

# EXHIBIT D

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **Cox-1CIP**

Appl. No.: **11/445,928**

Confirmation No.: **8119**

Applicant: **Ingemar J. COX**

Filed: **June 2, 2006**

Title: **USING FEATURES EXTRACTED FROM AN AUDIO AND/OR VIDEO WORK  
TO OBTAIN INFORMATION ABOUT THE WORK**

TC/A.U.: **2425**

Examiner: **Cai Y. Chen**

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

AMENDMENT

Sir:

In response to the Office Action mailed on April 15, 2009 (Paper No. 20090403), which set a period for response to expire on July 15, 2009, that period being extended three (3) months to expire on October 15, 2009, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.

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02 FC:2202 156.00 DA

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AMENDMENTS TO THE CLAIMS

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

Claims 1-27 (canceled)

1 Claim 28 (New): A method for associating an electronic  
2 work with an action, the electronic work comprising at  
3 least one of audio and video, the method comprising:  
4 a) electronically extracting within a portable  
5 client device features from the electronic work;  
6 b) transmitting the extracted features from the  
7 portable client device to one or more servers;  
8 c) receiving at the portable client device from the  
9 one or more servers an identification of the electronic  
10 work based on the extracted features, wherein the  
11 identification is based on a non-exhaustive search  
12 identifying a neighbor;  
13 d) electronically determining an action based on the  
14 identification of the electronic work; and  
15 e) electronically performing the action on the  
16 portable client device.

1 Claim 29 (New): A method of claim 28, wherein the  
2 identification is based on a non-exhaustive search  
3 identifying a neighbor within a fixed radius.

1 Claim 30 (New): The method of claim 28, wherein the  
2 non-exhaustive search is sublinear.

1 Claim 31 (New): The method of claim 28, wherein the  
2 non-exhaustive search is based on kd-trees.

1 Claim 32 (New): The method of claim 28, wherein the  
2 non-exhaustive search is based on vantage point trees.

1 Claim 33 (New): The method of claim 28, wherein the  
2 non-exhaustive search is based on excluded middle vantage  
3 point forest.

1 Claim 34 (New): The method of claim 28, wherein the  
2 electronic work is an audio work.

1 Claim 35 (New): The method of claim 34, wherein the  
2 audio work is obtained from at least one of a broadcast  
3 and an audio file format.

1 Claim 36 (New): The method of claim 34, wherein the  
2 information includes at least one of a song title, an  
3 album title, and a performer name.

1 Claim 37 (New): The method of claim 28, wherein the  
2 electronic work is a video work.

1 Claim 38 (New): The method of claim 37, wherein the  
2 video work is obtained from at least one of a broadcast  
3 and a video file format.

1 Claim 39 (New): The method of claim 37, wherein the  
2 information includes at least one of a title of the video  
3 work, a director of the video work, and names of  
4 performers in the video work.

1 Claim 40 (New): The method of claim 28, wherein the step  
2 of electronically determining the action includes  
3 receiving at the portable client device an action based  
4 on the identification of the electronic work from the one  
5 or more servers.

1 Claim 41 (New): The method of claim 28, wherein the step  
2 of electronically extracting the features is performed by  
3 at least one of a microprocessor of the portable client  
4 device and a digital signal processor of the portable  
5 client device.

1 Claim 42 (New): A method for associating an electronic  
2 document work with an action, the document work  
3 comprising at least one of an image and text, the method  
4 comprising:

5 a) electronically extracting within a client device  
6 features from the electronic document work;

7 b) transmitting the extracted features from the  
8 client device to one or more servers;

9 c) receiving at the client device from the one or  
10 more servers an identification of the electronic document  
11 work based on the extracted features, wherein the  
12 identification is based on a sub-linear search;

13 d) electronically determining an action based on the  
14 identification of the electronic document work; and

15 e) electronically performing the action on the  
16 client device.

1 Claim 43 (New): The method of claim 42, wherein the  
2 electronic document work comprises an image.

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