EXHIBIT 4

DECLARATION OF MELODY DRUMMOND HANSEN IN SUPPORT OF DEFENDANT'S
RESPONSIVE CLAIM CONSTRUCTION BRIEF

Case No. 5:15-CV-02008-EJD

12/05/00 TUE 18:03 FAX 303 ▊ 3450   DORSEY & WHITNEY   ☑002

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W.Lawson
Express Mail No. EL 759 367 709 US
Attorney Docket No. 4942.02 /5/8/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:

WOLZEIN

Serial No.: 09/054,740   Group Art: 2711

Filed: April 3, 1998   Examiner: John W. Miller

Title: MEDIA ONLINE SERVICES ACCESS SYSTEM AND METHOD

Assistant Commissioner for Patents
Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION

Dear Assistant Commissioner:

        This Response is filed in reply to the Office Action mailed June 7, 2000, in regard to the

above-referenced application rejecting claims 18-29. Applicant respectfully requests

reconsideration of all pending claims and entry of the following claim amendments as well as the

issuance of a Notice of Allowance.

        Please amend the above-identified application as follows.

In the Claims

18.   (Amended) A method of providing to a user of online information services automatic and

direct access to online information through an address associated with an online information

source provided with a video program comprising:

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indicating to the user that an address has been provided with said video program; and electronically extracting said address [to establish] and automatically establishing, in response to a user initiated command, a direct communication link with the online information source associated with said address so that the user has direct access to the online information.

23.   (Amended) A method of providing to a user of online information services [to a user of such online services] automatic and direct access to online information, comprising the steps of:

receiving a television broadcast signal having an information signal representing the address of an online information source;

extracting the address of said online information source from said received television broadcast signal;

automatically using said address, in response to a user initiated command, to transmit a signal to connect said user directly with the online information source associated with said address so that the user has direct access to the online information; and

receiving online information signals from said online information provider.

24.   (Amended) A method of providing to a user of online information services, at the time of viewing a video program represented by an electronic signal, automatic and direct access to online information through a link provided in said video program, comprising:

indicating to the user that an address is available for establishing communication with an online information source;

electronically extracting, in response to a user initiated command, an address associated with an online information source from an information signal embedded in said electronic signal, and automatically using said extracted address to establish a direct communication link with the

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online information source associated with said extracted address so that the user has direct access
to the online information.

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25.   (Amended) A method of providing to a user of online information services automatic and
direct access to online information through a link provided in a video program, comprising:
        indicating to the user that a link to online information services is available for receiving
the online information; and
        automatically and directly electronically accessing said online information associated
with said link in response to a user initiated command so that the user has direct access to the
online information.

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26.   (Amended) A media online services access system for providing to a user of online
information services while viewing or listening to a video or audio program represented by an
electronic signal, automatic and direct access to online information by establishing a direct digital
communication link with an online information source through a link provided in said electronic
signal, comprising:
        means for indicating to the user that an address is available for extraction from said
electronic signal which permits communication with an online information source; and
        means for extracting an address associated with an online information source from an
information signal embedded in said electronic signal, and for automatically establishing , in
response to a user initiated command, a direct link with the online information source associated
with said extracted address so that the user has direct access to the online information.

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REMARKS

Claims 18-29 are rejected by the Examiner. In particular, claims 18-29 are rejected under 35 USC §103 as obvious over Throckmorton et al (5,818,441) (hereinafter, "Throckmorton"). In the Office Action, the Examiner rejected claims 18-29 under 35 U.S.C. 103(a) as being unpatentable over Throckmorton et al (U.S. Patent Number 5,818,441).

With respect to such rejection, the Examiner stated that Throckmorton discloses a system which inserts data associated with a broadcast television program into the vertical blanking interval of a television signal. When the associated data contains pointers (i.e, URLs) to locations across a two-way channel, as set forth by the Examiner, the user can access information of particular relevance to the television program. The Examiner also stated that while the reference differs from the claimed invention in that it is silent with respect to whether or not the user is provided with an explicit indication of the presence of an address, such distinction is not a "patentable distinction".

Applicant respectfully disagrees with the rejection and Applicant appreciates that the Examiner agreed to an Interview regarding the case. The Applicant met with the Examiner on 27 October 2000 to discuss the rejection and the Throckmorton reference and agreement was reached that the §103 rejection was overcome by proposed amended claims. The Applicant was represented by Scott Doyle and the inventor, Thomas Wolzein. Applicants representatives explained that Throckmorton does not describe or teach a system and method which allows "direct communication link" which is "automatically" established by a user command "so that the user has direct access to online information" from an online provider, as set forth in amended

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