

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSTRATEGY, INC.
Petitioner

v.

Patent of **ZILLOW, INC.**
Patent Owner

Case IPR2013-00034
Patent 7,970,674

Before JAMESON LEE, JOSIAH C. COCKS, and MICHAEL W. KIM
Administrative Patent Judges.

KIM, *Administrative Patent Judge.*

DECISION
Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

Background

MicroStrategy, Inc. (“MicroStrategy”) petitioned for *inter partes* review of claims 1-40 of US Patent 7,970,674 (’674 Patent) (Ex. 1001) pursuant to 35 U.S.C. §§ 311 et seq. MicroStrategy filed a revised petition on November 13, 2012 (“Pet.”). The patent owner, Zillow, Inc. (“Zillow”), filed a preliminary response on February 15, 2013. We have jurisdiction under 35 U.S.C. § 314.

The standard for instituting an *inter partes* review is set forth in 35 U.S.C. § 314(a) which provides as follows:

THRESHOLD -- The Director may not authorize an inter partes review to be instituted unless the Director determines that the information presented in the petition filed under section 311 and any response filed under section 313 shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.

Summary of the Invention

The ’674 Patent states (Ex. 1001, 1:9-12; emphasis added):

[The invention] is directed to the field of electronic commerce techniques, and, more particularly, to the field of electronic commerce techniques related to real estate.

As explained in the ’674 Patent, it is difficult to determine accurately the value of real estate properties. The most reliable method for valuing a home, if it recently was sold, is to regard its selling price as its value. (Ex. 1001, 1:25-26.) However, only a small percentage of homes are sold at any given time. (Ex. 1001, 1:26-30.) Another widely used approach is professional appraisal. (Ex. 1001, 1:33-34.) However, appraisals are subjective, and they “[are] expensive, can take days or weeks to complete, and may require physical access to the home by the appraiser.” (Ex. 1001, 1:37-44.) Moreover, designing automatic valuation systems

that only consider information available from public databases may be inaccurate. (Ex. 1001, 1:45-51.) Accordingly, the '674 Patent discloses an approach where valuing homes is responsive to owner input, allegedly resulting in a more accurate, inexpensive, and convenient valuation. (Ex, 1001, 1:52-56.)

Illustrative Claim

Claims 1, 2 and 15 are independent claims, of which claim 2 is reproduced below:

2. A computer readable medium for storing contents that causes a computing system to perform a method for procuring information about a distinguished property from its owner that is usable to refine an automatic valuation of the distinguished property, the method comprising:

displaying at least a portion of information about the distinguished property used in the automatic valuation of the distinguished property;

obtaining user input from the owner adjusting at least one aspect of information about the distinguished property used in the automatic valuation of the distinguished property; and

displaying to the owner a refined valuation of the distinguished property that is based on the adjustment of the obtained user input.

Prior Art References Applied by Petitioner

MicroStrategy challenges the patentability of claims 1-40 on the basis of the following prior art references:

US 5,857,174 (“Dugan”)	Jan. 5, 1999	Ex. 1003
US 2005/0154657 A1 (“Kim”)	Jul. 14, 2005	Ex. 1004
US 6,609,118 B1 (“Khedkar”)	Aug. 19, 2003	Ex. 1005
US 2004/0049440 A1 (“Shinoda”)	Mar. 11, 2004	Ex. 1006
US 6,877,015 B1 (“Kilgore”)	Apr. 5, 2005	Ex. 1007
US 6,401,070 B1 (“McManus”)	Jun. 4, 2002	Ex. 1008

Internal Revenue Service Publication 946, How to Depreciate Property ("IRS Pub. 946")	2004	Ex. 1009
US 2002/0087389 A1 ("Sklarz")	Jul, 4, 2002	Ex. 1010
US 5,414,621 ("Hough")	May 9, 1995	Ex. 1011

The Alleged Grounds of Unpatentability

MicroStrategy contends the following grounds of unpatentability:

- a. Claims 1, 2, 5-10, 13-18, 25-27, 29-33, 35-37, 39, and 40 are unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan and Kim.
- b. Claims 2 and 15 are unpatentable under 35 U.S.C. § 102(b) as anticipated by Dugan.
- c. Claims 2 and 15 are unpatentable under 35 U.S.C. § 102(b) as anticipated by Hough.
- d. Claims 3 and 4 are unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan, Kim, and Khedkar.
- e. Claims 11 and 12 are unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan, Kim, and Shinoda.
- f. Claim 19 is unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan, Kim, and Kilgore.
- g. Claim 20 is unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan, Kim, and McManus.
- h. Claims 21-24 are unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan, Kim, Kilgore, and McManus.
- i. Claims 28 is unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan, Kim, and IRS Pub 946.

- j. Claims 34 and 38 are unpatentable under 35 U.S.C. § 103(a) as obvious over Dugan, Kim, and Sklarz.

II. ANALYSIS

A. Findings of Fact

The following findings of facts are supported by a preponderance of the evidence.

1. Dugan

1. Dugan relates to a manual or computer-implemented method for appraising real estate. (Ex. 1003, 1:9-10.)
2. Dugan discloses that a primary object of its invention is to provide a real estate appraisal that is highly efficient and trustworthy and can be relied upon by sellers, buyers, appraisers, banks, investors, and the like. (Ex. 1003, 4:31-34.)
3. As shown below, Figure 3 of Dugan shows an exemplary appraisal process where, if the operator decides to appraise a subject property at step 32, the system will proceed in the manner of the flow chart in Figure 4. (Ex. 1003, 7:47-49.)

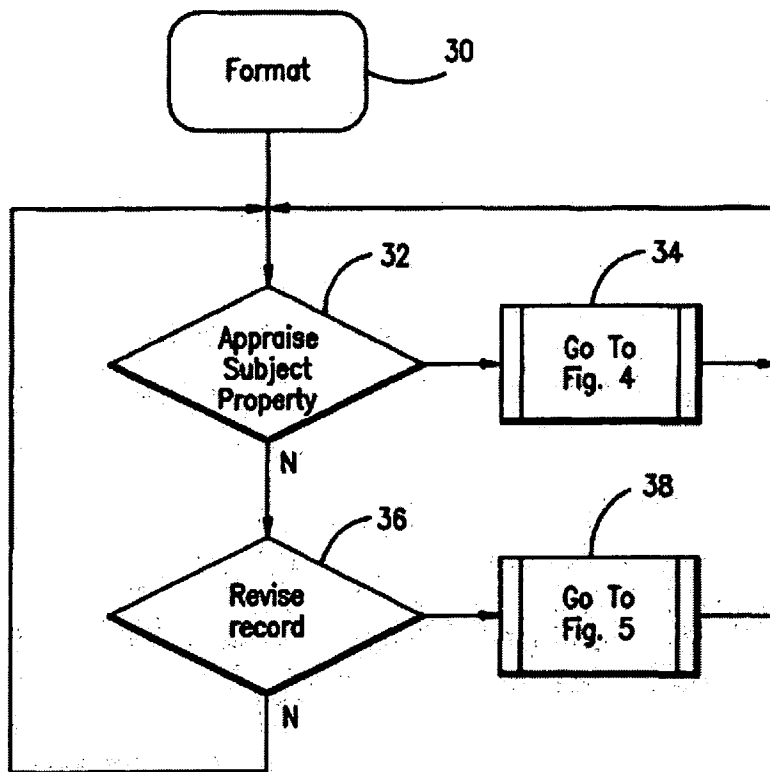


FIG. 3

4. If the operator chooses to revise a record at step 36 of Figure 3, the method described in the flow chart of Figure 5 will be followed. (Ex. 1003, 7:50-52.)

5. If the operator decides to appraise a subject property, the appraiser and prospective buyer of a property assign points based upon an Ideal Point System (IPS), which are based upon the desirability factors for each of five categories of elements. (Ex. 1003, 4:65-5:3.)

6. Once the IPS values are determined, the property subsequently may be used as a comparable property. (Ex. 1003, 5:5-6.)

7. The appraiser need only select a subject property and obtain the IPS values for the seller of the subject property. (Ex. 1003, 5:6-8.)

8. The sales price of each comparable property then is adjusted based upon the relative difference between the total IPS value for the comparable properties and the total IPS values of the subject property. (Ex. 1003, 5:8-11.)

9. The average adjusted sales price for all of the comparable properties then is used as the appraised value for the subject property. (Ex. 1003, 5:23-25.)

10. Once the appraised value is determined for the subject property, the operator will have the option to perform another appraisal, or revise a previously performed appraisal record at step 36. (Ex. 1003, 8:50-60.)

11. Such revising may include correcting incorrect information, or inputting a new set of IPS values. (Ex. 1003, 8:21-24.)

12. The system of Dugan may be used independently, or in conjunction with other appraisal techniques. (Ex. 1003, 14:63-64.)

2. Kim

13. Kim discloses that by incorporating the subject characteristics of a given property, and the subjective characteristics of “comparable properties,” a more accurate valuation for the subject property may be obtained. (Ex. 1004, ¶ 7.)

14. A user may request an estimated value of a property by adjusting the ranking of comparable properties, and then applying a weighting value method to the ranked comparable properties. (Ex. 1004, ¶ 93.)

15. A user may enter weightings associated with the properties. (Ex. 1004, Fig. 5, ¶ 47)

16. Certain entered weightings can be saved as defaults. (Ex 1004, Fig. 6.)

15. The appraiser may add additional characteristics to the profile of the subject property data to improve the description of the property, and thereby improve the odds of retrieving more similar reference properties. (Ex. 1004, ¶ 36.)

16. Kim discloses a user entering property conditions of interest, such as “kitchen updated”, “new furnace”, and others. (Ex. 1004, ¶ 46.)

17. Based on the entered property conditions, the appraiser valuation engine assigns condition points to those entered property conditions. (Ex. 1004, ¶¶ 55, 59.)

18. The amount of condition points assigned by the appraiser evaluation engine is based on the estimated “cost to build/replace/renovate” the associated property condition. (Ex. 1004, ¶ 59.)

19. Map 702 marks locations of comparable properties and the subject property. (Ex. 1004, ¶ 50.)

3. Sklarz

20. Sklarz discloses taking the recent price per square foot and/or price per bedroom and multiplying by the respective living area values of the subject property to arrive at a quick estimate of home value. (Ex. 1010, ¶ 220.)

B. Claim Construction

In assessing the merit of MicroStrategy’s petition, we have construed the claim terms “user knowledgeable about the distinguished home,” “owner of a home,” and “new geographically-specific home valuation model,” in light of the specification of the ’674 Patent.

1. Principles of Law

The Board construes a claim in an *inter partes* review using the “broadest reasonable construction in light of the specification of the patent in which it appears.” 37 C.F.R. § 42.100(b); *see Office Patent Trial Practice Guides*, 77 Fed. Reg. 48756, 48766 (Aug. 14, 2012). Claims terms usually are given their ordinary and customary meaning as would be understood by one of ordinary skill in the art in the context of the underlying patent disclosure. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005) (en banc). Indeed, the construction that stays true to the claim language and most naturally aligns with the inventor’s description is likely to be the correct construction. *Renishaw PLC v. Marposs Societa per Azioni*, 158 F.3d 1243, 1250 (Fed. Cir. 1998).

