT
search related case 13/889284	6/11/2017	EMT

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
463	42	6/11/2017	EMT

/E.M.T./ Examiner.Art Unit 3714	

UNITED STATES PATENT AND TRADEMARK OFFICE

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

NOTICE OF ALLOWANCE AND FEE(S) DUE

93219 7590 09/26/2017

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER	
THOMAS, ERIC M	
ART UNIT	PAPER NUMBER
3714	

DATE MAILED: 09/26/2017

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

TITLE OF INVENTION: Multilayer Framework and Architecture With Variable Video Gaming Capabilities

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	12/26/2017

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

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

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

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

93219 7590 09/26/2017

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

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

Certificate of Mailing or Transmission

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

TITLE OF INVENTION: Multilayer Framework and Architecture With Variable Video Gaming Capabilities

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	12/26/2017

EXAMINER	ART UNIT	CLASS-SUBCLASS
THOMAS, ERIC M	3714	463-042000

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

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

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

2. For printing on the patent front page, list

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

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

1 _____

2 _____

3 _____

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

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

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

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

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

❑ Issue Fee

❑ Publication Fee (No small entity discount permitted)

❑ Advance Order - # of Copies _____

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

❑ A check is enclosed.

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

❑ The director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

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

❑ Applicant certifying micro entity status. See 37 CFR 1.29

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.

❑ 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.

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. _____

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

93219 7590 09/26/2017

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

EXAMINER	
THOMAS, ERIC M	

ART UNIT	PAPER NUMBER
3714	

DATE MAILED: 09/26/2017

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.

Twitch Interactive EX1003 Page 357

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 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 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. 13/889,276	Applicant(s) WIKLEM ET AL.	
	Examiner ERIC M. THOMAS	Art Unit 3714	AIA (First Inventor to File) Status No

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

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

1. ☒ This communication is responsive to *9/8/17*.
   ☐ 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 *1-14*. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

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

   * Certified copies not received: _____.

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

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

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

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

/OMKAR DEODHAR/
Primary Examiner, Art Unit 3714

EXAMINER'S AMENDMENT

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

Authorization for this examiner's amendment was given in a telephone interview with Lance Topham on 9/8/17.

Claim 1 is amended as follows:

- On line 13 after "specifying that", insert -, "a keyword response commented by a user having the third player status level on a social network post of a user having the first player status level or the second player status level".
- On line 13 after "specifying that", delete -, "a user having the third player status level influences".
- On line 14 before "gameplay", inset -, "the keyword response affecting elements of".
- On line 14 after "gameplay", insert -, "on the video gaming environment".
- On line 14 after "gameplay", delete -, "by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level."

For clarity purposes, amended claim 1 is reproduced below:

1. (Currently Amended) A computer-implemented method for implementing a multilayer architecture for video gaming, comprising:

providing a video gaming environment hosted on a server;

providing access, using the server, to the video gaming environment by a plurality of

user devices associated with a plurality of users; and

designating, using the server, a status level from a plurality of status levels to each user of the plurality of users, wherein each status level of the plurality of status levels provides a different capability within the video gaming environment, the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a keyword response commented by a user having the third player status level on a social network post of a user having the first player status level or the second player status level ~~a user having the third player status level influences,~~ the keyword response affecting elements of gameplay on the video gaming environment ~~by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level.~~

EXAMINER'S REASONS FOR ALLOWANCE

Allowable Subject Matter

Claims 1 – 14 are allowed.

The following is an examiner's statement of reasons for allowance. There is no teaching or suggestion in the art of a video gaming environment that is associated with a plurality of users and a social media network wherein a comment posted on a social network post affects at least one element of gameplay. In other words, in the event that a first user is playing a video game that is in associated with a social network, wherein a comment comprising a keyword posted by a second user on first user's social network wall/profile, the keyword will affect at least one element of the first user's gameplay.

