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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 05/26/2005

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action in Ex Parte Reexamination	Control No. 90/006,625	Patent Under Reexamination 5576951	
	Examiner Robert M. Pond	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

- a Responsive to the communication(s) filed on 04 October 2004. b This action is made FINAL.
c A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 2 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c)**. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. 3. Interview Summary, PTO-474.
2. Information Disclosure Statement, PTO-1449. 4. _____.

Part II SUMMARY OF ACTION

- 1a. Claims 1-53 are subject to reexamination.
1b. Claims _____ are not subject to reexamination.
2. Claims _____ have been canceled in the present reexamination proceeding.
3. Claims _____ are patentable and/or confirmed.
4. Claims 1-53 are rejected.
5. Claims _____ are objected to.
6. The drawings, filed on _____ are acceptable.
7. The proposed drawing correction, filed on _____ has been (7a) approved (7b) disapproved.
8. Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the certified copies have
1 been received.
2 not been received.
3 been filed in Application No. _____.
4 been filed in reexamination Control No. _____.
5 been received by the International Bureau in PCT application No. _____.
* See the attached detailed Office action for a list of the certified copies not received.
9. Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. Other: _____

REEXAMINATION

Response to Amendment

The Patentee submitted a declaration under 37 CFR 1.131(b). The Patentee newly added claims 11-53 in a supplemental amendment filed 04 October 2004 (Paper #12). All pending claims (1-53) were examined in this non-final office action necessitated by new grounds of rejection.

Response to Arguments

Rejection under 102(a)

Applicant's arguments with respect to claims 1-53 have been considered but are moot in view of the new ground(s) of rejection. Biehal was withdrawn.

Information Networks, Comp-U-Store, and Interactive Video were cited under 35 USC 103(a) as summarized below:

- **Electronic Shopping: remote connections to databases and an electronic catalog**

Information Networks teaches electronic shopping. Shoppers use personal computers or dumb terminals to remotely connect to information databases over telecommunications networks to browse or search for consumer-based services and goods. Shoppers access databases, conduct searches, shop for services, and order services. Information Networks further teaches remotely connected shoppers accessing Comp-

U-Store's electronic catalog to purchase goods, to make payment by credit card, and to receive purchased goods at a delivery address.

- **Electronic Shopping: in-store shopping using self-servicing sales terminals**

Comp-U-Store teaches computerized self-servicing terminals being used in malls and other retailing locations by shoppers. Shoppers use Comp-U-Store's electronic merchandising terminal to view images of goods, purchase goods, and arrange for delivery.

Information Networks in view of Comp-U-Store teach or suggest:

- Implementing electronic shopping for shoppers remotely connected to Comp-U-Store's electronic catalog via a telecommunications network: viewing product information, making a purchase, making payment, and providing a delivery address.
- Implementing electronic shopping for in-store shoppers via computerized merchandising terminals: viewing product images, making a purchase, and arranging delivery to the store.
- Using personal computers or dumb terminals as an interface to communicate over a telecommunications network with information databases and an electronic shopping catalog.
- Using personal computers or dumb terminals as a user interface to communicate with a computerized merchandising computer.

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- Ordering and purchasing services over a telecommunications network connecting remote users to databases: e.g. reserving an airline seat and arranging to pay by credit card, reserving a rental car and hotel room.
- Browsing hierarchical menu-driven categories of database information; using textual key-word searching techniques.
- Using a laser disc as a storage and retrieval component of an in-store computerized merchandising terminal.

- **Telecommunications networks: facilitating electronic shopping**

Telecommunications networks connect remote at-home electronic shoppers using dumb terminals or personal computers to an electronic catalog. Telecommunications networks can facilitate in-store electronic shopping as it does at-home electronic shopping- connect in-store electronic shopping terminals to an electronic catalog or other information databases.

- **Self-servicing terminals: laser discs enabling search, retrieval, and display of interrelated textual and graphical information**

Interactive Video teaches a self-servicing terminal used by consumers to search and retrieve consumer information. Interactive Video teaches laser discs and laser video discs providing functionality essential for storing and randomly retrieving searchable data displayed to users.

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