2. “User Knowledgeable about the Distinguished Home”

Zillow contends that “a user knowledgeable about the distinguished home” should be construed as “the owner or a person with equivalent knowledge to the owner.” (Prelim. Resp. 23-25.) However, that position is unpersuasive because (1) some owners may not be “knowledgeable about the distinguished home,” and (2) not all owners share the same level of knowledge about their respective homes. The knowledge of an owner varies from owner to owner and is incapable of serving as an objectively determinable level of knowledge.

The Specification discloses that the “owner or another user” is the person who would use the “software facility for automatically determining a current value for a home or other property. (Ex. 1001, 2:57-59.) The Specification also discloses that “a wide variety of users may use the facility, including the owner, an agent or other person representing the owner, a prospective buyer, an agent or other person representing prospective buyer, or another third party.” (Ex. 1001, 2:59, 64-67.) By using the terms “another third party,” the Specification

contemplates any person as a “user.” Accordingly, we construe a “user knowledgeable about the distinguished home” to be any person “knowledgeable about the distinguished home,” and is not limited to the owner of a home or someone with equivalent knowledge to the owner of a home.

3. “Owner of a Home”

MicroStrategy set forth a claim construction of “owner of a home” as a “seller.” (Pet. 12, 37, 40-41.) The Specification does use “seller” and “owner” interchangeably, for example, by mentioning only one of “seller” and “owner” opposite “buyer.” (Ex. 1001, 1:21-22, 2:65-66; 4:6-7.) However, it is understood that not all home owners are necessarily selling their home. Accordingly, we construe “owner of a home” simply as what it says, *i.e.*, owner of a home, who may or may not be selling. If and when the owner is selling, then the owner is a seller. That is essentially no different from the position urged by petitioner, but only phrased more accurately.

4. “New Geographically-Specific Home Valuation Model”

MicroStrategy does not set forth a specific claim construction of “new geographically-specific home valuation model.” (Pet. 32-33.) Neither does Zillow. (Prelim. Resp. 31-32.) Independent claim 30 recites both a “geographically-specific home valuation model” and a “new geographically-specific home valuation model.” We construe “new geographically-specific home valuation model” as a model different from another “geographically-specific home valuation model.” Nothing narrower than that is required by the specification.

C. 35 U.S.C. § 102(b) Grounds of Unpatentability—Claims 15 and 17 as Anticipated by Dugan

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros., Inc. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631 (Fed. Cir. 1987). MicroStrategy contends that claim 15 is unpatentable as anticipated by Dugan. (Pet. 3, 38-39.) We have considered MicroStrategy’s arguments and supporting evidence. The arguments have merit.

Zillow contends that Dugan does not disclose “obtaining user input adjusting at least one aspect of information about the distinguished home used in the automatic valuation of the distinguished property,” as recited in independent claim 15. According to Zillow, Dugan only discloses modifying characteristics of a particular property to fix errors or change IPS value allocations, and not retaining or modifying a previously generated valuation. (Prelim. Resp. 12-15.) Zillow’s argument is misplaced. The claimed feature as quoted above does not require retaining or modifying a previously generated valuation of the property. Rather, it refers to adjusting some aspect of the information used in the automatic valuation of the property. In that regard, Dugan discloses determining an appraised value of real estate (Ex. 1003, 5:23-25), and then providing the option of revising portions of an existing record (Ex. 1003, 8:50-60), such as incorrect information or IPS values (Ex. 1003, 8:21-24), which can result in modification of the previously appraised value. That disclosure satisfies the claim feature at issue.

Zillow also contends that Dugan does not disclose “obtaining user input,” where the user is “knowledgeable about the distinguished home,” as recited in independent claim 15. (Prelim. Resp. 23-25.) We disagree. As set forth above, we construe “a user knowledgeable about the distinguished home” as any person

“knowledgeable about the distinguished home.” Dugan discloses obtaining user input from a buyer and an appraiser. (Ex. 1003, 4:65-5:3.) Certain user input is said to fix incorrect information about a property (Ex. 1003, 8:21-22), which would require knowledge of the distinguished home. Thus, Dugan satisfies the claim feature at issue.

Claim 17 depends on claim 15. MicroStrategy contends that claim 17 is unpatentable for obviousness over Dugan and Kim. (Pet. 3, 17.) MicroStrategy does not identify any difference between the subject matter of claim 17 and Dugan. On this record, we are persuaded that all the features of claim 17 are disclosed in Dugan.

For the foregoing reasons, we conclude that there is a reasonable likelihood that MicroStrategy would prevail on showing that claims 15 and 17 are unpatentable as anticipated by Dugan.

D. 35 U.S.C. § 103(a) Grounds of Unpatentability—Claims 1-40 as Unpatentable in whole or in part based on Dugan and Kim

1. Principles of Law

A patent claim is unpatentable under 35 U.S.C. § 103(a) if the differences between the claimed subject matter 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. *KSR Int’l Co. v. Teleflex Inc.*, 550 U.S. 398, 406 (2007). The question of obviousness is resolved on the basis of underlying factual determinations including: (1) the scope and content of the prior art; (2) any differences between the claimed subject matter and the prior art; (3) the level of skill in the art; and (4) where in evidence, so-called secondary considerations. *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 17-18 (1966).

2. Claim 15 as Unpatentable for Obviousness over Dugan and Kim

MicroStrategy contends that claim 15 is unpatentable for obviousness over Dugan and Kim (Pet. 3, 28-29). However, MicroStrategy has not identified any feature of claim 15 that is missing from Dugan. (Pet. 28-29.) Given that MicroStrategy also has contended that claim 15 is anticipated by Dugan under 35 U.S.C. § 102, the ground of obviousness over Dugan and Kim is denied as redundant.

3. Claim 17 as Unpatentable for Obviousness over Dugan and Kim

MicroStrategy contends that claim 17 is unpatentable for obviousness over Dugan and Kim. (Pet. 3, 17.) However, in light of our treatment of claim 17 as anticipated by Dugan, the ground of obviousness of claim 17 over Dugan and Kim is denied as redundant.

4. Claims 16, 26, 27, 29, 31-33, 35-37, 39, and 40 as Unpatentable for Obviousness over Dugan and Kim

MicroStrategy contends that claims 16, 26, 27, 29, 31-33, 35-37, 39, and 40 are unpatentable for obviousness over Dugan and Kim. (Pet. 3, 29-31, 33-36.) Each of those claims depend directly or indirectly from independent claim 15, which MicroStrategy contends is anticipated by Dugan. According to MicroStrategy, because Dugan and Kim are directed to similar appraisal techniques with similar goals, it would have been obvious to one with ordinary skill in the art to use one or more of Kim's steps in Dugan's system to arrive at the subject matter of claims 16, 26, 27, 29, 31-33, 35-37, 39, and 40. (Pet. 11-12.)

Specifically, MicroStrategy notes that Dugan discloses that it is desirable to have appraisal methods that are trustworthy (Ex. 1003, 4:31-34), and that the appraisal systems in Dugan "may be used independent, or in conjunction, with

other appraisal techniques.” (Ex. 1003, 14:63-64). Also according to MicroStrategy, Kim discloses that a “more accurate valuation for the subject property” is desirable. (Ex. 1004, ¶ 7.) MicroStrategy further notes that Dugan explicitly contemplates combining its appraisal method with other appraisal methods. (Ex. 1003, 14:63-64.) For those reasons, MicroStrategy states:

[A]ll or a portion of step 34 of Dugan’s appraisal and record revision process illustrated in FIG. 3 could be replaced by one or more of steps 1406-1418 of Kim’s revision and appraisal process illustrated in FIG. 14, and all or a portion of step 38 of Dugan’s appraisal and record revision process illustrated in FIG. 3 could be replaced by one or more of steps 1404 and 1406 of Kim’s revision and appraisal process illustrated in FIG. 14.

(Pet. 12:1-6; emphasis added.) We have considered MicroStrategy’s arguments and supporting evidence, and conclude that on this record, the arguments have merit.

Zillow contends that MicroStrategy does not provide a sufficient rationale for combining Dugan and Kim. According to Zillow, Dugan’s disclosure that “[t]he system may be used independently, or in conjunction with other appraisal techniques” is taken out of context, and that Dugan only contemplates its system’s being used in connection with certain specific forms, such as “Fannie Mae Forms 2055, 2065 and 2075, Uniform Residential Appraisal Reports, Individual Condo Unit Appraisal Report, and/or Small Residential Income Property Appraisal Report,” and not with the particular appraisal methods of Kim. (Prelim. Resp. 25-26.) We disagree. By using the phrase “such as” following “[t]he system may be used independently, or in conjunction with other appraisal techniques” at column 14, lines 63-67, the specific forms listed are only examples. Given that Dugan contemplates use of its disclosed process in conjunction with other appraisal

techniques, and that Kim discloses another appraisal technique, we are persuaded by MicroStrategy's argument and not by Zillow's argument.

Zillow contends that MicroStrategy has not provided a sufficient rationale for combining Dugan and Kim, because replacing certain steps of Dugan with certain steps of Kim is not a simple substitution, but would add new processing that would eviscerate the Dugan system. (Prelim. Resp. 26-27.) However, Dugan discloses that such a substitution or additional processing is desirable (Ex. 1003, 14:63-64), and that, similar to Dugan, Kim is directed to a property valuation system that takes into account weighting of comparable properties. (Ex. 1004, ¶ 7.) Accordingly, we are unpersuaded that substituting or adding steps of such a similar system as disclosed in Kim would eviscerate Dugan's system.

Moreover, the use of patents as references is not limited to what the patentees describe as their own inventions or to the problems with which they are concerned, as they are a part of the literature and are relevant for all they contain. *In re Heck*, 699 F.2d 1331, 1333 (Fed. Cir. 1983). In connection with the argument that substituting Kim's steps into Dugan would eviscerate Dugan, we note further that a prior art reference must be considered for everything it teaches by way of technology and is not limited to the particular invention it is describing and attempting to protect. *EWP Corp. v. Reliance Universal Inc.*, 755 F.2d 898, 907 (Fed. Cir. 1985). In an obviousness analysis, it is not the case that everything disclosed in Dugan must be preserved or unchanged when relying on Dugan's disclosure.

For the foregoing reasons, we conclude that there is a reasonable likelihood that MicroStrategy would prevail on the ground that claims 16, 26, 27, 29, 31-33, 35-37, 39, and 40 of the '674 are unpatentable for obviousness over Dugan and Kim.

5. Claims 2, 5-10, and 13-14
as Unpatentable for Obviousness over Dugan and Kim

MicroStrategy contends that claims 2, 5-10, and 13-14 are unpatentable over Dugan and Kim. (Pet. 3, 22-28.) Claims 5-10 and 13-14 each depend directly or indirectly on independent claim 2. The subject of sufficient rationale to combine the teachings of Dugan and Kim already has been discussed above in the context of claims 16-17, 26, 27, 29, 31-33, 35-37, 39, and 40, and need not be repeated here.

Zillow contends that Dugan does not disclose “obtaining user input [] adjusting at least one aspect of information about the distinguished property used in the automatic valuation of the distinguished property,” as recited in independent claim 2. As discussed above in our analysis of the same limitation of independent claim 15, Dugan discloses the claim feature.