The claims are directed towards organizing, storing, and transmitting information which have been identified by the courts as abstract ideas, *(Cyberfone).* However, the claimed gaming system as amended yields a specialized device distinguishable from a general purpose computer. More specifically, the claims are drawn towards a social media comment comprising a keyword affecting a user's gameplay. Prior art systems do teach video games in association with a social media network, wherein other users may comment on a user's play of a game, however, the prior art does not teach wherein said comment comprising a keyword that will affect the user's play of the game, which is viewed upon by the Examiner as an improvement of the prior art. Recitation of such a device, was deemed to impose significantly more i.e., meaningful limitations, on any alleged underlying abstract idea. Thus, in light of the total disclosure, the gaming

system now claimed narrows the claims to only refer to a highly specialized and improved device with particular functionality required in the technological field.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC M. THOMAS whose telephone number is (571)272-1699. The examiner can normally be reached on 7a.m. - 3p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Lewis can be reached on (571) 272-7673. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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

/E. M. T./

Examiner, Art Unit 3714

/OMKAR DEODHAR/

Primary Examiner, Art Unit 3714

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	Art Unit
	ERIC M THOMAS	3714

CPC- SEARCHED		
Symbol	Date	Examiner
A63F13/12, 2300, 822	9/14/2017	EMT

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner

* 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 search	9/14/2017	EMT
P.G. Pubs	9/14/2017	EMT
Inventor name search	9/14/2017	EMT
search related case 13/889284 now U.S. Patent 9,597,586	9/14/2017	EMT

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
463	42	9/14/2017	EMT

/E.M.T./ Examiner.Art Unit 3714	/OMKAR DEODHAR/ Primary Examiner, Art Unit 3714

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	15462	video game architecture network player status access	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:57
S2	19921	((A63F13/12).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S3	2799	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2015/01/10 15:58
S4	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 15:58
S5	23	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 15:58
S6	352	S2 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:01
S7	7	S2 and (status level access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/01/10 16:02
S8	0	S2 and (status level different capabilities)	US-PGPUB;	WITH	OFF	2015/01/10

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			16:26
S9	0	S2 and (status level different capabilities)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:26
S10	12	S2 and (status level capable)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S11	31914	video game network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2015/01/10 16:27
S12	780	S11 and (player status)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:27
S13	8	S12 and (restrict access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:28
S14	454	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S15	56	S14 and (player level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:36
S16	55	S15 and (access or permission)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	ADJ	OFF	2015/01/10 16:36

			IBM_TDB			
S17	0	supercell.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:37
S18	0	S14 and supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S19	981	supercell	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S20	53	S19 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S21	15	supercell.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 16:38
S22	36	S14 and (player access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2015/01/10 17:12
S23	647	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:50
S24	20048	((A63F13/12 OR A63F2300/5566 OR A63F13/822).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/01/10 17:52
S25	784	social network game	US-PGPUB; USPAT; USOCR; FPRS;	NEAR	OFF	2015/07/26 20:51

			EPO; JPO; DERWENT; IBM_TDB			
S26	526	S25 and level	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S27	500	S26 and server	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2015/07/26 20:51
S28	84	S27 and (level increase)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:51
S29	50	S27 and (status level)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2015/07/26 20:57
S30	643	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	ADJ	OFF	2016/03/03 21:28
S31	904	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:28
S32	0	S31 and (player bystander)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S33	45	S31 and (player leader)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:33
S34	2	S31 and (player follower)	US-PGPUB; USPAT;	SAME	OFF	2016/03/03 21:33

			USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			
S35	2	S33 and (player follower)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:34
S36	16	S31 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S37	0	S36 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:34
S38	129902	gaming and network	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S39	2226	S38 and (full access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S40	114	S39 and (partial access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S41	0	S40 and bystander	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:35
S42	12471	yahoo.as.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36

S43	0	S42 and spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:36
S44	112	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:36
S45	62	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:37
S46	30	S42 and (yahoo games)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:37
S47	8	S42 and (network game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:38
S48	0	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:41
S49	14	S42 and (game room)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:42
S50	145	S42 and (online game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:44
S51	10	S50 and lobby	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	WITH	OFF	2016/03/03 21:44

