

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: BRYAN T. CUPPS
APPLICATION No.:
FILED: AUGUST 22, 2012
FOR: AN INTERNET ONLINE ORDER
METHOD AND APPARATUS

EXAMINER: ARTHUR D. DURAN
ART UNIT: 3682
CONF. No:

PRELIMINARY STATEMENT

Mail Stop New Application
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A continuation application is presented herewith, containing claims 1-21. Applicant notes that filed claims 1-18 are copied from claims 1-18 of issued U.S. Patent No. 8,146,077, issued March 27, 2012 from U.S. Application No. 11/112,990 filed April 22, 2005 ("the '077 Patent"):

At least the following identified portions of the current application provide written description support for the copied claims:

Current App. Claim No. [The '077 Patent Claim No.]	Text of Claim	Current application support (citations are to the page and line number of the Specification as filed (Specification as filed))
1. [1.]	An information management ^[1] and real time synchronous ^[2] communications system for configuring ^[2] and transmitting ^[2] hospitality menus ^[3] comprising:	¹ : "A system ... for providing an online ordering machine that manages the distribution of home delivered products ... [and] provides the customers with product information" (Specification as filed at 28:3-8, Abstract) ² : "[T]he online ordering

Current App. Claim No. [The '077 Patent Claim No.]	Text of Claim	Current application support (citations are to the page and line number of the Specification as filed (Specification as filed))
		<p>machines ... including a web creation procedure that dynamically generates menu web pages in response to a customer's request.... An Internet customer is provided with a menu web page listing those vendors or restaurants that service the customer's location." (Specification as filed at 3:32-4:3)</p> <p>³: "FIG. 9 is a menu web page 144 showing the various types of food items that a particular restaurant offers...." (Specification as filed at 16:10-11) ("...hospitality industry, e.g., for restaurant ordering...." (The '077 Patent at 1:33-34) Thus, the "hospitality menus" include restaurant related menus according to the disclosure of The '077 Patent.)</p>
	a. a central processing unit,	"[T]he online ordering machine 106 ... includes a central processing unit (CPU) 112 ... a user interface 114, a memory 118...." (Specification as filed at 6:30-32)
	b. a data storage device connected to said central processing unit,	See above regarding "a central processing unit."
	c. an operating system including a first graphical user interface,	See above regarding "a central processing unit."
	d. a master menu ^[1] including at least menu categories, ^[2] menu items ^[3] and modifiers, ^[4] wherein said master menu is capable of being stored on said data storage device pursuant to a master menu file structure ^[5] and said master menu is capable of being configured for display to facilitate user operations in at least one window of said	"The memory 118 can contain ... web page creation procedures 126 that dynamically generate menu web pages in response to a customer's request; ^[6] ...one or more menu web pages 144 ^[1] that are dynamically created by

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	first graphical user interface ^[6] as cascaded sets ^[7] of linked graphical user interface screens, ^[8] and	<p>the web creation procedure 126;^[6] a menu file system 146 including one or more menu files representing menu data associated with a particular vendor...;^[6]” (Specification as filed at 8:7–31.)</p> <p>See Fig. 12B: FIG. 12B shows a menu^[1] in two windows, in the left window, the menu includes at least menu categories^[2] (e.g. “User Profile” category, “What type of restaurant are you looking for?” category, etc.), and menu items thereof (e.g. “DELIVERY” and “TAKE OUT” for the “What type of restaurant are you looking for?” category)^[3] and right window includes at least modifiers^[4] (“We will search for restaurants near these address,” and the “work” address). <i>(According to the disclosure of the '077 Patent, “a menu system comprises cascading sets of menus which are displayable in context to show the parent/child relationships between options of the context menu.” The '077 Patent at 6:49–51, emphasis added. As shown in FIG. 12B, the menu shows the parent/child relationships between options, wherein the parent option is “What type of restaurant are you looking for” and the child option is, e.g. “DELIVERY,”^[7] which are linked to graphical user interface screens^[8])</i></p>

Current App. Claim No. [The '077 Patent Claim No.]	Text of Claim	Current application support (citations are to the page and line number of the Specification as filed (Specification as filed))
	<p>e. menu configuration software^[1] enabled to generate a programmed handheld menu configuration^[2] from said master menu for wireless transmission^[3] to and programmed for display on a wireless handheld computing device,^[4] said programmed handheld menu configuration comprising at least menu categories, menu items and modifiers^[5] and wherein the menu configuration software is enabled to generate said programmed handheld menu configuration by utilizing parameters from the master menu file structure defining at least the menu categories, menu items and modifiers of the master menu such that at least the menu categories, menu items and modifiers comprising the programmed handheld menu configuration are synchronized in real time with analogous information comprising the master menu,^[6]</p>	<p>“[T]he client computer 102 ... includes ... a memory 119...and a communication interface 116.^[1] The communications interface 116 is used to communicate with the server computer 106 as well as other system resources not shown.... The memory 119 can contain ... Internet access procedures 122,^[1]....” (Specification as filed at 6:19–27.)</p> <p>“[T]he online ordering machine 106 ... includes ... a memory 118, a communication interface 116^[1].... The communications interface 116 is used to communicate with the client computers 102 as well as other system resources not shown.” (Specification as filed at 6:30–7:3) “The memory 118 can contain ... Internet access procedures 122^[1]; web server procedures 124^[1]....” (Specification as filed at 8:7–11.)</p> <p>“Fig. 1 illustrates a system 100 ... including a number of client computers 102A-102N and one or more online ordering machines 106 in communication via a communications link 104^[3].... The communication link 104 generically refers to any type of wire or wireless^[3] link between computers....A client computer 102 can be any type of computing device, such as but not limited to, ..., laptops,^[4]....” (Specification as</p>

Current App. Claim No. [The '077 Patent Claim No.]	Text of Claim	Current application support (citations are to the page and line number of the Specification as filed (Specification as filed))
		<p>filed at 6:1–15.) (<i>According to the disclosure of the '077 Patent, "handheld computing device" includes "handheld computer and PDA devices." (The '077 Patent 3:25–26). Laptop is a handheld computer, thus, the Specification as filed provides proper written description for "handheld computing device."</i>)</p> <p>"The customer can then select a particular vendor or restaurant and one or more menu web pages 144^[5] including the selected information that is dynamically created by the web creation procedure 126 and provided to the customer's client computer 102. The customer can then browse through the menu web pages 144 and select items of interest. The user's selection or requests are used by the web creation procedure 126 to generate one or more menu web pages 144 that are displayed to the customer (step 306)."^[5] (Specification as filed at 17:22–28)</p> <p>The menu web pages 144 generated by the online ordering machine 106 will be provided and displayed to the customer computer,^[2] i.e. the "wireless handheld computing device." Thus, the menu web pages displayed to the customer are generated "from said master menu," by "utilizing</p>

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