Zillow also contends that Dugan does not disclose “obtaining user input from the owner,” as recited in independent claim 2, because Dugan only discloses obtaining input from the buyer and the appraiser. (Prelim. Resp. 18-19, 21-23.) We disagree that Dugan only discloses obtaining input from the buyer and appraiser. Dugan discloses obtaining IPS values from buyer, appraiser, and seller of the property. (Ex. 1003, 4:65 to 5:6-8.) It cannot be disputed reasonably that a seller possesses ownership interest in the property being sold, and thus Dugan’s disclosure of obtaining IPS values from a seller satisfies the claim feature at issue.

Zillow additionally contends that Dugan does not disclose “obtaining user input from the owner. . . about the distinguished property,” as recited in independent claim 2. In that regard, Zillow argues that Dugan only discloses a buyer and an appraiser making adjustments to comparable properties so as to determine the appraised value of a subject property, while “the owner would have no interest in adjusting the value of their own property for use as a comparable

property.” (Prelim. Resp. 18-19, 21-23.) Zillow’s argument is misplaced, because Dugan discloses obtaining IPS values from the seller of the property (Ex. 1003, 5:6-8), which satisfies the claim feature at issue. Note that a seller is understood as having an ownership interest in the property.

When the above arguments are considered in combination, Zillow may be implying that, while Dugan discloses obtaining IPS values from the seller of the property, Dugan only discloses that the buyer and appraiser revise portions of an existing record (Ex. 1003, 8:50-60), such as incorrect information or IPS values (Ex. 1003, 8:21-24), which can result in modification of the previously appraised value. Thus, it is argued Dugan does not disclose “obtaining user input from the owner adjusting at least one aspect of information about the distinguished property used in the automatic valuation of the distinguished property,” as recited in independent claim 2. However, Dugan and Kim each suggest allowing the owner to revise portions of an existing record in place of the buyer and appraiser.

Dugan discloses that “it is a primary object of the present invention to provide a real estate appraisal method that is highly efficient and trustworthy and can be relied upon by sellers, buyers, appraisers, bankers, investors and the like.” (Ex. 1003, 4:31-34.) Kim discloses that a “more accurate valuation for the subject property” is desirable. (Ex. 1004, ¶ 7.) Accordingly, it would have been obvious to substitute a seller for the buyer and appraiser who inputs information in Dugan, because it would make the appraisal more accurate, for example, by allowing the seller to fix errors, and thus make the appraisal more trustworthy and reliable to all parties, especially the seller. Furthermore, it would allow the seller to obtain an appraised value for their property that properly accounts for their priorities via the inputted IPS values. And as the seller is an owner who is selling a home,

modifying Dugan to allow the seller of Dugan to revise portions of an existing record in place of the buyer and appraiser would satisfy the claim feature at issue.

For the foregoing reasons, we conclude that MicroStrategy has demonstrated a reasonable likelihood of prevailing on the ground that claims 2, 5-10, and 13-14 of the '674 patent are unpatentable for obviousness over Dugan and Kim.

6. Claims 3 and 4 as Unpatentable for Obviousness over
Dugan, Kim, and Khedkar

MicroStrategy contends that claims 3 and 4 are unpatentable for obviousness over Dugan, Kim, and Khedkar. (Pet. 3, 42-43.) We have considered MicroStrategy's arguments and supporting evidence, but are unpersuaded in light of the opposing arguments presented by Zillow.

Zillow contends that no combination of Dugan and Kim discloses "determining whether any of the altered home attributes is an attribute not present among home sales used to construct the geographically-specific home valuation model," as recited in claim 3. According to Zillow, "the Petition merely states that [certain altered home attribute] might exist in some instances without showing that the references disclose actually determining that they exist and performing additional actions based on that determination." (Prelim. Resp. 30-31.) We agree.

Dugan and Kim each disclose gathering attributes about subject and comparable properties (Ex. 1003, 4:65-5:11; Ex. 1004, ¶ 7), and then determining an appraised value for the subject properties based on the gathered attributes. (Ex. 1003, 5:23-25; Ex. 1004, ¶ 7.) MicroStrategy contends:

[S]ome attributes of the subject property are not present in the comparable properties. Thus, when an attribute of the subject property is altered, the altered attribute may not be present in the comparable properties

(Pet. 43:13-16; emphasis added.) However, MicroStrategy's contention is misplaced. Claim 3 requires *determining* whether the attribute is not present. MicroStrategy has shown, at most, that the attribute itself *may* not be present, and not that a determination is made to detect its non-presence.

Zillow contends that no combination of Dugan, Kim, and Khedkar as presented by MicroStrategy discloses "determining whether the refined valuation diverges from the automatic valuation by more than a threshold percentage," as recited in claim 4. (Prelim. Resp. 30-31.) We agree.

MicroStrategy cites Figure 3 of Dugan as disclosing automated property valuation, and combines that disclosure with Khedkar's disclosure that "if given a property that is outside the price range... a warning will be issued to the user of the system." (Ex. 1005, 5:42-44.) It appears to be MicroStrategy's position that Dugan and Khedkar collectively teach the issuance of a warning if automated property evaluation yields a price that is outside of a price range. However, there are two problems with MicroStrategy's position. First, detecting that a valuation is outside of a price range does not yield a percentage of anything, much less a threshold percentage. Secondly, detecting if a valuation is outside of a price range is not any comparison between a refined valuation and an automated valuation.

MicroStrategy has not demonstrated that a reasonable likelihood that it would prevail on the alleged ground that claims 3 and 4 of the '674 patent are unpatentable for obviousness over Dugan, Kim, and Khedkar.

7. Claims 18 and 25 as Unpatentable for Obviousness over Dugan and Kim

MicroStrategy contends that claims 18 and 25 are unpatentable for obviousness over Dugan and Kim. (Pet. 3, 29-30.) We have considered MicroStrategy's arguments and supporting evidence, but are unpersuaded by MicroStrategy's arguments in light of the opposing arguments presented by Zillow.

In particular, MicroStrategy has failed to address how Dugan and Kim disclose or suggest these limitations of claim 18:

wherein the adjustment of the obtained user input includes altering the home attributes indicated by an external data source to be possessed by the distinguished home, and

wherein the determined refined valuation is based at least in part on applying the geographically-specific home valuation model to the altered attributes

Claim 25 depends from claim 18.

MicroStrategy has not demonstrated a reasonable likelihood that it would prevail on the alleged ground that claims 18 and 25 of the '674 patent are unpatentable for obviousness over Dugan and Kim.

8. Claim 30 as Unpatentable for Obviousness over Dugan and Kim

MicroStrategy contends that claim 30 is unpatentable for obviousness over Dugan and Kim. (Pet. 3, 31-33.) We have considered MicroStrategy's arguments and supporting evidence. On this record, the arguments have merit.

Zillow contends that no combination of Dugan and Kim discloses "constructing a new geographically-specific home valuation model that emphasizes the significance of the identified sales" and "applying the constructed new geographically-specific home valuation model to attributes of the distinguished home to obtain a result," as recited in claim 30. According to Zillow, Kim at most "discloses only a single model (*i.e.*, a weighted average) that is applied to all properties being valued," and not "a new geographically specific model in response to an update to information about the home and using the new model to obtain a result." (Prelim. Resp. 31-32; emphasis original.) We disagree.

As discussed above, we construe a "new geographically-specific home valuation model" as a model different from another "geographically-specific home

valuation model.” Kim discloses a model weighting the rankings of comparable properties to arrive at an estimated value of a property. (Ex. 1004, ¶ 93.) In that regard, Kim discloses entering the weightings to be given to property attributes (Ex. 1004, Fig. 5, ¶ 47) and saving certain entered weightings as default values. (Ex 1004, Fig. 6.) That disclosure would reasonably have suggested, to one with ordinary skill in the art, that any model in Kim can be modified by resetting the default weightings to something else to arrive at a different model that may yield a different valuation as compared to the unchanged model.

MicroStrategy has demonstrated a reasonable likelihood that it would prevail on the alleged ground that claim 30 of the '674 patent is unpatentable for obviousness over Dugan and Kim.

9. Claim 1 as Unpatentable for Obviousness over Dugan and Kim

MicroStrategy contends that claim 1 is unpatentable for obviousness over Dugan and Kim. (Pet. 3, 11-22.) We have considered MicroStrategy’s arguments and supporting evidence, but are unpersuaded in light of the opposing arguments presented by Zillow.

Zillow contends that Dugan and Kim do not suggest “solicit[ing] input from the owner that identifies the. . . timing of one or more home improvements,” as recited in independent claim 1. According to Zillow, the Petition incorrectly contends that “an estimate of ‘cost to build/replace/renovate’ a particular item [in paragraph 59 of Kim] necessarily requires receiving user input specifying timing of a particular improvement.” (Prelim. Resp. 28-29.) We agree. An estimated “cost to build/replace/renovate” a particular item may include myriad items. However, it is not inherent that one of those items would be the timing information received from user input. For instance, the estimate may simply assume a certain default time for the renovation.

Kim does not disclose “solicit[ing] input from the owner that identifies the... timing of one or more home improvements,” as recited in independent claim 1. Kim discloses a user entering property conditions of interest, such as “kitchen updated,” and “new furnace.” (Ex. 1004, ¶ 46.) Based on the entered property conditions, the appraiser valuation engine assigns condition points to those entered property conditions. (Ex. 1004, ¶¶ 55, 59.) The number of condition points assigned by the appraiser evaluation engine is based on the estimated “cost to build/replace/renovate” the associated property item. (Ex. 1004, ¶ 59.) Kim does not disclose how this estimated “cost to build/replace/renovate” is acquired. Kim does not disclose soliciting build/replace/renovate timing information from the user as input. MicroStrategy lacks a clearly stated rationale that accounts for the feature of “solicit[ing] input from the owner that identifies the. . . timing of one or more home improvements,” as recited in independent claim 1.

For the foregoing reasons, MicroStrategy has not demonstrated a reasonable likelihood that it would prevail on its alleged ground that independent claim 1 of the ‘674 patent is unpatentable for obviousness over Dugan and Kim.

10. Claims 11 and 12 as Unpatentable for Obviousness over
Dugan, Kim, and Shinoda

MicroStrategy contends that claims 11 and 12 are unpatentable for obviousness over Dugan, Kim, and Shinoda. (Pet. 3, 43-45.) We have considered MicroStrategy’s arguments and supporting evidence, and conclude, on this record, that the arguments have merit. For example, claims 11 and 12 each recite “displaying a map showing properties in a geographic region surrounding the distinguished property.” These limitations are met by map 702 of Kim, which discloses locations of comparable properties and the subject property. (Ex. 1004,

Fig. 7, ¶ 50.) Similarly, MicroStrategy has established how the other claim limitations are met by these references. (Pet. 43-45.)

Zillow does not set forth any reason as to why MicroStrategy's arguments are unpersuasive.

MicroStrategy has demonstrated a reasonable likelihood that it would prevail on the alleged ground that claims 11 and 12 of the '674 patent are unpatentable for obviousness over Dugan, Kim, and Shinoda.

11. Claim 19 as Unpatentable for Obviousness over Dugan, Kim, and Kilgore

MicroStrategy contends that claim 19 is unpatentable for obviousness over a combination of Dugan, Kim, and Kilgore. (Pet. 3, 45-46.) Claim 19 depends from claim 18. As discussed, MicroStrategy has not addressed how Dugan and Kim disclose or suggest the "wherein the adjustment. . ." clause of claim 18.