			DERWENT; IBM_TDB			
S52	235	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:46
S53	9	S52 and lobby	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:46
S54	1111	S42 and games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S55	14	S54 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:48
S56	83	yahoo games	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S57	1	S56 and boot	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S58	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/03/03 21:49
S59	0	yahoo spades	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 21:49
S60	0	yahoo spades	US-PGPUB; USPAT; USOCR;	SAME	OFF	2016/03/03 21:50

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S61	316	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2016/03/03 21:52
S62	0	online spades create room	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 21:52
S63	3	("20060121990").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 21:56
S64	2	("20050212214").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:00
S65	3	("6712702").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S66	2393	S42 and card	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:03
S67	33	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/03/03 22:04
S68	26	S42 and (card game)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/03/03 22:04
S69	530	kirmse.inv.	US-PGPUB;	OR	OFF	2016/03/03

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			22:04
S70	36	S69 and game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/03/03 22:05
S71	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:06
S72	4	S42 and lounge	USPAT; USOCR	OR	OFF	2016/03/03 22:08
S73	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/03 22:10
S74	155	social network game	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S75	111	S74 and cloud	USPAT; USOCR	ADJ	OFF	2016/03/03 22:14
S76	4	S74 and (cloud server)	USPAT; USOCR	NEAR	OFF	2016/03/03 22:15
S77	29	S74 and (cloud server)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S78	0	S74 and (cloud server benefit)	USPAT; USOCR	WITH	OFF	2016/03/03 22:15
S79	0	S74 and (cloud server benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S80	2	S74 and (cloud benefit)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S81	2	S74 and (cloud advantage)	USPAT; USOCR	SAME	OFF	2016/03/03 22:16
S82	273	cloud server advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:17
S83	49	S82 and game	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S84	326	network cloud advantage	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S85	68	S84 and gaming	USPAT; USOCR	SAME	OFF	2016/03/03 22:18
S86	1	(09/898746).APP.	USPAT; USOCR	OR	OFF	2016/03/04 00:43
S87	0	(13/889276).APP.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:13
S88	0	("(videoorcomputerorvirtual)neargame").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO;	OR	OFF	2016/09/03 18:15

			DERWENT; IBM_TDB			
S89	7732844	(video or computer or virtual)neargame	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:15
S90	140320	(video or computer or virtual) near game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:15
S91	271	S90 and (assign status player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:16
S92	26	S90 and (assign status player)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:16
S93	21	S90 and (assign player role)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:17
S94	0	S90 and (assign player role access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2016/09/03 18:19
S95	3	S90 and (assign player role access)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:19
S96	5996	S90 and football	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/09/03 18:20
S97	827	S96 and (multiple players)	US-PGPUB; USPAT; USOCR;	NEAR	OFF	2016/09/03 18:20

			FPRS; EPO; JPO; DERWENT; IBM_TDB			
S98	414	S97 and positions	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:20
S99	0	S97 and (football cooperative player positions)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2016/09/03 18:21
S100	293	S96 and (team play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:25
S101	16	S100 and madden	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:26
S102	1	S96 and (cooperative team play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2016/09/03 18:33
S103	0	(13/889284).APP.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/12/04 21:35
S104	0	wiklem.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/12/04 21:36
S105	7460	cowan.inv.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2016/12/04 21:36
S106	16	S105 and keywords	US-PGPUB;	OR	OFF	2016/12/04

			USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB			21:36
S114	3	("8550920").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/02/04 16:45
S115	25	gaming network spectator	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 13:43
S116	22513	((A63F13/86 OR A63F2300/577 OR A63F13/12 OR A63F2300/305 OR A63F13/87).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 13:44
S117	1032	S116 and (social network)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/02/14 13:45
S118	37	S116 and (social network) same comment	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/02/14 13:45
S119	0	(13/889276).APP.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/02/14 13:47
S120	22513	((A63F13/86 OR A63F2300/577 OR A63F13/12 OR A63F2300/305 OR A63F13/87).CPC.)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:11
S121	9	S120 and (social network) same (comment) with (game near play)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT;	NEAR	OFF	2017/02/14 14:11

