| | ed States Paten | it and Trademark Offi | | son at 12:42 pm, Feb 03, 2011 | R FOR PATENTS |
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | | ATTORNEY DOCKET NO | D. CONFIRMATION NO. |
| 11/347,024 | 02/03/2006 | David Cheng | | 56920-8005.US00 | 1383 |
| 25096 PERKINS COI | 7590 02/03/201 ELLP | 1 | | EX | AMINER |
| PATENT-SEA | | | | BASIT, ABDUL | |
| P.O. BOX 1247 SEATTLE, WA 98111-1247 | | Docketed: FINAL Office Action 3/3: 05/03/11 | | ART UNIT | PAPER NUMBER |
| | | | | 3694 | |
| | | 6/6: 08/03/11 | | 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

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| Zillow Exhibit 2004 | |
|--------------------------|------|
| Frulia, Inc. vs. Zillow, | Inc. |
| CBM2013-00056 | |

| | Application No. | | Applicant(s) | Applicant(s) | |
|---|--|--|---|--------------|--|
| Office Action Summary | | 1/347,024 | CHENG ET AL. | CHENG ET AL. | |
| | | xaminer | Art Unit | Art Unit | |
| | | BDUL BASIT | 3694 | | |
| The MAILING DATE of this col Period for Reply | mmunication appear | rs on the cover sheet (| with the correspondence addr | 'ess | |
| A SHORTENED STATUTORY PERI WHICHEVER IS LONGER, FROM T - Extensions of time may be available under the pr after SIX (6) MONTHS from the mailing date of tt - If NO period for reply is specified above, the max - Failure to reply within the set or extended period Any reply received by the Office later than three r earned patent term adjustment. See 37 CFR 1.7 | THE MAILING DATE ovisions of 37 CFR 1.136(a) his communication. imum statutory period will ap for reply will, by statute, cau nonths after the mailing date | E OF THIS COMMUN). In no event, however, may a pply and will expire SIX (6) MO use the application to become a | IICATION. a reply be timely filed DNTHS from the mailing date of this com ABANDONED (35 U.S.C. § 133). | | |
| Status | | | | | |
| Responsive to communication This action is FINAL. Since this application is in conclused in accordance with the | 2b) This ac dition for allowance | tion is non-final. except for formal ma | | nerits is | |
| Disposition of Claims | | | | | |
| 4) ∠ Claim(s) <u>1-43</u> is/are pending in 4a) Of the above claim(s) 5) □ Claim(s) is/are allowed. 6) ∠ Claim(s) <u>1-43</u> is/are rejected. 7) □ Claim(s) is/are objected. 8) □ Claim(s) are subject to | _ is/are withdrawn f | | | | |
| Application Papers | | | | | |
| 9) The specification is objected to 10) The drawing(s) filed oni Applicant may not request that an Replacement drawing sheet(s) ind 11) The oath or declaration is object | is/are: a) accepte y objection to the drav cluding the correction | wing(s) be held in abeya is required if the drawin | ance. See 37 CFR 1.85(a). g(s) is objected to. See 37 CFR | . , | |
| Priority under 35 U.S.C. § 119 | | | | | |
| 12) Acknowledgment is made of a a) All b) Some * c) None 1. Certified copies of the p 2. Certified copies of the p 3. Copies of the certified copies of the Inte * See the attached detailed Office | e of: riority documents ha riority documents ha opies of the priority ernational Bureau (P | ave been received. ave been received in documents have bee PCT Rule 17.2(a)). | Application No In received in this National St | age | |
| Attachment(s) 1) Notice of References Cited (PTO-892) | | 4) 🗌 Interview | / Summary (PTO-413) b(s)/Mail Date | | |

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 negatived 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.

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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 Application/Control Number: 11/347,024 Art Unit: 3694

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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