MicroStrategy has not demonstrated a reasonable likelihood that it would prevail on the alleged ground that claims 18 and 19 of the '674 patent are unpatentable for obviousness over Dugan, Kim, and Kilgore.

12. Claim 20 as Unpatentable for Obviousness over Dugan, Kim, and McManus

MicroStrategy contends that claim 20 is unpatentable over Dugan, Kim, and McManus. (Pet. 3, 46-47.)

Claim 20 depends from claim 18. As discussed above, MicroStrategy has not addressed how Dugan and Kim disclose or suggest the "wherein the adjustment . . ." clause of claim 18.

MicroStrategy has not demonstrated a reasonable likelihood that it would prevail on the alleged ground that claim 20 of the '674 patent are unpatentable for obviousness over Dugan, Kim, and McManus.

13. Claims 21-24 as Unpatentable for Obviousness over
Dugan, Kim, Kilgore, and McManus

MicroStrategy contends that claims 21-24 are unpatentable for obviousness over Dugan, Kim, Kilgore, and McManus. (Pet. 3, 47-48.)

Claims 21-24 depend directly or indirectly from claim 18. As set forth above, MicroStrategy has not addressed how Dugan and Kim disclose or suggest the “wherein the adjustment . . .” clause of claim 18.

MicroStrategy has not demonstrated a reasonable likelihood that it would prevail on the alleged ground that claims 21-24 of the '674 patent are unpatentable for obviousness over Dugan, Kim, Kilgore, and McManus.

14. Claim 28 as Unpatentable for Obviousness over Dugan, Kim, and IRS Pub 946

MicroStrategy contends that claim 28 is unpatentable over a combination of Dugan, Kim, and IRS Pub 946. (Pet. 3, 48-49.) We have considered MicroStrategy's arguments and supporting evidence, and conclude, on this record, that the arguments have merit. For example, “applying a depreciation schedule to the identified age and cost” is met by the depreciation schedule disclosed in IRS Pub. 946. Similarly, MicroStrategy has established how the other claim limitations are met by these references. (Pet. 48-49.)

Zillow does not set forth any reason as to why MicroStrategy's arguments directed to alleged obviousness of claim 28 over Dugan, Kim, and IRS Pub 946 are unpersuasive.

MicroStrategy has demonstrated a reasonable likelihood that it would prevail on the ground that claim 28 of the '674 patent are unpatentable for obviousness over Dugan, Kim, and IRS Pub 946.

15. Claims 34 and 38 as Unpatentable for Obviousness over
Dugan, Kim, and Sklarz

MicroStrategy contends that claims 34 and 38 are unpatentable over Dugan, Kim, and Sklarz. (Pet. 3, 49-50.) We have considered MicroStrategy's arguments and supporting evidence, and conclude on this record that they have merit. For example, each of claims 34 and 38 recite multiplying the selling price per square foot by the floor area of the home to obtain a valuation. These limitations are met by the quick estimate of home value of Sklarz. (Ex. 1010, ¶ 220.) Similarly, MicroStrategy has established how the other claim limitations are met by these references. (Pet. 49-50.)

Zillow does not set forth any reason as to why MicroStrategy's arguments directed to obviousness of claims 34 and 38 over Dugan, Kim, and Sklarz are unpersuasive.

MicroStrategy has demonstrated a reasonable likelihood that it would prevail on the ground that claims 34 and 38 of the '674 patent are unpatentable for obviousness over Dugan, Kim, and Sklarz.

E. 35 U.S.C. § 102(b) Grounds of Unpatentability—Claim 2 as Anticipated by
Dugan

MicroStrategy contends that claim 2 is anticipated under 35 U.S.C. § 102(b) by Dugan. (Pet. 36-38.) The ground is denied as redundant. We have determined above that MicroStrategy has demonstrated a reasonable likelihood that claim 2 is unpatentable for obviousness over Dugan and Kim.

F. 35 U.S.C. § 102(b) Grounds of Unpatentability—Claims 2 and 15 as
Anticipated by Hough

MicroStrategy contends that claims 2 and 15 are anticipated under 35 U.S.C. § 102(b) by Hough. (Pet. 39-42.) The ground is denied as redundant. We have

determined above that MicroStrategy has demonstrated a reasonable likelihood that claim 2 is unpatentable for obviousness over Dugan and Kim, and that claim 15 is anticipated by Dugan.

III. ORDER

It is:

ORDERED that MicroStrategy's Petition is **granted** for the following grounds of unpatentability:

- a. Claims 15 and 17 as anticipated by Dugan under 35 U.S.C. § 102(b).
- b. Claims 2, 5-10, 13, 14, 16, 26, 27, 29-33, 35-37, 39, and 40 as obvious over Dugan and Kim under 35 U.S.C. § 103.
- c. Claims 11 and 12 as obvious over Dugan, Kim, and Shinoda under 35 U.S.C. § 103.
- d. Claims 28 as obvious over Dugan, Kim, and IRS Pub 946 under 35 U.S.C. § 103.
- e. Claims 34 and 38 as obvious over Dugan, Kim, and Sklarz under 35 U.S.C. § 103.

FURTHER ORDERED that MicroStrategy's Petition is **denied** as to the following alleged grounds of unpatentability:

- f. Claims 1, 18, and 25 as obvious over Dugan and Kim under 35 U.S.C. § 103.
- g. Claims 2 as anticipated by Dugan under 35 U.S.C. § 102(b).
- h. Claims 2 and 15 as anticipated by Hough under 35 U.S.C. § 102(b).
- i. Claims 3 and 4 as obvious over Dugan, Kim, and Khedkar under 35 U.S.C. § 103.

- j. Claim 19 as obvious over Dugan, Kim, and Kilgore under 35 U.S.C. § 103.
- k. Claim 20 as obvious over Dugan, Kim, and McManus under 35 U.S.C. § 103.
- l. Claims 21-24 as obvious over Dugan, Kim, Kilgore, and McManus under 35 U.S.C. § 103.

FURTHER ORDERED that pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, notice is hereby given of the institution of a trial;

FURTHER ORDERED that the trial is limited solely to the granted ground of unpatentability identified above and no other grounds are authorized as to claims 1-40 of the '674 patent; and

FURTHER ORDERED that an initial conference call with the Board is scheduled for 3:00 PM Eastern Time on April 18, 2013. The parties are directed to the Office Patent Trial Practice Guide, 77 *Fed. Reg.* 48756, 48765-66 (Aug. 14, 2012), for guidance in preparing for the initial conference call, and should come prepared to discuss any proposed changes to the Scheduling Order entered herewith and any motions the parties anticipate filing during the trial.

IPR2013-00034
Patent 7,970,674

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lb

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
--	---

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Washington on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 2:12-cv-01549	DATE FILED 9/12/2012	U.S. DISTRICT COURT Western District of Washington
PLAINTIFF ZILLOW, INC.		DEFENDANT TRULIA, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,970,674	6/28/2011	Please see attached copy of Complaint
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
-------	-------------------	------

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,970,674 B2
APPLICATION NO. : 11/347024
DATED : June 28, 2011
INVENTOR(S) : David Cheng et al.

Page 1 of 1

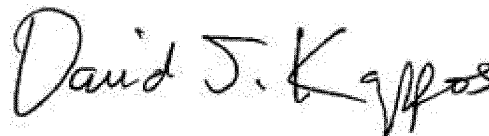
It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page, item (56), under (Other Publications), in column 2, line 2, delete "Modleing." and insert -- Modeling. --, therefor.

In column 18, line 23, delete ".doc/manuals" and insert -- doc/manuals --, therefor.

In column 20, line 18, in Claim 2, delete "computer readable" and insert -- computer-readable --, therefor.

Signed and Sealed this
Tenth Day of April, 2012

A handwritten signature in black ink that reads "David J. Kappos". The signature is written in a cursive style with a large initial "D".

David J. Kappos
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 7,970,674 *B2*
 APPLICATION NO : 11/347,024
 ISSUE DATE : June 28, 2011
 INVENTOR(S) : David Cheng et al.

Page 1 of 1

It is certified that errors appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

file item
 On the ~~Face~~ *file* Page, in ~~field~~ *item* (56), under (Other Publications), in column 2, line 2, delete "Modleing." and insert - - Modeling. - -, therefor.

In column 18, line 23, delete ".doc/manuals" and insert - - doc/manuals - -, therefor.

In column 20, line 18, in Claim 2, delete "computer readable" and insert - - computer-readable - -, therefor.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Steven D. Lawrenz
 PERKINS COIE LLP
 P.O. Box 1247
 Seattle, Washington 98111-1247

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. 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 1.0 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: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No.: 569208005US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Cheng et al.

Patent No.: 7,970,674

Issued: June 28, 2011

For: AUTOMATICALLY DETERMINING A
CURRENT VALUE FOR A REAL ESTATE
PROPERTY, SUCH AS A HOME, THAT IS
TAILORED TO INPUT FROM A HUMAN
USER, SUCH AS ITS OWNER

REQUEST FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 CFR 1.322

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Upon reviewing the above-identified patent, Patentee noted typographical errors which should be corrected.

The applicant(s) requests a Certificate of Correction to correct the errors in the above-identified patent, which are listed on the attached Form PTO/SB/44.

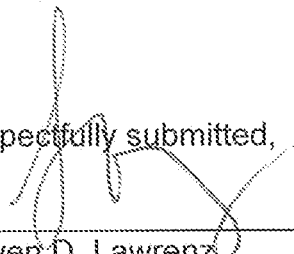
The errors were not in the application as filed by applicant; accordingly no fee is required.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Applicant believes no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 569208005US from which the undersigned is authorized to draw.

Dated: August 4, 2011

Respectfully submitted,

By 

Steven D. Lawrenz

Registration No.: 37,376
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant

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.
(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO : 7,970,674

Page 1 of 1

APPLICATION NO : 11/347,024

ISSUE DATE : June 28, 2011

INVENTOR(S) : David Cheng et al.

It is certified that errors appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Face Page, in field (56), under (Other Publications), in column 2, line 2, delete "Modleing." and insert - - Modeling. - -, therefor.

In column 18, line 23, delete ".doc/manuals" and insert - - doc/manuals - -, therefor.

In column 20, line 18, in Claim 2, delete "computer readable" and insert - - computer-readable - -, therefor.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Steven D. Lawrenz
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. 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 1.0 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: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Electronic Acknowledgement Receipt

EFS ID:	10668500
Application Number:	11347024
International Application Number:	
Confirmation Number:	1383
Title of Invention:	AUTOMATICALLY DETERMINING A CURRENT VALUE FOR A REAL ESTATE PROPERTY, SUCH AS A HOME, THAT IS TAILORED TO INPUT FROM A HUMAN USER, SUCH AS ITS OWNER
First Named Inventor/Applicant Name:	David Cheng
Customer Number:	25096
Filer:	Maurice J. Pirio/Sandy Reisman
Filer Authorized By:	Maurice J. Pirio
Attorney Docket Number:	56920-8005.US00
Receipt Date:	04-AUG-2011
Filing Date:	03-FEB-2006
Time Stamp:	15:23:11
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Certificate of Correction	2011-08-04- ReqCertifCorrection-56920-800 5US.PDF	394097 <small>1b722f56fe78b13fc7e6d584834fba2a93367f1c</small>	no	3

Warnings:

Information:

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.



APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/347,024	06/28/2011	7970674	56920-8005.US00	1383

25096 7590 06/08/2011
PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

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 1394 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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

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

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

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

David Cheng, Seattle, WA;
Stan Humphries, Sammamish, WA;
Kysik Chung, Seattle, WA;
Dong Xiang, Sammamish, WA;
Jonathan Burstein, Seattle, WA;

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)

25096
 PERKINS COIE LLP
 P.O. Box 1247
 Seattle, Washington 98111-1247

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 e-filed on the date indicated below.

Sandy Reisman	(Depositor's name)
	(Signature)
May 17, 2011	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/347,024	02/03/2006	David Cheng	569208005US	1383

TITLE OF INVENTION: AUTOMATICALLY DETERMINING A CURRENT VALUE FOR A REAL ESTATE PROPERTY, SUCH AS A HOME, THAT IS TAILORED TO INPUT FROM A HUMAN USER, SUCH AS ITS OWNER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
Non-Provisional	Yes	\$755.00	\$300.00	\$1,061.00	07/18/2011
EXAMINER		ART UNIT	CLASS-SUBCLASS		
A. Basit		3694			

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	Perkins Coie LLP
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: Zillow, Inc.
 (B) RESIDENCE: (CITY and STATE OR COUNTRY) Seattle, Washington

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 enclosed:
 Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order -# of Copies 2

4b. Payment of Fee(s):
 A check in the amount of the fee(s) is enclosed.
 Payment by EFT Account No. SEA1PIRM.
 Please charge any deficiency in fees or credit any overpayment to Deposit Account Number 50-0665

5. Change in Entity Status (from status indicated above)
 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature: Date: May 17, 2011
 Typed or printed name: Steven D. Lawrenz Registration No. 37,376

Electronic Patent Application Fee Transmittal

Application Number:	11347024
Filing Date:	03-Feb-2006
Title of Invention:	AUTOMATICALLY DETERMINING A CURRENT VALUE FOR A REAL ESTATE PROPERTY, SUCH AS A HOME, THAT IS TAILORED TO INPUT FROM A HUMAN USER, SUCH AS ITS OWNER
First Named Inventor/Applicant Name:	David Cheng
Filer:	Maurice J. Pirio/Sandy Reisman
Attorney Docket Number:	56920-8005.US00

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:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	755	755
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Printed copy of patent - no color	8001	2	3	6
Total in USD (\$)				1061

Electronic Acknowledgement Receipt

EFS ID:	10109306
Application Number:	11347024
International Application Number:	
Confirmation Number:	1383
Title of Invention:	AUTOMATICALLY DETERMINING A CURRENT VALUE FOR A REAL ESTATE PROPERTY, SUCH AS A HOME, THAT IS TAILORED TO INPUT FROM A HUMAN USER, SUCH AS ITS OWNER
First Named Inventor/Applicant Name:	David Cheng
Customer Number:	25096
Filer:	Maurice J. Pirio/Sandy Reisman
Filer Authorized By:	Maurice J. Pirio
Attorney Docket Number:	56920-8005.US00
Receipt Date:	17-MAY-2011
Filing Date:	03-FEB-2006
Time Stamp:	15:56:15
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Electronic Funds Transfer
Payment was successfully received in RAM	\$1061
RAM confirmation Number	2409
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Issue Fee Payment (PTO-85B)	2011-05-17- IssueFee-56920-8005US.PDF	853429	no	1
			c0c4a271597b163e846c9b1a962a5bf757d84838		

Warnings:

Information:

2	Fee Worksheet (PTO-875)	fee-info.pdf	33858	no	2
			5101a7120321db1b0e391848dac2d0e193f39a7d		

Warnings:

Information:

Total Files Size (in bytes):			887287		
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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.



NOTICE OF ALLOWANCE AND FEE(S) DUE

25096 7590 04/18/2011
PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

Table with 2 columns: EXAMINER (BASIT, ABDUL), ART UNIT (3694), PAPER NUMBER (1383)

DATE MAILED: 04/18/2011

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

11/347,024 02/03/2006 David Cheng 56920-8005.US00 1383
TITLE OF INVENTION: AUTOMATICALLY DETERMINING A CURRENT VALUE FOR A REAL ESTATE PROPERTY, SUCH AS A HOME, THAT IS TAILORED TO INPUT FROM A HUMAN USER, SUCH AS ITS OWNER

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

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 SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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)

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.

25096 7590 04/18/2011
PERKINS COIE LLP
 PATENT-SEA
 P.O. BOX 1247
 SEATTLE, WA 98111-1247

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.
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11/347,024 02/03/2006 David Cheng 56920-8005.US00 1383

TITLE OF INVENTION: AUTOMATICALLY DETERMINING A CURRENT VALUE FOR A REAL ESTATE PROPERTY, SUCH AS A HOME, THAT IS TAILORED TO INPUT FROM A HUMAN USER, SUCH AS ITS OWNER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional YES \$755 \$300 \$0 \$1055 07/18/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
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BASIT, ABDUL 3694 705-035000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "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.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
---	---

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

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information 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.



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

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
11/347,024 02/03/2006 David Cheng 56920-8005.US00 1383

25096 7590 04/18/2011
PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER

BASIT, ABDUL

ART UNIT PAPER NUMBER

3694

DATE MAILED: 04/18/2011

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 829 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 829 day(s).

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

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

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

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.

11/347,024

Examiner

ABDUL BASIT

Applicant(s)

CHENG ET AL.

Art Unit

3694

-- 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 3/4/11.
- 2. The allowed claim(s) is/are 1-40.
- 3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - 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.

- 4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) 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. Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
- 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5. Notice of Informal Patent Application
- 6. Interview Summary (PTO-413), Paper No./Mail Date _____.
- 7. Examiner's Amendment/Comment
- 8. Examiner's Statement of Reasons for Allowance
- 9. Other _____.

/KIRSTEN S APPLE/
Primary Examiner, Art Unit 3694

/ABDUL BASIT/
Examiner, Art Unit 3694

Examiner's Amendment

The Applicant's representative, Mr. Steve Lawrenz, provided permission to enter the following Examiner's Amendment:

For Claim 1 (In the second to last line/instruction in the claim):

applying **by a computer** the tailored valuation model.....

For Claim 2:

A computer readable medium ~~who~~ **for storing** contents **that** ~~cause~~ **causes** a computing system to.....

Cancel Claims 41-43

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABDUL BASIT whose telephone number is 571-272-5506. The examiner can normally be reached on Flex.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3694

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.

/ABDUL BASIT/
Examiner, Art Unit 3694

/KIRSTEN S APPLE/
Primary Examiner, Art Unit 3694

Search Notes 	Application/Control No. 11347024	Applicant(s)/Patent Under Reexamination CHENG ET AL.
	Examiner ABDUL BASIT	Art Unit 3694

SEARCHED			
Class	Subclass	Date	Examiner
705	35	3/30/11	a basit
705	313	3/30/11	a basit

SEARCH NOTES		
Search Notes	Date	Examiner
searched EAST	10/4/10	a basit
searched EAST	9/30/10	a basit
searched EAST	3/30/11	a basit
searched Proquest	3/30/11	a basit
searched Yahoo/Google	5/13/10	a basit
searched Jstor	3/30/10	a basit
searched Dialog	3/30/10	a basit
Allowance Conference with J. Trammell	3/22/10	a basit

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
705	35 (searched claim terms in PG-Pub)	3/30/11	a basit
705	313 (searched claim terms in PG-Pub)	3/30/11	a basit

/ABDUL BASIT/ Examiner.Art Unit 3694	
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EAST Search History**EAST Search History (Interference)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L12	3523	705/35.ccls.	USPAT; UPAD	AND	ON	2011/03/30 07:48
L13	55	705/313.ccls.	USPAT; UPAD	AND	ON	2011/03/30 07:48
L14	0	705/313.ccls. tailored adj valuation adj model	USPAT; UPAD	AND	ON	2011/03/30 07:49
L15	0	705/35.ccls. tailored adj valuation adj model	USPAT; UPAD	AND	ON	2011/03/30 07:49
L16	0	tailored adj valuation adj model	USPAT; UPAD	AND	ON	2011/03/30 07:49
L17	0	"determining a valuation adjustment"	USPAT; UPAD	AND	ON	2011/03/30 07:49
L18	0	"705".clas. "determining a valuation adjustment"	USPAT; UPAD	AND	ON	2011/03/30 07:49

3/30/2011 7:51:30 AM

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 \11347024.wsp**

EAST Search History**EAST Search History (Interference)**

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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L13	55	705/313.ccls.	USPAT; UPAD	AND	ON	2011/03/30 07:48
L14	0	705/313.ccls. tailored adj valuation adj model	USPAT; UPAD	AND	ON	2011/03/30 07:49
L15	0	705/35.ccls. tailored adj valuation adj model	USPAT; UPAD	AND	ON	2011/03/30 07:49
L16	0	tailored adj valuation adj model	USPAT; UPAD	AND	ON	2011/03/30 07:49
L17	0	"determining a valuation adjustment"	USPAT; UPAD	AND	ON	2011/03/30 07:49
L18	0	"705".clas. "determining a valuation adjustment"	USPAT; UPAD	AND	ON	2011/03/30 07:49
L20	0	705/313.ccls. tailored adj valuation adj model	US- PGPUB; USPAT; UPAD	AND	ON	2011/03/30 07:57
L21	0	705/35.ccls. tailored adj valuation adj model	US- PGPUB; USPAT; UPAD	AND	ON	2011/03/30 07:57
L22	0	"determining a valuation adjustment"	US- PGPUB; USPAT; UPAD	AND	ON	2011/03/30 07:57

3/ 30/ 2011 7:57:51 AM**C:\ Documents and Settings\ abasit1\ My Documents\ EAST\ Workspaces\ 11347024.**

wsp

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	92179	"705".clas.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:45
L2	244	705/313.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:45
L3	7049	705/35.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:45
L4	0	705/313.ccls.property adj appraisal owner	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:46
L5	0	705/35.ccls.property adj appraisal owner	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:46
L6	0	property adj appraisal owner	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:46
L7	76	property adj appraisal owner	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:46

L8	8	705/313.ccls. property adj appraisal owner	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:46
L9	20	705/35.ccls. property adj appraisal owner	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:47
L10	0	705/35.ccls. property adj appraisal owner lineair	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:47
L11	6	705/35.ccls. property adj appraisal owner linear	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2011/03/30 07:47
L19	0	705/313.ccls. property adj appraisal owner tree	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/03/30 07:50
S1	1	("20040073508").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2009/12/03 20:37
S2	1	property adj evaluation recent adj sales linear regression	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2009/12/05 13:53
S3	0	property adj appraisal recent adj sales linear regression	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2009/12/05 13:54
S4	1	property adj appraisal recent adj sales linear regression	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2009/12/05 13:54