			IBM_TDB			
S122	1368	(game near play) same influence	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/02/14 14:16
S123	15	S122 and (social network post)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:16
S124	0	S122 same (social network post)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:16
S125	3	S122 and (social network comment)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/02/14 14:18
S126	2	("20130260896").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/02/14 14:21
S145	2	("20110320401").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/03/06 11:01
S146	2	("20110320536").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/03/06 11:03
S147	47	broadcast game comments	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	WITH	OFF	2017/03/06 11:12
S148	2	("20120220377").PN.	US-PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2017/06/11 19:28

S149	2	("20140364207").PN.	US-PGPUB; USPAT; USOCR; DERWENT	OR	OFF	2017/06/11 19:32
S150	3	("20120072855").PN.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	OR	OFF	2017/06/11 19:41
S151	1132	social network game	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/06/11 19:45
S152	85	S151 and spectator	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	NEAR	OFF	2017/06/11 19:45
S153	3	S152 and (spectator comment)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	SAME	OFF	2017/06/11 19:46

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	925	social network game	US-PGPUB; USPAT	NEAR	OFF	2017/09/14 18:34
L2	7829	((A63F13/12 OR A63F13/69 OR A63F13/86 OR A63F2300/577 OR A63F2300/609).CPC.)	US-PGPUB; USPAT	NEAR	OFF	2017/09/14 18:36
L3	0	L2 and (social network post) same (comment with gameplay)	US-PGPUB; USPAT	NEAR	OFF	2017/09/14 18:36
L4	0	L2 and (keyword gameplay)	US-PGPUB; USPAT	NEAR	OFF	2017/09/14 18:36
L5	2	L2 and (keyword gameplay)	US-PGPUB; USPAT	SAME	OFF	2017/09/14 18:36
L6	0	L2 and (keyword gameplay)	US-PGPUB; USPAT	WITH	OFF	2017/09/14 18:36
S108	7064	((A63F13/12 OR A63F2300/572 OR A63F13/86).CPC.)	US-PGPUB; USPAT	NEAR	OFF	2016/12/04 21:04
S109	318	S108 and (watching games)	US-	SAME	OFF	2016/12/04

			PGPUB; USPAT			21:04
S110	240	S108 and (watching games)	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:04
S111	276	((A63F13/86).CPC.)	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:05
S112	95	S111 and (watch game)	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:05
S113	15	S112 and comment	US-PGPUB; USPAT	WITH	OFF	2016/12/04 21:05
S127	4477	social network game	US-PGPUB; USPAT	WITH	OFF	2017/02/14 13:55
S128	108	S127 and spectator	US-PGPUB; USPAT	WITH	OFF	2017/02/14 13:55
S129	4	S127 and (spectator comment)	US-PGPUB; USPAT	WITH	OFF	2017/02/14 13:56
S130	0	S127 and (spectator influence)	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:02
S131	0	S127 and (spectator influence)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:02
S132	4	S127 and (spectator comment)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:02
S133	0	S127 and (spectator affects)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:03
S134	2	S127 and (spectator affect$3)	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:03
S135	0	spectator influence gameplay	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:04
S136	61	spectator influence	US-PGPUB; USPAT	SAME	OFF	2017/02/14 14:04
S137	38	spectator influence	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:04
S138	4	S137 gaming	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:04
S139	22	S136 and gaming	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:06
S140	1	S139 and (social network)	US-PGPUB; USPAT	WITH	OFF	2017/02/14 14:07
S141	5712	social network post	US-	WITH	OFF	2017/02/14

			PGPUB; USPAT			14:10
S142	1379	social network post	US-PGPUB; USPAT	NEAR	OFF	2017/02/14 14:10
S143	0	(social network post) same (comment with gameplay)	US-PGPUB; USPAT	NEAR	OFF	2017/02/14 14:10
S144	0	S142 and (comment with gameplay)	US-PGPUB; USPAT	NEAR	OFF	2017/02/14 14:11
S154	409	shiraiwa.inv.	US-PGPUB; USPAT	SAME	OFF	2017/06/11 19:33
S155	87	S154 and recording	US-PGPUB; USPAT	SAME	OFF	2017/06/11 19:33

9/ 14/ 2017 6:37:20 PM
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BIB DATA SHEET

