

Exhibit 16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:

Applicant(s): Jeffrey Bruce McGeorge
Serial No: 10/415,022
Filing Date: September 5, 2003
Title: TRADING SYSTEM
Examiner: Ella Colbert
Art Unit: 3694
Docket No. CULLP0177US

REPLY TO OFFICE ACTION DATED NOVEMBER 27, 2007

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

Sir:

Favorable reconsideration of the above-referenced application is respectfully requested in view of the following part(s) of this reply:

Amendments to the Claims
Remarks

Enclosures: Credit Card Payment
 Petition for Extension of Time
 Information Disclosure Statement

In the event any fee or additional fee is due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (under the above Docket Number). In the event an extension of time is needed to make the filing of this paper timely and no separate petition is attached, please consider this a petition for the requisite extension and charge the fee to our Deposit Account No. 18-0988 (under the above Docket Number).

Amendments to the Claims

1. (currently amended) A method of informing users of stock market events comprising the steps of:
 - (a) receiving real-time stock market data on a network of computers;
 - (b) the network of computers receiving instructions from a user to specify stock market technical analysis criteria to be applied to the stock market data relating to at least one stock to arrive at at least one user-specified technical analysis indicator value which signals the occurrence of a change in stock value significant to the user and to forward to the user notification of the occurrence of an event defined by the user-specified stock market technical analysis criteria as real-time changes in the stock market data via a remote communications device;
 - (c) the network of computers applying the user-specified stock market technical analysis criteria to the real-time stock market data in real-time to arrive at at least one calculated technical analysis indicator value based on the real-time stock market data; and
 - (d) the network of computers causing a real-time notification to be provided to the user via the a remote communications device upon the occurrence of an event the change in stock value significant to the user defined by comparing the at least one calculated technical analysis indicator value to the at least one user-specified technical analysis indicator value as real-time changes in the stock market data occur, arising from the application of the user-specified stock market technical analysis criteria to the stock market data the real-time notification directed to a remote communications device of the user.
2. (previously presented) A method as claimed in claim 1, wherein the receiving step includes receiving instructions from the user to provide technical analysis criteria for specific stocks, and providing the requested technical analysis criteria for the specific stocks via the remote communications device.
3. (previously presented) A method as claimed in claim 1, wherein the receiving step includes receiving instructions from the user to provide technical analysis

criteria of overall stock market trends, and providing the requested technical analysis criteria of the overall stock market trends via the remote communications device.

4. (previously presented) A method as claimed in claim 1, wherein the remote communications device comprises a users fixed or mobile telephone, a personal computing device, a facsimile or pager of the user.

5-9. (cancelled)

Remarks

The various parts of the Office Action (and other matters, if any) are discussed below under appropriate headings.

Claim Rejections - 35 U.S.C. § 112

Claim 1 has been amended to amend the phrase "occurrence of an event" to read "occurrence of a change in stock value significant to the user". This should resolve any issue regarding any indefiniteness in claim 1.

Claim Rejections - 35 U.S.C. § 101

Reconsideration of the rejection under 35 U.S.C. § 101 is respectfully requested in view of the amendments made to claim 1. It is respectfully submitted that the claims are directed to a useful, concrete and tangible result.

The Examiner contended that claim 1 "does not produce tangible results, but merely determinations. These determinations might remain entirely inside the mind of the person doing the determining. These results are not tangible and concrete, and thus not eligible subject matter, and thus are rejected."

In response, the claims of the application have been amended to clarify the operation of the method of the invention in order to highlight further the "useful, concrete and tangible result" to which the claims are directed.

The method of claim 1 does produce tangible results, in the form of a real-time notification which is forwarded to the user via a remote communications device. The "determinations" to which the Examiner is referring are not determinations as such but are instead a comparison of the calculated technical analysis indicator values which are arrived at by application of the user-specified technical analysis criteria to the real-time stock market data which is received on the network of computers. Once the computer scanner identifies that the calculated technical analysis indicator values meet the user-specified technical analysis indicator values, a real-time notification issues and is sent to the user's remote communication device to advise the user of the match.

So, the "determinations" referred to by the Examiner do not occur in the mind of a person doing the determining as there is no such person. The "determinations" are performed by the network of computers.

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