S5	13	property adj appraisal recent adj sales	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2009/12/05 13:54
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S7	3	property adj appraisal recent adj sales regression	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2009/12/05 14:04
S8	7	property adj appraisal recent adj sales map	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2009/12/05 14:36
S9	28322	warning errors	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/05/08 15:18
S10	82	warning errors appraisal @ay< "2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/05/08 15:20
S11	34	warning errors appraisal map @ay< "2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/05/08 15:35
S12	1	warning errors appraisal map forest @ay< "2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/05/08 15:38
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S17	2398	linear adj regression property evaluation @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/05/08 16:20
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S27	1739	medium mode maximum values real adj estate @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/09/30 17:05
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S36	16	prices report indicating direction adj change magnitude @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/09/30 17:13
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S43	25439	mode median @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/10/04 09:13
S44	15492	mode median maximum @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/10/04 09:13
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S47	3	mode median maximum missing adj value real adj estate @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2010/10/04 09:18
S48	71	mode median maximum missing adj value tree classification @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2010/10/04 09:19
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S50	327	tree adj classification @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2010/10/04 09:23
S51	6212	705/35.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2010/10/04 09:28
S52	540	705/35.ccls. tree	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2010/10/04 09:28
S53	146	705/35.ccls. tree classification	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2010/10/04 09:28
S54	5	705/35.ccls. tree adj classification	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	ON	2010/10/04 09:28
S55	1	("6609118").PN.	US-PGPUB; USPAT; USOCR	OR	OFF	2011/01/28 12:34
S56	3	owner adj input property appraisal @ay<"2006"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT; IBM_TDB	AND	OFF	2011/01/29 17:47

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Issue Classification 	Application/Control No. 11347024	Applicant(s)/Patent Under Reexamination CHENG ET AL.
	Examiner ABDUL BASIT	Art Unit 3694

ORIGINAL					INTERNATIONAL CLASSIFICATION														
CLASS		SUBCLASS			CLAIMED					NON-CLAIMED									
705		35			G	0	6	Q	40 / 100 ()										
CROSS REFERENCE(S)																			
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)																		
705	313																		

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant <input type="checkbox"/> CPA <input type="checkbox"/> T.D. <input type="checkbox"/> R.1.47															
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original

/ABDUL BASIT/ Examiner.Art Unit 3694 (Assistant Examiner)	3/30/11 (Date)	Total Claims Allowed: 40	
/KIRSTEN S APPLE/ Primary Examiner.Art Unit 3694 (Primary Examiner)	04/08/2011 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 1

Docket No.: 569208005US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Cheng et al.

Application No.: 11/347,024

Confirmation No.: 1383

Filed: February 3, 2006

Art Unit: 3694

For: AUTOMATICALLY DETERMINING A
CURRENT VALUE FOR A REAL ESTATE
PROPERTY, SUCH AS A HOME, THAT IS
TAILORED TO INPUT FROM A HUMAN
USER, SUCH AS ITS OWNER

Examiner: A. Basit

RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. 1.116

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

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated February 3, 2011, finally rejecting claims 1-43, please amend the above-identified U.S. patent 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 15 of this paper.

AMENDMENTS TO THE CLAIMS

1. (Original) A method in a computing system for automatically determining a valuation for a subject home in response to input from an owner of the home, comprising:

presenting a display that includes an indication of a first valuation determined for the subject home and indications of attributes of the subject home used in the determination, the indicated valuation being determined by applying to the indicated attributes a geographically-specific home valuation model is based upon a plurality of homes near the subject home recently sold;

presenting a display that solicits input from the owner that updates one or more of the indicated attributes;

receiving first input from the owner that updates one or more of the indicated attributes;

applying the geographically-specific home valuation model to attributes of the subject home as updated by the first input to determine and display a second valuation for the subject home;

presenting a display that solicits input from the owner that identifies the type, cost, and timing of one or more home improvements performed on the subject home;

receiving second input from the owner that identifies the type, cost, and timing of one or more home improvements performed on the subject home;

using the second input to determine and display (a) a present value of the identified home improvements and (b) a third valuation that takes into account the present value of the identified home improvements;

presenting a display that solicits input from the owner that identifies other assets or liabilities of the subject home and the value attributed to them by the owner;

receiving third input from the owner that identifies other aspects of the subject home affecting its value and the value attributed to them by the owner;

determining a valuation adjustment corresponding to the identified aspects;

displaying a fourth valuation that takes into account the determined valuation adjustment corresponding to the identified aspects;

presenting a display that solicits input from the owner that identifies homes near the subject home that the owner regards as similar to the subject home;

receiving fourth input from the owner that identifies homes near the subject home recently sold that the owner regards as similar to the subject home;

using the fourth input to generate a tailored geographically-specific home valuation model that (1) is based upon a plurality of homes near the subject home recently sold that is a superset of the homes identified by the fourth input, but (2) places special emphasis on the homes identified by the fourth input;

applying the tailored valuation model to the updated attributes of the subject home to obtain a fifth valuation of the subject home; and

displaying the fifth valuation based on the application of the tailored valuation model.

2. (Original) A computer-readable medium whose contents cause a computing system to perform a method for procuring information about a distinguished property from its owner that is usable to refine an automatic valuation of the distinguished property, the method comprising:

displaying at least a portion of information about the distinguished property used in the automatic valuation of the distinguished property;

obtaining user input from the owner adjusting at least one aspect of information about the distinguished property used in the automatic valuation of the distinguished property; and

displaying to the owner a refined valuation of the distinguished property that is based on the adjustment of the obtained user input.

3. (Original) The computer-readable medium of claim 2, further comprising:

determining whether any of the altered home attributes is an attribute not present among home sales used to construct the geographically-specific home valuation model; and

if so, displaying a warning.

4. (Original) The computer-readable medium of claim 2, further comprising:

determining whether the refined valuation diverges from the automatic valuation by more than a threshold percentage; and

if so, displaying a warning.

5. (Original) The computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes altering property attributes used in the automatic valuation of the distinguished property, and wherein the displayed refined valuation is based at least in part on the altered property attributes.

6. (Original) The computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes adding a description of an improvement to the distinguished property, and wherein the displayed refined valuation is based at least in part on a valuation of the described improvement.

7. (Original) The computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes adding a description of an aspect of the distinguished property not considered by the automatic valuation of the distinguished property and an estimate by the owner of its value, and wherein the displayed refined valuation is based at least in part on the estimate of the value of the described aspect.

8. (Original) The computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes identifying recent sales of nearby properties regarded by the owner as similar to the distinguished property, and wherein the displayed refined valuation is based at least in part on a repetition of the automatic valuation of the distinguished property in which the influence of the identified sales is magnified.

9. (Original) The computer-readable medium of claim 8 wherein the adjustment of the obtained user input further includes identifying a scoring of the properties sold in the identified sales reflecting the relative level of similarity of the sold properties to the distinguished property, and wherein the displayed refined valuation is based at least in part on a repetition of the automatic valuation of the distinguished property in which the influence of the identified sales is magnified in a manner consistent with the identified scores.

10. (Original) The computer-readable medium of claim 9 wherein the user input identifies a scoring of the properties sold in the identified sales reflecting the relative level of similarity of the sold properties to the distinguished property by specifying a ranked order for the identified sales.

11. (Original) The computer-readable medium of claim 8, the method further comprising displaying a map showing properties in a geographic region surrounding the distinguished property, and wherein the owner identifies the recent sales of nearby properties regarded by the owner as similar to the distinguished property by selecting them on the displayed map.

12. (Original) The computer-readable medium of claim 8, the method further comprising displaying a map showing properties in a geographic region surrounding the distinguished property, and wherein the owner identifies each recent sale of a nearby property regarded by the owner as similar to the distinguished property by selecting a control in a popup balloon associated with its location on the displayed map.

13. (Original) The computer-readable medium of claim 8, the method further comprising displaying a table comprising rows each containing textual information about a different one of a plurality of recent sales of nearby properties, and wherein the owner identifies each recent sale of a nearby property regarded by the owner as similar to the distinguished property by interaction with the row containing information about the sale.

14. (Original) The computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes identifying nearby properties regarded by the owner as similar to the distinguished property, and wherein the displayed refined valuation is based at least in part on a repetition of the automatic valuation of the distinguished property in which the influence of values for the identified sales properties is magnified.

15. (Original) A method in a computing system for refining an automatic valuation of a distinguished home based upon input from a user knowledgeable about the distinguished home, comprising:

obtaining user input adjusting at least one aspect of information about the distinguished home used in the automatic valuation of the distinguished home;

automatically determining a refined valuation of the distinguished home that is based on the adjustment of the obtained user input; and

presenting the refined valuation of the distinguished home.

16. (Original) The method of claim 15 wherein the presenting involves displaying the refined valuation of the distinguished home to a user providing the user input.

17. (Original) The method of claim 15 wherein the presenting involves displaying the refined valuation of the distinguished home to a user other than the user providing the user input.

18. (Original) The method of claim 15 wherein the automatic valuation of the distinguished home involves applying a geographically-specific home valuation model to attributes indicated by an external data source to be possessed by the distinguished home,
and wherein the adjustment of the obtained user input includes altering the home attributes indicated by an external data source to be possessed by the distinguished home, and wherein the determined refined valuation is based at least in part on applying the geographically-specific home valuation model to the altered attributes.

19. (Original) The method of claim 18 wherein the geographically-specific home valuation model is a forest of classification trees each constructed from information about recent sales of homes near the distinguished home.

20. (Original) The method of claim 18 wherein the geographically-specific home valuation model is a linear regression model constructed from information about recent sales of homes near the distinguished home.

21. (Original) The method of claim 18 wherein the geographically-specific home valuation model is a hybrid model, utilizing both a forest of classification trees and a linear regression-derived function, both constructed from information about recent sales of home near the distinguished home.

22. (Original) The method of claim 21 wherein the refined valuation is determined by dividing by a first valuation of the distinguished home generated by the linear regression-derived function from the attributes indicated by the external data source to be possessed by the distinguished home a second valuation generated by the linear regression-derived function based upon the altered attributes to obtain a ratio, and wherein the ratio is multiplied by a valuation generated by the forest of classification trees based upon the home attributes indicated by the external data source to be possessed by the distinguished home.

23. (Original) The method of claim 21, further comprising weighting in the construction of the linear regression-derived function information about recent sales of individual homes near the distinguished home based upon the extents to which the sold home and the distinguished home are similar to high-value homes near the distinguished home.

24. (Original) The method of claim 21, further comprising weighting in the construction of the linear regression-derived function information about recent sales of individual homes near the distinguished home based upon the degree of nearness of each of the sold homes to the distinguished home.

25. (Original) The method of claim 18 wherein the geographically-specific home valuation model is constrained to consider only home attributes available for alteration by the user.

26. (Original) The method of claim 15 wherein the adjustment of the obtained user input includes adding a description of an improvement to the distinguished home, and wherein the determined refined valuation is based at least in part on a valuation of the described improvement.

27. (Original) The method of claim 26 wherein the added improvement description identifies an improvement type and a cost for the described improvement, further comprising determining the valuation of the described improvement by applying a localized improvement cost recovery rate for the identified improvement type to the identified cost.

28. (Original) The method of claim 26 wherein the added improvement description identifies an age of the described improvement and a cost for the described improvement,

further comprising determining the valuation of the described improvement by applying a depreciation schedule to the identified age and cost.

29. (Original) The method of claim 15 wherein the adjustment of the obtained user input includes adding a description of an aspect of the distinguished home not considered by the automatic valuation of the distinguished home and an estimate by a user providing the user input of its value, and wherein the determined refined valuation is based at least in part on the estimate of the value of the described aspect.