CONFIRMATION NO. 4267

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
13/889,276	05/07/2013	463	3714	10177-04251 US

APPLICANTS
CP Studios LLC, Salt lake City, UT;

INVENTORS
Brian Joseph Wiklem, Salt Lake City, UT;
Carrie Ann Cowan, Salt Lake City, UT;

**** CONTINUING DATA **************************
This appln claims benefit of 61/643,352 05/07/2012

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

**** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **** ** SMALL ENTITY **
06/07/2013

Foreign Priority claimed ☐ Yes ☑ No 35 USC 119(a-d) conditions met ☐ Yes ☑ No Verified and Acknowledged /ERIC M THOMAS/ Examiner's Signature	☐ Met after Allowance EMT Initials	STATE OR COUNTRY	SHEETS DRAWINGS	TOTAL CLAIMS	INDEPENDENT CLAIMS
		UT	11	14	2

ADDRESS
Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111
UNITED STATES

TITLE
Multilayer Framework and Architecture With Variable Video Gaming Capabilities

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

Issue Classification

Application/Control No.	Applicant(s)/Patent Under Reexamination
13889276	WIKLEM ET AL.
Examiner	**Art Unit**
ERIC M THOMAS	3714

CPC

Symbol					Type	Version
A63F		13	/	12	F	2013-01-01
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CPC Combination Sets

Symbol					Type	Set	Ranking	Version
			/					
			/					

/ERIC M THOMAS/ Examiner.Art Unit 3714 (Assistant Examiner)	9/14/17 (Date)	**Total Claims Allowed:** 14	
/OMKAR DEODHAR/ Primary Examiner, Art Unit 3714 (Primary Examiner)	(Date)	O.G. Print Claim(s) 1	O.G. Print Figure 8

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	**Art Unit**
	ERIC M THOMAS	3714

US ORIGINAL CLASSIFICATION		INTERNATIONAL CLASSIFICATION										
CLASS	SUBCLASS	CLAIMED					NON-CLAIMED					
463	42	A	6	3	F	13 / 00 (2014.0)						

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

/ERIC M THOMAS/ Examiner.Art Unit 3714	9/14/17	**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	14	
/OMKAR DEODHAR/ Primary Examiner, Art Unit 3714		O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	8

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	13889276	WIKLEM ET AL.
	Examiner	**Art Unit**
	ERIC M THOMAS	3714

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

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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14	14														

/ERIC M THOMAS/ Examiner.Art Unit 3714	9/14/17	**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	14	
/OMKAR DEODHAR/ Primary Examiner, Art Unit 3714		O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	8

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

PTO/SB/08a (03-15)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20030008710	A1	2003-01-09	Yamaoka et al.	
	2	20050049022	A1	2005-03-03	Mullen	
	3	20140038721	A1	2014-02-06	Archer et al.	

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	First Named Inventor	Brian Joseph Wiklem
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	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

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NON-PATENT LITERATURE DOCUMENTS [Remove]

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
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Examiner Signature	/ERIC M THOMAS/	Date Considered	09/29/2017

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

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	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

CERTIFICATION STATEMENT

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

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See attached certification statement.

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A certification statement is not submitted herewith.

SIGNATURE

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

Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2016-10-11
Name/Print	Paige Alsbury	Registration Number	72,965

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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

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

PTO/SB/08a (03-15)
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(Not for submission under 37 CFR 1.99)

Application Number	13889276
Filing Date	2013-05-07
First Named Inventor	Brian Joseph Wiklem
Art Unit	3714
Examiner Name	Eric M. Thomas
Attorney Docket Number	10177-04251 US

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	1	20030038805	A1	2003-02-27	Wong et al.	
	2	20120220377	A1	2012-08-30	Cantor	

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	Examiner Name	Eric M. Thomas
	Attorney Docket Number	10177-04251 US

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

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A certification statement is not submitted herewith.

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Signature	/Paige Alsbury/	Date (YYYY-MM-DD)	2017-01-31
Name/Print	Paige M. Alsbury	Registration Number	72,965

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

FIRST INVENTOR:	Brian Joseph Wiklem
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Eric M. Thomas
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION UNDER 37 CFR 1.8

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By: /Lance A. Topham/

Lance A. Topham, Reg. No. 70,276

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AMENDMENT AFTER ALLOWANCE UNDER 37 C.F.R. § 1.312

Sir/Madam:

In response to the Notice of Allowance mailed September 26, 2017, for which the Issue Fee has not yet been paid, please amend the above-identified application as indicated in the present Amendment.

IN THE CLAIMS

All pending claims are reproduced below.

1. (Currently Amended) A computer-implemented method for implementing a multilayer architecture for video gaming, comprising:

providing a video gaming environment hosted on a server;

providing access, using the server, to the video gaming environment by a plurality of user devices associated with a plurality of users; and

designating, using the server, a status level from a plurality of status levels to each user of the plurality of users, wherein each status level of the plurality of status levels provides a different capability within the video gaming environment, the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a keyword response commented by a user having the third player status level on a social network post of a user having the first player status level or the second player status level~~, the keyword response affecting~~ affects elements of gameplay on the video gaming environment.

2. (Previously Presented) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment via the user devices

including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

3. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in association with a social network server.

4. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a third party server.

5. (Original) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted in a cloud of distributed servers.

6. (Previously Presented) A computer-implemented method according to claim 1, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all the user devices.

7. (Original) A computer-implemented method according to claim 1, wherein the plurality of users access the video gaming environment for concurrent play.

8. (Currently Amended) A system for implementing a multilayer architecture for video gaming, comprising a processor and a memory, wherein the memory provides instructions that cause the processor to:

provide a video gaming environment hosted on a server;

provide access to the video gaming environment by a plurality of user devices associated with a plurality of users;

designate a status level from a plurality of status levels to each user of the plurality of users, wherein each status level of the plurality of status levels provides a different capability within the video gaming environment, the plurality of status levels including a first player status level that accords full access and play within the video gaming environment, a second player status level that accords restricted access and play within the video gaming environment; and a third player status level that accords reactive access and play within the video gaming environment, the reactive access specifying that a keyword response commented by a user having the third player status level on a social network post of a user having the first player status level or the second player status level affects elements of gameplay on the video gaming environment ~~influences gameplay by commenting a keyword response on a social network wall post of a user having the first player status level or a user having the second player status level~~.

9. (Previously Presented) A system according to claim 8, wherein the plurality of users access the video gaming environment via the user devices including at least one of a group of a personal computer, a laptop, a mobile device, a gaming console, and a tablet.

10. (Original) A system according to claim 8, wherein the video gaming environment is hosted in association with a social network server.

11. (Original) A system according to claim 8, wherein the video gaming environment is hosted on a third party server.

12. (Original) A system according to claim 8, wherein the video gaming environment is hosted in a cloud of distributed servers.

13. (Previously Presented) A system according to claim 8, wherein the video gaming environment is hosted on a cross-platform server accommodating access by all of the user devices.

14. (Original) A system according to claim 8, wherein the plurality of users access the video gaming environment for concurrent play.

Twitch Interactive EX1003 Page 397

REMARKS

Claims 1-20 were allowed in the Notice of Allowability dated September 27, 2017. Claims 1 and 8 are amended herein to correct minor grammatical and antecedent basis issues. Further, the amendments to claim 8 are consistent with the amendments to claim 1 in the Examiner's Amendment contained in the Notice of Allowability. No new matter has been added.

CONCLUSION

Applicants respectfully request that this amendment be entered under 37 C.F.R. § 1.312. Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner would like to discuss this matter further.

Respectfully submitted,

Dated: October 5, 2017 By: /Lance A. Topham/

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LAT/jab

Electronic Acknowledgement Receipt

EFS ID:	30581104
Application Number:	13889276
International Application Number:	
Confirmation Number:	4267
Title of Invention:	Multilayer Framework and Architecture With Variable Video Gaming Capabilities
First Named Inventor/Applicant Name:	Brian Joseph Wiklem
Customer Number:	93219
Filer:	Lance Adrian Topham
Filer Authorized By:	
Attorney Docket Number:	10177-04251 US
Receipt Date:	05-OCT-2017
Filing Date:	07-MAY-2013
Time Stamp:	19:22:40
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		20171005_04251US_312Amendment.pdf	86881 1850a45247a857d809ff3969a4ed7c89c24096f0	yes	6