30. (Original) The method of claim 15 wherein the automatic valuation of the distinguished home involves applying a geographically-specific home valuation model to attributes indicated by an external data source to be possessed by the distinguished home,
and wherein the adjustment of the obtained user input includes identifying recent sales of nearby homes regarded as similar to the distinguished home,
the method further comprising:

constructing a new geographically-specific home valuation model that emphasizes the significance of the identified sales; and

applying the constructed new geographically-specific home valuation model to attributes of the distinguished home to obtain a result,
and wherein the determined refined valuation is based at least in part on the obtained result.

31. (Original) The method of claim 30 wherein the constructed new geographically-specific home valuation model is applied to attributes indicated by the external data source to be possessed by the distinguished home.

32. (Original) The method of claim 30 wherein the adjustment of the obtained user input further includes altering the home attributes indicated by the

external data source to be possessed by the distinguished home, and wherein the constructed new geographically-specific home valuation model is applied to altered attributes.

33. (Original) The method of claim 30 wherein adjustment of the obtained user input further includes identifying a scoring of the homes sold in the identified sales reflecting the relative level of similarity of the sold homes to the distinguished home, and wherein the constructed new geographically-specific home valuation model emphasizes the significance of the identified sales in a manner consistent with the identified scoring.

34. (Original) The method of claim 30, further comprising:
among the identified recent sales of nearby homes regarded as similar to the distinguished home, determining an average selling price per square foot;
multiplying the determined average selling price per square foot by the floor area of the distinguished home to obtain an alternate valuation of the distinguished home; and
before presenting the refined valuation of the distinguished home, blending into the refined valuation of the distinguished home the obtained alternate valuation.

35. (Original) The method of claim 30 wherein the constructed new geographically-specific home valuation model also emphasizes the significance of sales of homes whose locations are determined to be near the location of the distinguished home.

36. (Original) The method of claim 35 further comprising determining that the location of a home recently sold is near the location of the distinguished home if it has the same zip code as the distinguished home.

37. (Original) The method of claim 35 further comprising determining that the location of a home recently sold is near the location of the distinguished home if it has the same neighborhood name as the distinguished home.

38. (Original) The method of claim 30, further comprising:
accessing a floor area attribute of the distinguished home and the nearby homes whose recent sales were identified, and a selling price for each of the identified sales;
determining among the identified sales a selling price per square foot metric;
multiplying the obtained selling price per square foot metric by the floor area of the distinguished home to obtain a product; and
combining the product with the result to obtain the determined refined valuation.

39. (Original) The method of claim 35 further comprising determining that the location of a home recently sold is near the distinguished home if the location of the distance between it and the distinguished home is less than a threshold distance.

40. (Original) The method of claim 15 wherein the automatic valuation of the distinguished home involves applying a geographically-specific home valuation model to attributes indicated by an external data source to be possessed by the distinguished home,
and wherein the adjustment of the obtained user input includes both (1) altering the home attributes indicated by an external data source to be possessed by the distinguished home and (2) adding a description of an improvement to the distinguished home,
the method further comprising detecting that the alteration of home attributes and the improvement description are both directed to adding a new feature to the distinguished home,
and wherein, in response to the detecting, the determined refined valuation is based at least in part on applying the geographically-specific home valuation model to the altered attributes, and is not based on the improvement description.

41. (Original) One or more computer memories collectively containing a home valuation data structure, comprising:
information identifying a home; and
a valuation for the identified home automatically generated based on both information about the identified home obtained from a public source and information about the identified home obtained from an owner of the identified home,
such that the contents of the data structure may be used to determine the value of the identified house.

42. (Original) The computer memories of claim 41 wherein the data structure is a display specification capable of causing a computing system to display the identifying information and the valuation.

43. (Original) The computer memories of claim 41 wherein the data structure is a web page presenting the identifying information and the valuation.

REMARKS

In the Final Office Action mailed on February 3, 2011 (paper no. 20110129), the Examiner rejected all of pending claims 1-43 under 35 U.S.C. § 103(a) over U.S. Patent No. 6609118 to Khedkar, et al. ("Khedkar") and U.S. Patent Application Publication No. 2005/0154657 by Kim, et al. ("Kim"), either alone or together with other references. Claims 1-43 remain pending. For the reasons set forth in detail below, applicants submit that the application is in condition for allowance.

Applicants wish to express their gratitude to Examiners Basit and Trammell for the consideration extended during the in-person interview conducted on March 3, 2011. The interview was attended by applicants' representative Steve Lawrenz, and inventor Stan Humphries. The participants discussed the rejections under 35 U.S.C. § 103(a). In particular, Examiners Basit and Trammell acknowledged that the cited references fail to disclose applying a valuation model to attributes of a subject home as updated in accordance with input *from the home's owner* to obtain a valuation for the subject home as is recited by each of the independent claims. Accordingly, claims 1-43 are patentable over the cited references.

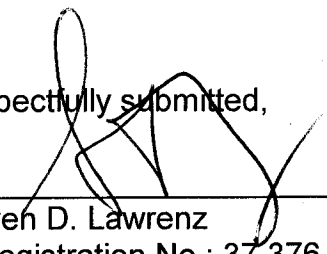
In view of the foregoing, applicants submit that the application is in condition for allowance. Accordingly, applicants earnestly solicit a prompt Notice of Allowance. If the Examiner identifies any additional issues that would delay allowance of the application, he is invited to telephone the undersigned for a prompt resolution.

Application No. 11/347,024
After Final Office Action of February 3, 2011

Docket No.: 569208005US

Dated: 3/4/2011

Respectfully submitted,

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Electronic Acknowledgement Receipt

EFS ID:	9590953
Application Number:	11347024
International Application Number:	
Confirmation Number:	1383
Title of Invention:	Automatically determining a current value for a real estate property, such as a home, that is tailored to input from a human user, such as its owner
First Named Inventor/Applicant Name:	David Cheng
Customer Number:	25096
Filer:	Maurice J. Pirio/Peter Sher
Filer Authorized By:	Maurice J. Pirio
Attorney Docket Number:	56920-8005.US00
Receipt Date:	04-MAR-2011
Filing Date:	03-FEB-2006
Time Stamp:	16:33:41
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		34roa.PDF	617260 44070128c175f48f259bce6124db1e05c9399e8e	yes	17

Multipart Description/PDF files in .zip description			
Document Description		Start	End
Transmittal Letter		1	1
Amendment After Final		2	2
Amendment Copy Claims/Response to Suggested Claims		3	15
Applicant Arguments/Remarks Made in an Amendment		16	17

Warnings:

Information:

Total Files Size (in bytes):	617260
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National Stage of an International Application under 35 U.S.C. 371

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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.

AMENDMENT TRANSMITTAL LETTER	Docket No. 569208005US
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Application No. 11/347,024-Conf. #1383	Filing Date February 3, 2006	Examiner A. Basit	Art Unit 3694
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Applicant(s): Cheng et al.

AUTOMATICALLY DETERMINING A CURRENT VALUE FOR A REAL ESTATE
Invention: PROPERTY, SUCH AS A HOME, THAT IS TAILORED TO INPUT FROM A HUMAN USER,
SUCH AS ITS OWNER

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present		Rate	
Total Claims	43	- 43 =	0	x	26.00	0.00
Independent Claims	4	- 4 =	0	x	110.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						
Other fee (please specify):						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:						0.00

- Large Entity Small Entity
- No additional fee is required for this amendment.
- Please charge Deposit Account No. _____ in the amount of \$ _____.
- A check in the amount of \$ _____ to cover the filing fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 50-0665 as described below.
- Credit any overpayment.
- Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Dated: March 4, 2011

Steven D. Lawrenz
Attorney/Agent Reg. No.: 37,376

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 11/347,024	Filing Date 02/03/2006	<input type="checkbox"/> To be Mailed							
APPLICATION AS FILED – PART I					OTHER THAN									
(Column 1)		(Column 2)			SMALL ENTITY <input checked="" type="checkbox"/>		OR		SMALL ENTITY					
FOR	NUMBER FILED	NUMBER EXTRA			RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)				
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A			N/A				N/A					
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (j), or (m))</small>	N/A	N/A			N/A				N/A					
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A			N/A				N/A					
TOTAL CLAIMS <small>(37 CFR 1.16(j))</small>	minus 20 =	*			X \$ =				X \$ =					
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*			X \$ =				X \$ =					
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 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).													
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>														
* If the difference in column 1 is less than zero, enter "0" in column 2.					TOTAL		TOTAL							
APPLICATION AS AMENDED – PART II					OTHER THAN									
(Column 1)		(Column 2)		(Column 3)			SMALL ENTITY		OR		SMALL ENTITY			
AMENDMENT	03/04/2011	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)		
	Total <small>(37 CFR 1.16(i))</small>	* 43	Minus	** 43	= 0		X \$26 =	0			X \$ =			
	Independent <small>(37 CFR 1.16(h))</small>	* 4	Minus	***4	= 0		X \$110 =	0			X \$ =			
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>													
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>													
							TOTAL ADD'L FEE	0	TOTAL ADD'L FEE					
(Column 1)		(Column 2)		(Column 3)			SMALL ENTITY		OR		SMALL ENTITY			
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)		
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=		X \$ =				X \$ =			
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=		X \$ =				X \$ =			
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>													
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>													
							TOTAL ADD'L FEE		TOTAL ADD'L FEE					
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.					Legal Instrument Examiner:									
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".					/ERIC DANTZLER/									
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".														
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.														

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/347,024	02/03/2006	David Cheng	56920-8005.US00	1383
25096	7590	02/03/2011	EXAMINER	
PERKINS COIE LLP			BASIT, ABDUL	
PATENT-SEA			ART UNIT	
P.O. BOX 1247			PAPER NUMBER	
SEATTLE, WA 98111-1247			3694	
			NOTIFICATION DATE	
			DELIVERY MODE	
			02/03/2011	
			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):

patentprocurement@perkinscoie.com

DETAILED ACTION

This action is in response to Applicant's remarks received on 11/15/2010. Based on the Applicant's remarks, the 35 U.S.C 102 rejection is withdrawn. However, the 35 U.S.C. 103 rejections are not withdrawn. Thus, a final rejection on the merits is issued.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 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 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 negated by the manner in which the invention was made.

1. Claims 1-10, 13-18, and 23-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khedkar (US Pat. No. 6,609,18) in view of Kim (US Pat. Pub. No. 2005/0154657)

Response to Applicant's Remarks

Applicant makes several assertions as to why the 35 U.S.C. 103 rejection is improper. Some of the assertions are general in nature. A response is given to specific assertions given by the Applicant that require a substantive response.

Regarding claim 1, the Applicant asserts that the Kim reference does not disclose inputs from an owner. However, since an appraisal may require permission

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from an owner for some of the information included in the appraisal, owner input is taught by Kim.

Second, again regarding claim 1, the Applicant asserts that the Kim reference does not disclose any value of home improvement values. According to paragraph 36, the Kim reference discloses an "updated bathroom."

Regarding claim 2, the Applicant asserts that the Khedkar reference does not disclose any display of information. According to col. 13 lines 1-20, the system provides an output from a computing device which inherently requires a display. Also, Khedkhar discloses a refined value since col. 13 lines 1-20 disclose a process that improves a previous estimate.