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment after Notice of Allowance (Rule 312)	1	1
	Claims	2	5
	Applicant Arguments/Remarks Made in an Amendment	6	6
Warnings:			
Information:			
	Total Files Size (in bytes):	86881	

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

FIRST INVENTOR:	Brian Joseph Wiklem
APPLICATION NO:	13/889,276
FILING DATE:	May 7, 2013
TITLE:	Multilayer Framework and Architecture with Variable Video Gaming Capabilities
EXAMINER:	Eric M. Thomas
GROUP ART UNIT:	3714
ATTY. DKT. NO:	10177-04251 US
CONFIRMATION NO:	4267

CERTIFICATE OF EFS-WEB TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on October 5, 2017.

By: /Lance A. Topham/

Lance A. Topham, Reg. No. 70,276

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ALEXANDRIA, VA 22313-1450

AMENDMENT AFTER ALLOWANCE UNDER 37 C.F.R. § 1.312

Sir/Madam:

In response to the Notice of Allowance mailed September 26, 2017, for which the Issue Fee has not yet been paid, please amend the above-identified application as indicated in the present Amendment.

Ok to enter

EMT

201 South Main Street, Suite 250
Salt Lake City, Utah
(801) 258-9820
(801) 355-0160

Patent Law Works LLP

Fax

To:	Mail Stop ISSUE FEE	**From:**	Paige M. Alsbury by Kristi LaMont
Fax:	571-273-2885	**Pages:**	3 (including cover)
Re:	13/889,276	**Date:**	December 22, 2017
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(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

TITLE OF INVENTION: Multilayer Framework and Architecture With Variable Video Gaming Capabilities

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	$480	$0	$0	$480	12/26/2017

12/26/2017 JVONG2 00000003 13889276

EXAMINER	ART UNIT	CLASS-SUBCLASS
THOMAS, ERIC M	3714	463-042000

01 FC:2501 480.00 OP

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

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(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
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(A) NAME OF ASSIGNEE: CP Studios LLC
(B) RESIDENCE: (CITY and STATE OR COUNTRY): Salt Lake City, UT

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

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☐ 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.

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Authorized Signature /Paige Alsbury/ Date December 22, 2017
Typed or printed name Paige M. Alsbury Registration No. 72,965

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
PAGE 2/3 * RCVD AT 12/22/2017 12:38:56 PM [Eastern Standard Time] * SVR:W-PTOFAX-001/15 * DNIS:2732885 * CSID:801.355.0160 * DURATION (mm-ss):01-20

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Patent Law Works LLP

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Kristi D. LaMont	(Depositor's name)
/Kristi LaMont/	(Signature)
December 22, 2017	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	05/07/2013	Brian Joseph Wiklem	10177-04251 US	4267

TITLE OF INVENTION: Multilayer Framework and Architecture With Variable Video Gaming Capabilities

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EXAMINER	ART UNIT	CLASS-SUBCLASS
THOMAS, ERIC M	3714	463-042000

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(B) RESIDENCE: (CITY and STATE OR COUNTRY): Salt Lake City, UT

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Authorized Signature /Paige Alsbury/ Date December 22, 2017
Typed or printed name Paige M. Alsbury Registration No. 72,965

PTOL-85 Part B (10-13) Approved for use through 10/31/2013. OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
PAGE 2/3 * RCVD AT 12/22/2017 12:45:38 PM [Eastern Standard Time] * SVR:W-PTOFAX-002/5 * DNIS:2732885 * CSID:801.355.0160 * DURATION (mm-ss):01-21

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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/889,276	02/13/2018	9889373	10177-04251 US	4267

93219 7590 01/24/2018

Patent Law Works, LLP
201 South Main Street, Suite 250
Salt Lake City, UT 84111

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 343 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).

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

Brian Joseph Wiklem, Salt Lake City, UT;
CP Studios LLC, Salt lake City, UT;
Carrie Ann Cowan, Salt Lake City, UT;

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