Regarding claim 15, the Applicant asserts that the Khedkar reference does not disclose "obtaining user input adjusting at least one aspect information..." Based on the claim language, the claims can be interpreted for getting input values that would result in the change of information used in the valuation of the home. Since the Khedkar reference does teach inputs on bedrooms and other property characteristics, this would teach the user input; and since the reference teaches an invention that can be used on more than one property, the system will adjust outputs based on changing inputs.

Regarding claim 41, the Applicant asserts that Khedkar does not disclose information that is obtained from a public source and information obtained from an owner. Sales price information is available from public sources and is taught in col. 10 lines 20-50 and col. 12 and 13. Also owner input occurs when the appraiser enters a

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property and obtains information on square footage or any updated features of the home.

Regarding claim 1:

Khedkar teaches a method in a computing system for automatically determining a valuation for a subject home in response to input from an owner of the home, comprising:

presenting a display that includes an indication of a first valuation determined for the subject home and indications of attributes of the subject home used in the determination, the indicated valuation being determined by applying to the indicated attributes a geographically-specific home valuation model is based upon a plurality of homes near the subject home recently sold; *(see at least col. 8, lines 30-35 and col. 2, lines 64-65 disclosing a valuation based on geographic specific property)*

presenting a display that solicits input from the owner that updates one or more of the indicated attributes; *(see at col. 6, lines 1-25 and col. 5, lines 63-65 disclosing updating inputs)*

receiving first input from the owner that updates one or more of the indicated attributes; *(see at col. 6, lines 1-25 and col. 5, lines 63-65 disclosing updating inputs)*

applying the geographically-specific home valuation model to attributes of the subject home as updated by the first input to determine and display a second valuation for the subject home; *(see at col. 8, lines 45-65 disclosing using the values to obtain a second*

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valuation)

using the second input to determine and display (a) a present value of the identified home improvements and (b) a third valuation that takes into account the present value of the identified home improvements; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

presenting a display that solicits input from the owner that identifies other assets or liabilities of the subject home and the value attributed to them by the owner;

receiving third input from the owner that identifies other aspects of the subject home affecting its value and the value attributed to them by the owner; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

determining a valuation adjustment corresponding to the identified aspects; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

displaying a fourth valuation that takes into account the determined valuation adjustment corresponding to the identified aspects; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

presenting a display that solicits input from the owner that identifies homes near the subject home that the owner regards as similar to the subject home; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

receiving fourth input from the owner that identifies homes near the subject home

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recently sold that the owner regards as similar to the subject home; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

using the fourth input to generate a tailored geographically-specific home valuation model that (1) is based upon a plurality of homes near the subject home recently sold that is a superset of the homes identified by the fourth input, but (2) places special emphasis on the homes identified by the fourth input; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)* applying the tailored valuation model to the updated attributes of the subject home to obtain a fifth valuation of the subject home; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

NOTE: Applicant is also directed to claim 1-3 of the Khedkar reference which disclose a reiterative process that discloses the reiterative process occurring in claim 1 of the Application)

Kim, not Khedkar, teaches presenting a display that solicits input from the owner that identifies the type, cost, and timing of one or more home improvements performed on the subject home; *(see at least paragraph 36 and 37)*

It would have been obvious to try to one of ordinary skill in the art at the time of the invention to modify Khedkar with Kim, since attempting to obtain the best value for a home is the goal of property appraisals.

Regarding claim 2:

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Khedkar teaches/suggests a computer-readable medium whose contents cause a computing

system to perform a method for procuring information about a distinguished property from its owner that is usable to refine an automatic valuation of the distinguished property, the method comprising:

displaying at least a portion of information about the distinguished property used in the automatic valuation of the distinguished property; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

obtaining user input from the owner adjusting at least one aspect of information about the distinguished property used in the automatic valuation of the distinguished property; *(see at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)* and

displaying to the owner a refined valuation of the distinguished property that is based on the adjustment of the obtained user input. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 3:

Khedkar, not Cheetham, teaches that the computer-readable medium of claim 2, further comprising: determining whether any of the altered home attributes is an attribute not present among home sales used to construct the geographically-specific home valuation model; and if so, displaying a warning. (col. 5, lines 45-45 disclosing a

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warning occurring if not within a certain range) It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a warning in the event a data value was not correct.

Regarding claim 4:

Khedkhar, not Cheetham, teaches that the computer-readable medium of claim 2, further comprising: determining whether the refined valuation diverges from the automatic valuation by more than a threshold percentage; and if so, displaying a warning. (col. 5, lines 45-45 disclosing a warning occurring if not within a certain range) It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a warning in the event a data value was not correct.

Regarding claim 5:

Khedkar teaches that the computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes altering property attributes used in the automatic valuation of the distinguished property, and wherein the displayed refined valuation is based at least in part on the altered property attributes. (*see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation*)

Regarding claim 6:

Khedkar teaches/suggests that the computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes adding a description of an improvement to the distinguished property, and wherein the displayed refined valuation is based at least in part on a valuation of the described improvement. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Kim to suggest all the features in the claim.

Regarding claim 7:

Khedkar that the computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes adding a description of an aspect of the distinguished property not considered by the automatic valuation of the distinguished property and an estimate by the owner of its value, and wherein the displayed refined valuation is based at least in part on the estimate of the value of the described aspect. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 8:

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Khedkar teaches that the computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes identifying recent sales of nearby properties regarded by the owner as similar to the distinguished property, and wherein the displayed refined valuation is based at least in part on a repetition of the automatic valuation of the distinguished property in which the influence of the identified sales is magnified. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 9:

Khedkar teaches/suggests that the computer-readable medium of claim 8 wherein the adjustment of the obtained user input further includes identifying a scoring of the properties sold in the identified sales reflecting the relative level of similarity of the sold properties to the distinguished property, and wherein the displayed refined valuation is based at least in part on a repetition of the automatic valuation of the distinguished property in which the influence of the identified sales is magnified in a manner consistent with the identified scores. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 10:

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Kedkhar teaches that the computer-readable medium of claim 9 wherein the user input identifies a scoring of the properties sold in the identified sales reflecting the relative level of similarity of the sold properties to the distinguished property by specifying a ranked order for the identified sales. *(see at least col. 8, lines 20-40 disclosing similar houses; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 13:

Khedkar teaches/suggests that the computer-readable medium of claim 8, the method further comprising displaying a table comprising rows each containing textual information about a different one of a plurality of recent sales of nearby properties, and wherein the owner identifies each recent sale of a nearby property regarded by the owner as similar to the distinguished property by interaction with the row containing information about the sale. *(see Fig. 12 disclosing similar properties and their attributes)*

Regarding claim 14:

Khedkar teaches/suggests that the computer-readable medium of claim 2 wherein the adjustment of the obtained user input includes identifying nearby properties regarded by the owner as similar to the distinguished property, and wherein the displayed refined valuation is based at least in part on a repetition of the automatic valuation of the distinguished property in which the influence of values for the identified sales properties

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is magnified. *(see at least col. 8, lines 20-40 disclosing similar houses; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 15:

Khedkar teaches/suggests a method in a computing system for refining an automatic valuation of a distinguished home based upon input from a user knowledgeable about the distinguished home, comprising:

obtaining user input adjusting at least one aspect of information about the distinguished home used in the automatic valuation of the distinguished home; *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

automatically determining a refined valuation of the distinguished home that is based on the adjustment of the obtained user input; and presenting the refined valuation of the distinguished home. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 16:

Khedkar teaches that the method of claim 15 wherein the presenting involves displaying the refined valuation of the distinguished home to a user providing the user input. *(see*

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at least col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)

Regarding claim 17:

Khedkar teaches that the method of claim 15 wherein the presenting involves displaying the refined valuation of the distinguished home to a user other than the user providing the user input. *col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

Regarding claim 18:

Khedkar teaches that the method of claim 15 wherein the automatic valuation of the distinguished home involves applying a geographically-specific home valuation model to attributes indicated by an external data source to be possessed by the distinguished home,

and wherein the adjustment of the obtained user input includes altering the home attributes indicated by an external data source to be possessed by the distinguished home, and wherein the determined refined valuation is based at least in part on applying the geographically-specific home valuation model to the altered attributes. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation)*

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Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to use Kim to suggest all the features in the claim.

Regarding claim 23:

Khedkar teaches comprising weighting in the construction of the linear regression-derived function information about recent sales of individual homes near the distinguished home based upon the extents to which the sold home and the distinguished home are similar to high-value homes near the distinguished home. *(see at least col. 4 lines 1-25 disclosing weighting and col. 10, lines 20-55 disclosing homes with different evaluations)*

Regarding claim 24:

Khedkar that the method of claim 21, further comprising weighting in the construction of the linear regression-derived function information about recent sales of individual homes near the distinguished home based upon the degree of nearness of each of the sold homes to the distinguished home. *(see at least Fig. 6 and col. 9. lines 25-45 disclosing distance and col. 4, lines 1-25 using weighting with attributes such as distance)*

Regarding claim 25:

Khedkar teaches that the method of claim 18 wherein the geographically-specific home valuation model is constrained to consider only home attributes available for alteration

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by the user. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom)*

Regarding claim 26:

Khedkar the method of claim 15 wherein the adjustment of the obtained user input includes adding a description of an improvement to the distinguished home, and wherein the determined refined valuation is based at least in part on a valuation of the described improvement. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom)*

Regarding claim 27:

Khedkar that the method of claim 26 wherein the added improvement description identifies an improvement type and a cost for the described improvement, further comprising determining the valuation of the described improvement by applying a localized improvement cost recovery rate for the identified improvement type to the identified cost. *(see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation))*

Regarding claim 28:

Khedkar teaches that the method of claim 26 wherein the added improvement description identifies an age of the described improvement and a cost for the described

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improvement, further comprising determining the valuation of the described improvement by applying a depreciation schedule to the identified age and cost. (*see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation*)

Regarding claim 29:

Khedkar teaches that the method of claim 15 wherein the adjustment of the obtained user input includes adding a description of an aspect of the distinguished home not considered by the automatic valuation of the distinguished home and an estimate by a user providing the user input of its value, and wherein the determined refined valuation is based at least in part on the estimate of the value of the described aspect. (*see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation*)

Regarding claim 30:

Khedkar teaches that the method of claim 15 wherein the automatic valuation of the distinguished home involves applying a geographically-specific home valuation model to attributes indicated by an external data source to be possessed by the distinguished home, and wherein the adjustment of the obtained user input includes identifying recent sales of nearby homes regarded as similar to the distinguished home, the method further comprising:

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constructing a new geographically-specific home valuation model that emphasizes the significance of the identified sales; (*see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation*)) and applying the constructed new geographically-specific home valuation model to attributes of the distinguished home to obtain a result, and wherein the determined refined valuation is based at least in part on the obtained result. (*see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation*)

Regarding claim 31:

Khedkar that the method of claim 30 wherein the constructed new geographically-specific home valuation model is applied to attributes indicated by the external data source to be possessed by the distinguished home. (*see at least col. 10, lines 20-50 disclosing attributes such as the area of a bathroom or bedroom; col. 12, lines 62-65 and col. 13, lines 1-20 that disclose the Fusion system that creates a new evaluation*)

Regarding claim 32:

Khedkar that the method of claim 30 wherein the adjustment of the obtained user input further includes altering the home attributes indicated by the external data source to be possessed by the distinguished home, and wherein the constructed new geographically-specific home valuation model is applied to altered attributes. (*see at least col. 10, lines*